

Minute

Orkney Islands Area Licensing Board

Thursday, 9 October 2025, 14:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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

Present via remote link (Microsoft Teams)

Steven B Heddle and 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.

Police Scotland:

- Sergeant Eric Bruce.

Observing

- Susan Taylor, Committees Officer.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Duncan A Tullock, Convener.

1. Draft Minute of Meeting held on 21 August 2025

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 21 August 2025, 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 21 August 2025 be approved as a true record.

2. Application for Premises Licence

Historic Environment Scotland Enterprises Ltd – Maeshowe Visitor Centre, Ireland Road, Stenness

Phil Hopkins, Monuments Manager, Maeshowe Visitor Centre, representing the applicant, Historic Environment Scotland Enterprises Ltd, was present during consideration of this item.

David Hossack, Consultant, Morton Fraser MacRoberts LLP, representing the applicant, Historic Environment Scotland Enterprises Ltd, was present, via Microsoft Teams, 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, on 30 July 2025, Historic Environment Scotland Enterprises Ltd submitted an application for a premises licence in respect of Maeshowe Visitor Centre, Ireland Road, Stenness, which requested the following:

- Off-sale operating hours as follows:
 - 10:00 to 22:00 on Mondays to Sundays.
- Off-sale display capacity of 1.6m².
- Activities, including recorded music, theatre, films, retail sales, including snack foods and beverages, taking and dispatch of orders including by electronic commerce, tastings/sampling of whisky and other alcoholic and food products, displays and exhibitions with ticketing for tours, and administrative functions.

2.2. That the off-sale operating hours requested above were within those permitted in terms of the Board's Statement of Alcohol Licensing Policy.

2.3. That no objections or representations had been received in relation to the application from Historic Environment Scotland Enterprises Ltd for a premises licence in respect of Maeshowe Visitor Centre, Ireland Road, Stenness.

After hearing representations from David Hossack in support of the application from Historic Environment Scotland Enterprises Ltd for grant of a premises licence in respect of Maeshowe Visitor Centre, Ireland Road, Stenness, the Board, on the motion of David Dawson, seconded by Alexander G Cowie:

Resolved:

2.4. That the application from Historic Environment Scotland Enterprises Ltd for a premises licence in respect of Maeshowe Visitor Centre, Ireland Road, Stenness, be granted as follows:

- Off-sale operating hours as follows:
 - 10:00 to 22:00 on Mondays to Sundays.
- Off-sale display capacity of 1.6m².
- Activities, including recorded music, theatre, films, retail sales, including snack foods and beverages, taking and dispatch of orders including by electronic commerce, tastings/sampling of whisky and other alcoholic and food products, displays and exhibitions with ticketing for tours, and administrative functions.

3. Application for Variation of Premises Licence

Albert Hotel Ltd – Albert Hotel, Junction Road, Kirkwall

Florence Fisher, d and h Law Ltd, and Dawn Flett, representing the applicant, Albert Hotel Ltd, were present, via Microsoft Teams, 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 a premises licence has been held at Albert Hotel, Junction Road, Kirkwall, since 1 September 2009 by Albert Hotel Ltd.

3.2. That, on 1 August 2025, Albert Hotel Ltd submitted an application for a variation of the premises licence, which sought the following:

- Increase in the extent of the premises by:
 - Inclusion of new reception area.
 - Addition of 12 accommodation rooms.
- Areas accessible by children and young persons to be increased with the inclusion of the additional accommodation referred to above.
- Access by children and young persons accompanied by a person over 18 to the Bothy Bar, with children excluded from the Bothy Bar after 21:00 unless when attending a private function.
- Inclusion of the activity of theatre.
- Changes to on-sale operating hours as follows:
 - A reduced terminal hour from 01:00 to 24:00 on Thursdays.
 - Inclusion of a terminal hour of 01:00 any morning for events held on the premises relating to annual agricultural shows.
 - Inclusion of a terminal hour of 01:30 any morning for weddings.

- Change of address of the Albert Hotel premises from Mounthoolie Lane to Junction Road, Kirkwall.

3.3. That Police Scotland had submitted a representation, detailed in Appendix 2 to the report by the Clerk to the Board, in respect of the application from Albert Hotel Ltd for a variation of the premises licence in respect of the Albert Hotel, Junction Road, Kirkwall.

3.4. That the Alcohol and Drugs Partnership Co-ordinator, NHS Orkney, had indicated support for the representation from Police Scotland referred to in paragraph 3.3 above .

After hearing representations from Florence Fisher, d and h law, in support of the application from Albert Hotel Ltd for a variation of the premises licence, and after Police Scotland had been given an opportunity to speak to their representation, Alexander G Cowie, seconded by Rachael A King, moved that the application from Albert Hotel Ltd for a variation of the premises licence be granted as follows:

- Increase in the extent of the premises by:
 - Inclusion of new reception area.
 - Addition of 12 accommodation rooms.
- Areas accessible by children and young persons to be increased with the inclusion of the additional accommodation referred to above.
- Access by children and young persons accompanied by a person over 18 to the Bothy Bar, with children excluded from the Bothy Bar after 21:00 unless when attending a private function.
- Inclusion of the activity of theatre.
- Changes to on-sale operating hours as follows:
 - A reduced terminal hour from 01:00 to 24:00 on Thursdays.
 - Inclusion of a terminal hour of 01:00 any morning for events held on the premises relating to annual agricultural shows.
 - Inclusion of a terminal hour of 01:30 any morning for weddings.
- Change of address of the Albert Hotel premises from Mounthoolie Lane to Junction Road, Kirkwall.

David Dawson, seconded by Owen Tierney, moved an amendment, that the application from Albert Hotel Ltd for a variation of the premises licence be granted as above, with the addition of the conditions suggested by Police Scotland, as follows:

(a) Children under the age of 16 be excluded from any room where there is a bar counter after 20:00.

(b) Whilst in any room with a bar counter, all children must be in the company of and supervised by an appropriate responsible adult.

(c) Any appropriate responsible adult should not be so intoxicated that they are unable to care for the child or young person.

(d) Notwithstanding conditions (a) and (b), children must not sit or remain at the bar counter at any time.

(e) A suitable child protection policy is in place.

On a vote being taken 2 members voted for the amendment, and 6 for the motion.

The Motion was therefore carried, and the Board thereafter resolved:

3.5. That the application from Albert Hotel Ltd for a variation of the premises licence in respect of the Albert Hotel, Junction Road, Kirkwall, be granted as follows:

- Increase in the extent of the premises by:
 - Inclusion of new reception area.
 - Addition of 12 accommodation rooms.
- Areas accessible by children and young persons to be increased with the inclusion of the additional accommodation referred to above.
- Access by children and young persons accompanied by a person over 18 to the Bothy Bar, with children excluded from the Bothy Bar after 21:00 unless when attending a private function.
- Inclusion of the activity of theatre.
- Changes to on-sale operating hours as follows:
 - A reduced terminal hour from 01:00 to 24:00 on Thursdays.
 - Inclusion of a terminal hour of 01:00 any morning for events held on the premises relating to annual agricultural shows.
 - Inclusion of a terminal hour of 01:30 any morning for weddings.
- Change of address of the Albert Hotel premises from Mounthoolie Lane to Junction Road, Kirkwall.

4. Conclusion of Meeting

At 15:02 the Convener declared the meeting concluded.

Signed: Duncan A Tullock.