

Minute

Orkney Islands Area Licensing Board

Thursday, 1 December 2022, 11:15.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Kristopher D Leask, David Dawson, Steven B Heddle, Rachael A King, W Leslie Manson, Gwenda M Shearer and Owen Tierney.

Present via Remote Link

Temporary Sergeant Gavin McDevitt, Police Scotland.

Clerk

- Gavin Mitchell.

In Attendance

Orkney Islands Council:

- Sheila Tulloch, Service Manager (Legal Services).
- Elaine Sinclair, Legal Clerk.
- Angela Kingston, Committees Officer.

Observing

- Lillian Rendall, Legal Clerk.

Apology

- Mr Duncan A Tullock.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Kristopher D Leask, Vice Convener.

1. Draft Minute of Meeting held on 6 October 2022

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 6 October 2022, copies of which had been circulated, the Board:

Resolved, on the motion of Mr Kristopher D Leask, seconded by Mrs Gwenda M Shearer, that the Minute of the Meeting of the Orkney Islands Area Licensing Board held on 6 October 2022 be approved as a true record.

2. Rodney A Smith, Pentland, Longhope

Personal Licence Holder

Rodney A Smith, licence holder, and Ila Corse, representing the licence holder, 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:

2.1. That a personal licence had been held by Rodney A Smith, since 31 March 2016, and had effect until 30 March 2026.

2.2. That, on 7 October 2022, the Licensing Service received an email which had been sent on behalf of Mr Smith, and which provided notification that he had “been convicted of drink driving on Wednesday 27 September”.

2.3. That, on 11 October 2022, the Licensing Service forwarded notification of the conviction to Police Scotland, who responded by letter dated 14 October 2022, confirming the conviction and that the conviction had been for a relevant offence for the purposes of the Licensing (Scotland) Act 2005.

After hearing representations from Ila Corse in support of the personal licence held by Rodney A Smith, on the motion of Mr Kristopher D Leask, seconded by Mr David Dawson, the Board:

Resolved:

2.4. That no further action be taken in respect of the personal licence held by Rodney A Smith, Pentland, Longhope, and the licence should remain in effect until 30 March 2026.

Mr Steven B Heddle left the meeting during discussion of this item.

3. Conclusion of Meeting

At 11:44 the Vice Convener declared the meeting concluded.

Signed: Kristopher D Leask.