

Item: 5

Orkney Islands Area Licensing Board: 3 July 2025.

Licensing (Scotland) Act 2005.

Application for Premises Licence.

Old Library Coworking Ltd – The Old Library, 8 Laing Street, Kirkwall.

Report by Clerk to the Board.

1. Overview

- 1.1. On 17 April 2025, Old Library Coworking Ltd submitted an application for a premises licence in respect of The Old Library, 8 Laing Street, Kirkwall, details of which are provided at section 3 below.

2. Recommendations

- 2.1. It is recommended that members of the Board:
- i. Determine the application from Old Library Coworking Ltd for a premises licence in respect of The Old Library, 8 Laing Street, Kirkwall.

3. Application for Premises Licence

- 3.1. The premises are described as a coworking and venue hire facility.
- 3.2. The application requests on-sale operating hours as follows:
- 11:00 to 24:00 on Mondays to Sundays.
- 3.3. The requested activities include conference facilities, receptions (for example, weddings, funerals, birthdays, retirements), club or other group meetings, recorded music, live performances, films, gaming, televised sport and external caterers will be used to provide catering at various events.
- 3.4. The application requests that children and young persons be permitted on the premises between 11:00 and 21:00 on Mondays to Sundays.

4. Consultation

- 4.1. The required notices were issued to the statutory consultees on 23 April 2025 and the application was published on Orkney Islands Council's website from 24 April

2025. The last date for objections or representations to be received was 15 May 2025. No objections or representations were received

5. Policy Position

- 5.1. In accordance with the Licensing (Scotland) Act 2005 (the Act), the Board's Statement of Alcohol Licensing Policy provides that decisions on premises licence applications shall be made by the Board.
- 5.2. In relation to overprovision, on 27 April 2023, the Board determined the following:
- There is no overprovision of licensed premises or licensed premises of a particular description within the locality of Orkney defined by the Board.
 - The Board concluded that, on a balance of probabilities, there was not a dependable causal link between the availability of alcohol in Orkney and alcohol-related harm, in that, based on the evidence of harm in the locality of Orkney as defined by the Board, it was unlikely, on balance, that alcohol availability was a cause of harm in Orkney, or that increasing the availability of alcohol in Orkney would increase that harm.
- 5.3. The Board's Statement of Alcohol Licensing Policy generally permits on sale operating hours as follows:
- Commencement on-sale operating hour of 10:00 each day.
 - Terminal on-sale operating hours of 24:00 Sundays to Thursdays and 01:00 Fridays/Saturdays and Saturdays/Sundays.
 - For local events such as annual agricultural shows, local festivals and private functions, a terminal on-sale operating hour of 01:00 in any morning.
 - For weddings, a terminal on-sale operating hour of 01:30 in any morning.
 - For the festive season, being 24/25 December until 2/3 January each year, a terminal on-sale operating hour of 01:00 any morning.
- 5.4. The on-sale operating hours requested in the application fall within the range of hours permitted in the Board's Statement of Alcohol Licensing Policy.
- 5.5. The full policy document is available from the Related Downloads section [here](#).

6. Legislative Position

- 6.1. The Act provides that the Licensing Board must hold a hearing for the purpose of considering and determining an application for premises licence.

6.2. Any person may, by notice to the Board, object to an application on any of the grounds for refusal specified in the Act or may make representations to the Licensing Board, including representations in support of the application, as to modifications which the person considers should be made to the operating plan accompanying the application or as to conditions which the person considers should be imposed.

6.3. The grounds for refusal under the Act are as follows:

The application must be refused if, generally, it is an application within one year of a previous refusal or seeks generally banned 24 hour opening or prohibited off-sale hours.

6.3.1 The Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives, namely:

- Preventing crime and disorder.
- Securing public safety.
- Preventing public nuisance.
- Protecting and improving public health.
- Protecting children and young persons from harm.

6.3.2 Having regard to:

- The nature of the activities proposed to be carried on in the subject premises,
- The location, character and condition of the premises, or
- The persons likely to frequent the premises.

The Board considers that the premises are unsuitable for use for the sale of alcohol.

6.3.3 The Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises or licensed premises of the same or similar description as the subject premises, in the locality.

6.4. Anyone lodging an objection on the ground detailed at section 6.3.4 above must specify the locality on which they are basing their objection.

6.5. Where the Board refuses the application, the Board must specify the ground for refusal. If the ground for refusal is one of the grounds detailed at section 6.3.2 above, the Board must specify the licensing objective or objectives in question.

- 6.6. The Board must, in considering and determining the application, consider whether any of the grounds for refusal applies. If none of them applies, the Board must grant the application. If any of them applies, the Board must refuse the application.

For Further Information please contact:

Gavin Mitchell, Clerk to the Board, extension 2233, email gavin.mitchell@orkney.gov.uk.

Implications of Report

1. **Financial:** The appropriate application fee of £1,100 has been paid.
2. **Legal:** The legal aspects are contained within the body of this report.
3. **Corporate Governance:** In terms of Section 23 of the Licensing (Scotland) Act 2005, a Premises Licence Application is to be determined by the Licensing Board.
4. **Human Resources:** None.
5. **Equalities:** None.
6. **Island Communities Impact:** None.
7. **Environmental and Climate Risk:** None.
8. **Risk:** None.
9. **Procurement:** None.
10. **Health and Safety:** None.















List of Background Papers






Application for Premises Licence by Old Library Coworking Ltd.



Appendix

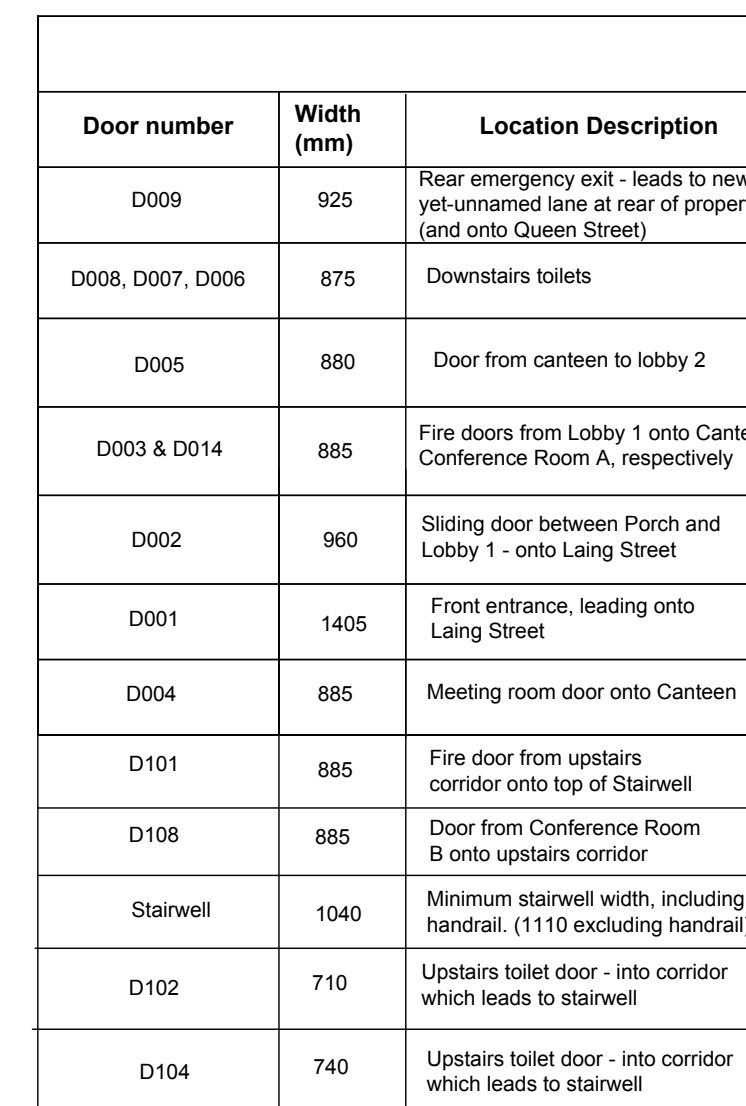
Appendix 1 – Layout plan of the premises.

All dimensions to be confirmed on site before work commences.

	13A Double switched socket
	Data/Telephone Point
	TV Point
	Fused Connection Outlet
	Switch
	Pull switch
	Time control
	Photocell
	Illuminated Escape Sign
	Surface-mounted linear fitting
	Downlight
	Ceiling-mounted light fitting
	Wall-mounted light fitting
	Emergency light fitting

	Sounder
	Call point
	Smoke Detector
	Heat Detector
	Extinguisher

 Extract
 Air Inlet



Total depth of building boundary - 12.0m

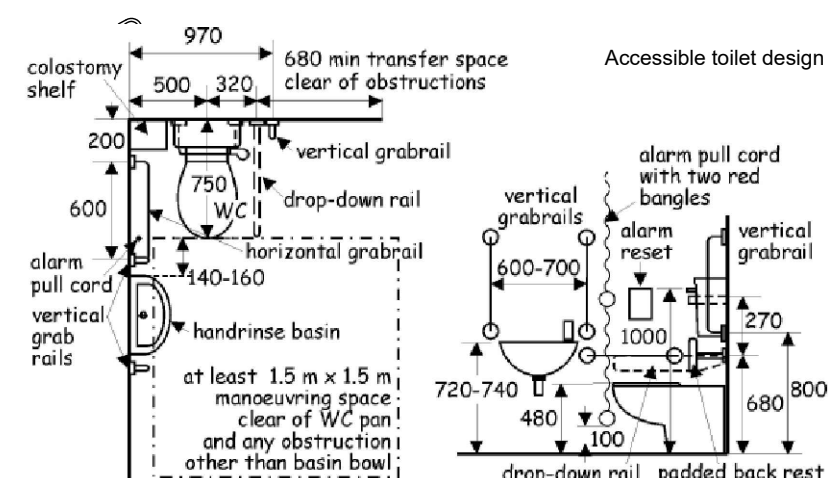
Ventilation	
Office 1	Natural Ventilation - opening windows
Foyer/Coffee	Natural ventilation - opening windows
MEETING	Supply air ventilation with heat recovery - 8 air-changes per hour
WC1	Extract to heat recovery with supply air under door 3 air-changes per hour w continuous low level ventilation
WC2	Extract to heat recovery with supply air under door 3 air-changes per hour w continuous low level ventilation
WC3	Extract to heat recovery with supply air under door 3 air-changes per hour w continuous low level ventilation
STORE	Continuous low-level ventilation
LOBBY 2	Supply air to lobby balanced with extracts

- Conference facilities
- Receptions
- Club or other group meetings
- Recorded music
- Live performances
- Films
- Gaming
- Televised sport
- External catering at various events



Drawn:

Leslie Burgher
Chartered Architect
Roebank High Street Kirkwall Orkney KW15 1AZ
t: 01856 871375 e: leslie@leslieburgher.co.uk

Ref:	A	No:	020	Amo:	J
------	---	-----	-----	------	---

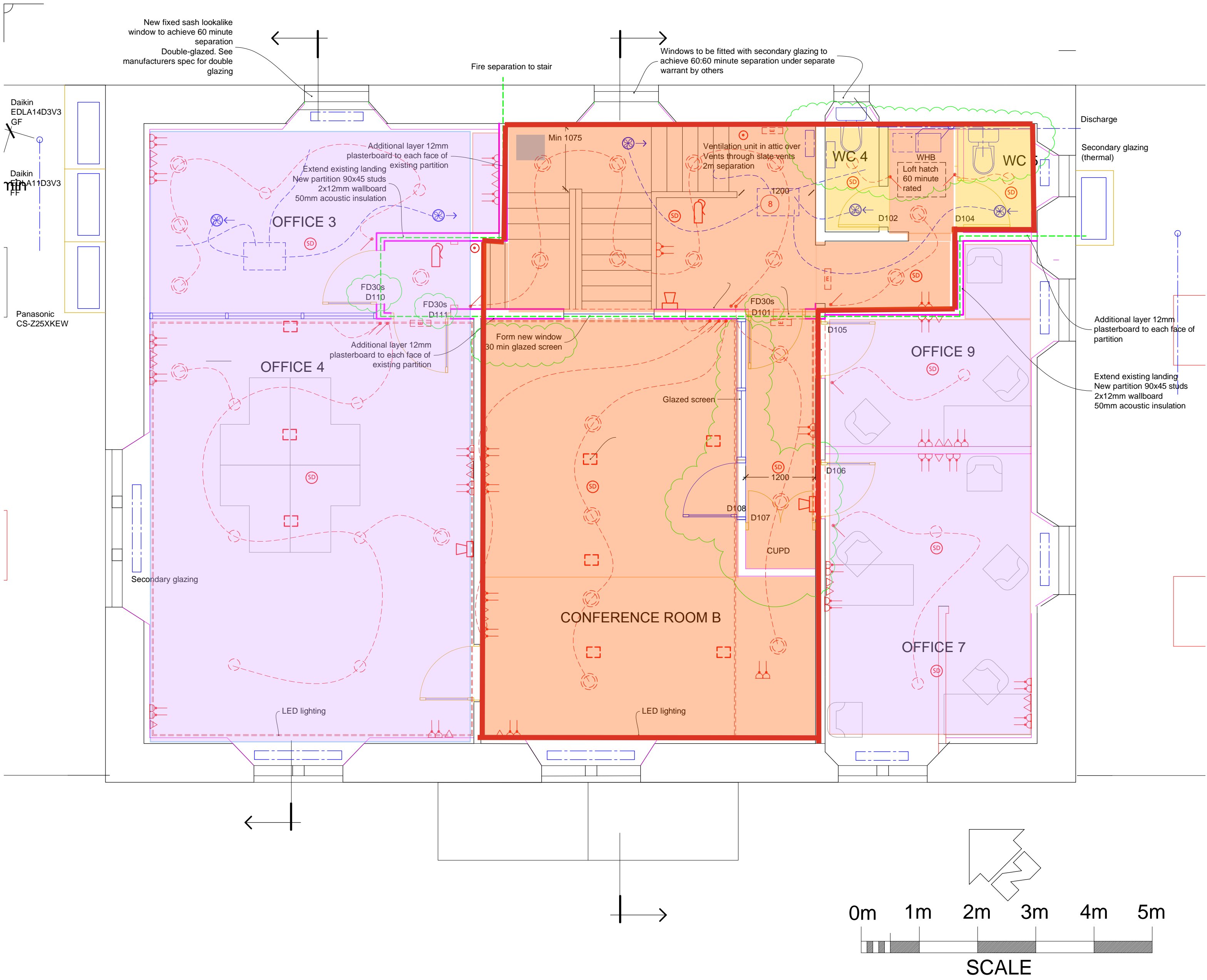


 Licenced area - subject to application (except for the area marked as 'locked store', all areas are accessible by children and young persons)

 Disabled toilet (included in licenced area)
 Toilets - mixed sex (included in licenced area)

Location of fire extinguishers

 Locked private offices/basement - not subject to licence application.



This drawing is copyright of Leslie Burgher Chartered Architect and may not be reproduced without permission.

This drawing is not to be scaled.

All dimensions to be confirmed on site before work commences.

Occupant Capacity:
GF
Conference Room A: 62m², OC = 62
Meeting Room: 7.7m², OC = 7
Canteen/Common Room: 25m², OC = 25

FF
Conference Room B: 35m², OC = 35

Total = 129

* Note that the persons using the foyer will principally be those working in the building so this number is artificially high

Accessibility:
The conversion of the building is for 'hot desk' flexible office space such that occupants can work anywhere within the building. Shared welfare and meeting room are located at ground floor in accessible space

The following activities will take place across all areas of the licenced premises:

- Conference facilities
- Receptions
- Club or other group meetings
- Recorded music
- Live performances
- Films
- Gaming
- Televised sport
- External catering at various events

Ventilation	
Office 2	Natural Ventilation - opening windows
Office 3	Supply air ventilation with heat recovery - 8 air changes per hour
Office 4	Natural Ventilation - opening windows
WC4	Extract to heat recovery with supply air under door; 3 air-changes per hour w continuous low level ventilation
WC5	Extract to heat recovery with supply air under door; 3 air-changes per hour w continuous low level ventilation
OFFICE 7	Natural ventilation - opening windows
OFFICE 8	Natural ventilation - opening window
OFFICE 9	Natural ventilation - opening window

Amendments

Client:
CRC Advisory Ltd

Project:
The Old Library, Kirkwall

Drawing:
First Floor

Scale:

A2

Drawn:
jlb