

Minute

Orkney Islands Area Licensing Board

Thursday, 1 May 2025, 15:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Duncan A Tullock, Kristopher D Leask, Alexander G Cowie, David Dawson, Steven B Heddle, Rachael A King and Owen Tierney.

Clerk

- Gavin Mitchell.

In Attendance

Orkney Islands Council:

- Karen Bevilacqua, Service Manager (Legal Services).
- Lillian Rendall, Legal Clerk.
- Katy Russell-Duff, Committees Officer.

Observing

- Andrew McGinn, Convener, Local Licensing Forum.

Apology

- Gwenda M Shearer.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Duncan A Tullock, Convener.

1. Draft Minute of Meeting held on 5 December 2024

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 5 December 2024, copies of which had been circulated, the Board:

Resolved, on the motion of Duncan A Tullock, seconded by David Dawson, that the Minute of the Meeting of the Orkney Islands Area Licensing Board held on 5 December 2024 be approved as a true record.

2. Application for Variation of Premises Licence

Highland Distillers Limited – Visitor Centre, Highland Park Distillery, Holm Road, Kirkwall

Graham Bruce representing the applicant, Highland Distillers Limited, was present during consideration of this item.

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

2.1. That a premises licence had been held at the Visitor Centre, Highland Park Distillery, Holm Road, Kirkwall, since 1 September 2009, by Highland Distillers Limited.

2.2. That, on 25 February 2025, Highland Distillers Limited submitted an application for a variation of the premises licences in respect of the Visitor Centre, Highland Park Distillery, Holm Road, Kirkwall, which sought the following:

- Increase in the extent of the licensed premises by the inclusion of two additional rooms at the Visitor Centre.
- To permit activities of recorded music, live music and whisky tasting packages, in addition to previously permitted films.
- To permit on-sales from 10:00 to 22:00 on Mondays to Sundays inclusive with capacity of 40 persons.

2.3. That no objections or representations had been received in relation to the application from Highland Distillers Limited for a variation of the premises licence in respect of the Visitor Centre, Highland Park Distillery, Holm Road, Kirkwall.

After hearing representations from Graham Bruce in support of the application from Highland Distillers Limited for a variation of the premises licence in respect of the Visitor Centre, Highland Park Distillery, Holm Road, Kirkwall, on the motion of David Dawson, seconded by Kristopher D Leask, the Board:

Resolved:

2.4. That the application from Highland Distillers Limited for a variation of the premises licence in respect of the Visitor Centre, Highland Park Distillery, Holm Road, Kirkwall, be granted as follows:

- Increase in the extent of the licensed premises by the inclusion of two additional rooms at the Visitor Centre.

- To permit activities of recorded music, live music and whisky tasting packages, in addition to previously permitted films.
- To permit on-sales from 10:00 to 22:00 on Mondays to Sundays inclusive with capacity of 40 persons.

3. Application for Provisional Premises Licence

Kirkjuvagr Limited – Rapture, 14 Bridge Street, Kirkwall

Neil Stevenson and Serena Sutherland representing the applicant, Kirkjuvagr Limited, were present during consideration of this item.

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

3.1. That, on 25 February 2025, Kirkjuvagr Limited submitted an application for a provisional premises licence in respect of Rapture, 14 Bridge Street, Kirkwall, which requested the following:

- The premises description as a nightclub and music venue.
- On-sale operating hours:
 - o 10:00 to 24:00 on Sundays to Thursdays inclusive.
 - o 10:00 to 02:00 on Fridays and Saturdays.
- Seasonal variations to on-sale operating hours for Christmas and New Year Festivities:
 - o 10:00 to 02:00 on 24/25 December.
 - o 10:00 to 02:00 on 31 December/1 January.
 - o 10:00 to 02:00 on 26/27 December to 30/31 December inclusive.
- Seasonal variations to on-sale operating hours for Orkney 2025 International Island Games:
 - o 10:00 to 02:00 on five consecutive dates from Sunday, 13 July/Monday, 14 July 2025 to Thursday, 17 July/Friday, 18 July 2025 inclusive.
- Activities including receptions (for example, weddings, funerals, birthdays, retirements), recorded music, live performances, dance facilities and theatre.
- On-sale capacity of 650 persons.
- Children and young persons to be permitted on the premises between 10:00 and 24:00 on Mondays to Sundays inclusive on the following terms:
 - o 14-17 years to be accompanied by an adult.
 - o 8-17 years would not require to be accompanied by an adult at junior discos and events which are to be alcohol free.

3.2. That the on-sale operating hours requested above were, in part, within those permitted in terms of the Board's Statement of Alcohol Licensing Policy.

3.3. That the on-sale terminal operation hour of 02:00 requested for the festive period each day from 26/27 to 30/31 December inclusive fell outwith the range of hours permitted in terms of the Board's Statement of Alcohol Licensing Policy.

3.4. That the terminal operating hour of 02:00 requested for the Orkney 2025 International Islands Games for the five days from 13/14 July to 17/18 July inclusive fell outwith the range of hours permitted in terms of the Board's Statement of Alcohol Licensing Policy.

3.5. That a representation from Police Scotland dated 24 March 2025 had been received in relation to the application from Kirkjuvagr Limited for a provisional premises licence in respect of Rapture, 14 Bridge Street, Kirkwall.

After hearing representations from Serena Sutherland in support of the application from Kirkjuvagr Limited for grant of a provisional premises licence in respect of Rapture, 14 Bridge Street, Kirkwall, on the motion of Kristopher D Leask, seconded by Owen Tierney, the Board:

Resolved:

3.6. That the application from Kirkjuvagr Limited for a provisional premises licence in respect of Rapture, 14 Bridge Street, Kirkwall, be granted, as follows:

- The premises description as a nightclub and music venue.
- On-sale operating hours, as follows:
 - o 10:00 to 24:00 on Sundays to Thursdays inclusive.
 - o 10:00 to 02:00 on Fridays and Saturdays.
- Seasonal variations to on-sale operating hours for Christmas and New Year Festivities:
 - o 10:00 to 02:00 on 24/25 December.
 - o 10:00 to 02:00 on 31 December/1 January.
 - o 10:00 to 02:00 on 26/27 December to 30/31 December inclusive.
- Seasonal variations to on-sale operating hours for Orkney 2025 International Island Games:
 - o 10:00 to 02:00 on five consecutive dates from Sunday, 13 July/Monday, 14 July 2025 to Thursday, 17 July/Friday, 18 July 2025 inclusive.
- Activities including receptions (for example, weddings, funerals, birthdays, retirements), recorded music, live performances, dance facilities and theatre.
- On-sale capacity of 650 persons.
- Children and young persons to be permitted on the premises between 10:00 and 24:00 on Mondays to Sundays inclusive on the following terms:
 - o 14-17 years to be accompanied by an adult.
 - o 8-17 years would not require to be accompanied by an adult at junior discos and events which are to be alcohol free.

4. Application for Provisional Premises Licence

Kirkjuvagr Limited – Lanes, 18 Bridge Street, Kirkwall

Neil Stevenson, and Serena Sutherland representing the applicant, Kirkjuvagr Limited, were present during consideration of this item.

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

4.1. That, on 25 February 2025, Kirkjuvagr Limited submitted an application for a provisional premises licences in respect of Lanes, 18 Bridge Street, Kirkwall, which sought the following:

- The premises description as a bowling alley incorporating a family entertainment centre.
- On-sale operating hours in respect of the Indoor Areas:
 - o 10:00 to 24:00 on Mondays to Sundays inclusive.
- On-sale operating hours in respect of the Outdoor Seating and Garden Area:
 - o 10:00 to 20:00 on Sundays to Thursdays inclusive.
 - o 10:00 to 21:00 on Fridays and Saturdays.
- Seasonal variation to the on-sale operating hours in respect of the Outdoor Seating and Garden Area for the period of the Orkney 2025 International Island Games as follows:
 - o 10:00 to 23:00 for eight days from Friday, 11 July 2025 to Friday, 18 July 2025 inclusive.
- Activities including bar meals, receptions (for example, weddings, funerals, birthdays, retirements), club or other group meetings, recorded music, gaming (coin pushers and grab machines), indoor/outdoor sports, televised sport, outdoor drinking, shuffleboard, electronic darts, karaoke rooms and arcade video games.
- On-sale capacity of 220 persons.
- Children and young persons to be permitted on the premises between 10:00 and 20:00 on Mondays to Sundays inclusive.

4.2. That a representation from Police Scotland dated 22 March 2025 had been received in relation to the application from Kirkjuvagr Limited for a provisional premises licence in respect of Lanes, 18 Bridge Street, Kirkwall.

After hearing representations from Serena Sutherland in support of the application from Kirkjuvagr Limited for grant of a provisional premises licence in respect of Lanes, 18 Bridge Street, Kirkwall, on the motion of Kristopher D Leask, seconded by David Dawson, the Board:

Resolved:

4.3. That the application from Kirkjuvagr Limited for a provisional premises licence in respect of Lanes, 18 Bridge Street, Kirkwall, be granted, as follows:

- The premises description as a bowling alley incorporating a family entertainment centre.
- On-sale operating hours in respect of the Indoor Areas:
 - o 10:00 to 24:00 on Mondays to Sundays inclusive.
- On-sale operating hours in respect of the Outdoor Seating and Garden Area:
 - o 10:00 to 20:00 on Sundays to Thursdays inclusive.
 - o 10:00 to 21:00 on Fridays and Saturdays.
- Seasonal Variation to the on-sale operating hours in respect of the Outdoor Seating and Garden Area for the period of the Orkney 2025 International Island Games as follows:
 - o 10:00 to 23:00 for eight days from Friday, 11 July 2025 to Friday, 18 July 2025 inclusive.
- Activities including bar meals, receptions (for example, weddings, funerals, birthdays, retirements), club or other group meetings, recorded music, gaming (coin pushers and grab machines), indoor/outdoor sports, televised sport, outdoor drinking, shuffleboard, electronic darts, karaoke rooms and arcade video games.
- On-sale capacity of 220 persons.
- Children and young persons to be permitted on the premises between 10:00 and 20:00 on Mondays to Sundays inclusive.

5. Application for Licensed Premises Gaming Machine Permit

Lanes, 18 Bridge Street, Kirkwall

Neil Stevenson and Serena Sutherland representing the applicant, Kirkjuvagr Limited, were present during discussion of this item.

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

5.1. That, on 24 March 2025, Neil Stevenson, on behalf of Kirkjuvagr Limited, submitted an application for a licensed premises gaming machine permit for three or more gaming machines in respect of Lanes, 18 Bridge Street, Kirkwall, and that the application requested the provision of 12 Category D machines within the premises.

5.2. That, generally, Category D machines were low-stake fruit machine style machines, coin pushers, sometimes called penny falls, or crane grabs.

5.3. That the Category D machines proposed to be provided at and located within the premises at Lanes, 18 Bridge Street, Kirkwall, were coin pushers and claw/grab machines.

5.4. That no objections or representations had been received in respect of the application from Kirkjuvagr Limited for a licensed premises gaming machine permit in respect of Lanes, 18 Bridge Street, Kirkwall.

After hearing representations from Serena Sutherland in support of the application from Kirkjuvagr Limited for a licensed premises gaming machine permit, on the motion of Duncan A Tullock, seconded by Steven B Heddle, the Board:

Resolved:

5.5. That the application from Kirkjuvagr Limited for a licensed premises gaming machine permit for three or more gaming machines in respect of Lanes, 18 Bridge Street, Kirkwall, be granted.

6. Conclusion of Meeting

At 15:32 the Convener declared the meeting concluded.

Signed: Duncan A Tullock.