

## **Minute**

### **Orkney Islands Area Licensing Board**

Thursday, 5 March 2026, 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.

### **Present via remote link (Microsoft Teams)**

- Mrs Gwenda M Shearer.

### **Clerk**

- Gavin Mitchell.

### **In Attendance**

#### **Orkney Islands Council:**

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

### **In Attendance via remote link (Microsoft Teams)**

#### **Police Scotland:**

- Sergeant Sarah Paterson.

### **Observing**

- Andrew McGinn, Convener, Local Licensing Forum.

### **Declaration of Interest**

- Mrs Gwenda M Shearer – Items 4 and 5.

### **Chair**

- Duncan A Tullock, Convener.

## **1. Draft Minute of Meeting held on 22 January 2026**

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 22 January 2026, copies of which had been circulated, the Board:

Resolved, on the motion of Duncan A Tullock, seconded by Kristopher D Leask, that the Minute of the Meeting of the Orkney Islands Area Licensing Board held on 22 January 2026 be approved as a true record.

## **2. Application for Variation of Premises Licence**

### **Orkney Distilling Ltd – Orkney Distillery and Visitor Centre, Ayre Road, Kirkwall**

Stephen MacPhail, representing the applicant, Orkney Distilling Ltd, 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 Orkney Distillery and Visitor Centre, Ayre Road, Kirkwall, since 14 June 2018, by Orkney Distilling Ltd.

**2.2.** That, on 16 December 2025, Orkney Distilling Ltd submitted an application for a variation of the premises licences in respect of Orkney Distillery and Visitor Centre, Ayre Road, Kirkwall, which sought an increase in the off-sale display capacity of 3.23m<sup>2</sup>, from 19.52m<sup>2</sup> to 22.75m<sup>2</sup>.

**2.3.** That no objections or representations had been received in relation to the application from Orkney Distilling Ltd for a variation of the premises licence in respect of Orkney Distillery and Visitor Centre, Ayre Road, Kirkwall.

After hearing representations from Stephen MacPhail in support of the application from Orkney Distilling Ltd for a variation of the premises licence in respect of Orkney Distillery and Visitor Centre, Ayre Road, Kirkwall, the Board:

Resolved:

**2.4.** That the application from Orkney Distilling Ltd for a variation of the premises licence in respect of Orkney Distillery and Visitor Centre, Ayre Road, Kirkwall, be granted as follows:

- An increase in the off-sale display capacity of 3.23m<sup>2</sup>, from 19.52m<sup>2</sup> to 22.75m<sup>2</sup>.

## **3. Application for Provisional Premises Licence**

### **The Orkney Wine Barn Ltd – The Orkney Wine Barn, Berstane Road, Kirkwall**

Stephen MacPhail, representing the applicant, The Orkney Wine Barn Ltd, 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:

**3.1.** That, on 18 December 2025, The Orkney Wine Barn Ltd submitted an application for a provisional premises licence in respect of The Orkney Wine Barn, Berstane Road, Kirkwall, which requested the following:

- Premises description – a specialist retail and distribution outlet for wine storage, sales, and small-scale tastings.
- On-sale operating hours:
  - 10:00 to 21:00 on Mondays to Saturdays inclusive.
- Off-sale operating hours:
  - 10:00 to 21:00 on Mondays to Saturdays inclusive.
- Activities including receptions (for example, weddings, funerals, birthdays, retirements), club or other group meetings, recorded music, live performances, outdoor drinking facilities and intimate wine tasting events.
- On-sale capacity of 12 persons.
- Children and young persons to be permitted on the premises between 10:00 and 21:00 on Mondays to Saturdays inclusive, whilst accompanied by a responsible adult.

**3.2.** That the off-sale and on-sale operating hours requested above fell within the range of hours permitted in terms of the Board's Statement of Alcohol Licensing Policy.

**3.3.** That no objections or representations had been received in respect of the application from The Orkney Wine Barn Ltd for a provisional premises licence in respect of The Orkney Wine Barn, Berstane Road, Kirkwall.

After hearing representations from Stephen MacPhail in support of the application from The Orkney Wine Barn Ltd for a provisional premises licence in respect of The Orkney Wine Barn, Berstane Road, Kirkwall, the Board:

Resolved:

**3.4.** That the application from The Orkney Wine Barn Ltd for a provisional premises licence in respect of The Orkney Wine Barn, Berstane Road, Kirkwall, be granted as follows:

- Premises description – a specialist retail and distribution outlet for wine storage, sales and small-scale tastings.
- On-sale operating hours:
  - 10:00 to 21:00 on Mondays to Saturdays inclusive.
- Off-sale operating hours:
  - 10:00 to 21:00 on Mondays to Saturdays inclusive.
- Activities including receptions (for example, weddings, funerals, birthdays, retirements), club or other group meetings, recorded music, life performances, outdoor drinking facilities and intimate wine tasting events.
- On-sale capacity of 12 persons.

- Children and young persons to be permitted on the premises between 10:00 and 21:00 on Mondays to Saturdays inclusive, whilst accompanied by a responsible adult.

#### **4. Application for Variation of Premises Licence**

##### **Kirkjuvagr Limited – Lanes, 18 Bridge Street, Kirkwall**

Gwenda M Shearer declared an interest in this item, in that the applicant was a close family member, and was not present during discussion of this item.

David Cromarty, representing the applicant, Kirkjuvagr 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:

**4.1.** That a premises licence had been held at Lanes, 18 Bridge Street, Kirkwall, since 13 September 2025, by Kirkjuvagr Limited.

**4.2.** That, on 22 December 2025, Kirkjuvagr Limited submitted an application for a variation of the premises licences in respect of Lanes, 18 Bridge Street, Kirkwall, which sought the following:

- An increase to the permitted hours for access by children and young persons as follows:
  - Under 12s must be accompanied by an adult at all times.
  - Sunday to Thursday – under 18s allowed entry until 21:30.
  - Friday and Saturday – under 18s must leave the premises by 20:00.
  - 12-17 year olds can bowl or access the facility unaccompanied until 20:00 on Friday and Saturday and until 21:30 on Sunday to Thursday. Thereafter they must leave the premises.
  - No under 18s allowed in the outside areas after 20:00 on any day.
  - Baby changing facilities to be provided within the accessible toilet.
  - Children and young persons are permitted access to all parts of the facility.

**4.3.** That no objections or representations had been received in relation to the application from Kirkjuvagr Limited for a variation of the premises licence in respect of Lanes, 18 Bridge Street, Kirkwall.

After hearing representations from David Cromarty in support of the application from Kirkjuvagr Limited for a variation of the premises licence in respect of Lanes, 18 Bridge Street, Kirkwall, the Board:

Resolved:

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

- An increase to the permitted hours for access by children and young persons as follows:
  - Under 12s must be accompanied by an adult at all times.
  - Sunday to Thursday – under 18s allowed entry until 21:30.
  - Friday and Saturday – under 18s must leave the premises by 20:00.
  - 12-17 year olds can bowl or access the facility unaccompanied until 20:00 on Friday and Saturday and until 21:30 on Sunday to Thursday. Thereafter they must leave the premises.
  - No under 18s allowed in the outside areas after 20:00 on any day.
  - Baby changing facilities to be provided within the accessible toilet.
  - Children and young persons are permitted access to all parts of the facility.

## **5. General Extension – On-sale Licensed Premises – World Cup 2026**

Gwenda M Shearer declared an interest in this item, in that a close family member was associated with licensed premises which may benefit from the decision to be taken, and was not 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 the Scotland Men's Football Team had qualified for the FIFA World Cup, the first time that the team has qualified for the World Cup finals since 1998.

**5.2.** That the Scottish Government had designated Monday, 15 June 2026 as a public holiday in Scotland.

**5.3.** That, where there was a special event of local or national significance, the Licensing (Scotland) Act 2005 allowed the Board to make a determination extending licensed hours for such period as the Board may specify.

**5.4.** That, where the Board made such determination as detailed in paragraph 5.3 above, there would no longer be a requirement for a licence holder to present any application to extend their hours for the period covered by the general extension.

The Board thereafter determined that it had sufficient information to proceed to determination to grant a general extension of licensed hours for on-sale premises under section 67 of the Licensing (Scotland) Act 2005 to facilitate the 2026 World Cup.

Mr Kristopher D Leask, seconded by Mr Owen Tierney, moved that:

- The Board grant a general extension of licensed hours for on-sale premises under section 67 of the Act to facilitate the 2026 FIFA World Cup.
- The general extension of licensed hours should apply for the duration of the World Cup between 11 June 2026 and 19 July 2026 inclusive.
- The extension should be one additional hour to all existing licences, for example if a licence was until 24:00, the extension would amend this to 01:00.

- For matches in which Scotland were playing, were a semi-final, or final, the extension should apply until 30 minutes following the close of play and end of the match, inclusive of any extra time or penalties.
- The general extension of licensed hours should apply to all premises regardless of televised sport featuring in their operating plans.
- Powers be delegated to the Clerk to the Board to grant applications for on-sale occasional licences under Part 4 of the Licensing (Scotland) Act 2005 for terminal hours in line with those granted by the general extension of licensed hours outlined above and in respect of which no objections have been received.

Mr David Dawson, seconded by Mr Steven B Heddle, moved an amendment that:

- The Board grant a general extension of licensed hours for on-sale premises under section 67 of the Act to facilitate the 2026 FIFA World Cup.
- The general extension of licensed hours should apply for the duration of the World Cup between 11 June 2026 and 19 July 2026 inclusive.
- The extension should be one additional hour to all existing licences, for example if a licence was until 24:00, the extension would amend this to 01:00.
- For matches in which Scotland were playing, were a semi-final, or final, the extension should apply until 30 minutes following the close of play and end of the match, inclusive of any extra time or penalties.
- The general extension of licensed hours should only apply to premises with televised sport featuring in their operating plans.
- Powers be delegated to the Clerk to the Board to grant applications for on-sale occasional licences under Part 4 of the Licensing (Scotland) Act 2005 for terminal hours in line with those granted by the general extension of licensed hours outlined above and in respect of which no objections have been received.

On a vote being taken 4 members voted for the amendment and 3 for the motion, and the Board:

Resolved:

**5.5.** To grant a general extension of licensed hours for on-sale premises under section 67 of the Licensing (Scotland) Act 2005 for the duration of the FIFA World Cup between 11 June 2026 and 19 July 2026 inclusive, subject to the following:

- The extension shall allow one additional hour to all existing licences, for example if a licence was until 24:00, the extension shall amend this to 01:00.
- For matches in which Scotland were playing, were a semi-final, or final, the extension shall apply until 30 minutes following the close of play and end of the match, inclusive of any extra time or penalties.
- The general extension of licensed hours will apply only to premises with televised sport in their operating plans.

**5.6.** That powers be delegated to the Clerk to the Board to grant applications for on-sale occasional licences under Part 4 of the Licensing (Scotland) Act 2005 for terminal hours in line with those granted by the general extension of licensed hours, referred to in paragraph 5.5 above, and in respect of which no objections have been received.

## **6. Conclusion of Meeting**

At 15:35 the Convener declared the meeting concluded.

Signed: Duncan A Tullock.