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LOCAL LICENSING FORUM TUESDAY, 7 JUNE, 2016

A MEETING of the LOCAL LICENSING FORUM will be held in the COUNCIL CHAMBER,
COUNCIL HEADQUARTERS on TUESDAY, 7 JUNE, 2016 at 4.00 PM

J. J. WILKINSON,
Clerk to the Council,

31 May 2016

BUSINESS		
1.	Apologies for Absence.	
2.	Order of Business.	
3.	Declarations of Interest.	
4.	Minute (Pages 1 - 6) Minute of Meeting of the Local Licensing Forum of 22 March 2016 to be approved (copy attached).	2 mins
5.	Matters arising.	5 mins
6.	Feedback from working group on Licensing Board Policy Statement. (Pages 7 - 14) (Copy of paper attached).	10 mins
7.	Police report.	15 mins
8.	Alcohol Consumption and Sales 2015	10 mins
9.	Action Plan update. (Pages 15 - 18) (Copy attached).	15 mins
10.	Scottish Borders Licensing Board Minutes. (Pages 19 - 32) (Copies of Minutes of 18 March 2016, 5 April 2016 and 22 April 2016 attached).	10 mins
11.	Any Other Items Previously Circulated.	
12.	Any Other Items which the Convener Decides are Urgent.	

NOTES

1. **Timings given above are only indicative and not intended to inhibit Members' discussions.**
2. **Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

Membership of Committee:- I. Tunnah (Chairman), S. Bell, N.W. Gillies, M.W. Hay, Inspector A. Hodges, R. Mackay, A. Maybury, Dr T. Patterson, C. Penny, J. Taylor, G. Todd, S. Walker.

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Public Document Pack Agenda Item 4

SCOTTISH BORDERS COUNCIL LOCAL LICENSING FORUM

MINUTE of Meeting of the LOCAL
LICENSING FORUM held in the Council
Chamber, Council Headquarters. on
Tuesday, 22 March, 2016 at 4.00 pm

Present:- I. Tunnah (Convener), N.W. Gillies, M. W. Hay (para 3), R. Mackay, A.
Maybury, J. Taylor, G. Todd, S. Walker
Apologies:- S. Bell, Police Scotland.

In Attendance:- F. Walling (Democratic Services Officer).

1. **ORDER OF BUSINESS.**

The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

2. **PUB IS THE HUB.**

With reference to paragraph 7 of the Minute of 26 January 2016, Mr Hugh Williams, Principal Officer (Rural Development), was in attendance to give an overview of the 'Pub is the Hub' PiTH initiative. Mr Williams handed out PiTH Newsletters to accompany his update. He explained that the organisation had worked with over 500 pubs since 2001 with a strong presence in England and Wales, particularly in rural areas such as Norfolk and Cornwall. The organisation, which was run through voluntary advisers with sectoral knowledge and experience stated 'We encourage good licensees, communities, pub owners, breweries, local authorities and the private sector to work together to match community needs with additional services which can be provided by the local pub and a good licensee'. Mr Williams explained that the Scottish Borders was the pilot scheme for PiTH in Scotland, the scheme having been launched at Carfraemill in January. The Scottish Government Rural Communities Team had agreed £30k investment in the pilot, to spend on projects in the Scottish Borders through the Community Services Fund. The PiTH adviser in Scotland was currently working with a number of licensees on an individual basis as a follow-up to interest generated at the launch. Mr Williams had passed on the offer of the Licensing Standards Officer to work with project licensees at an early stage. He gave examples of projects currently the focus of discussions with PiTH. He stressed that the aim of the funding was to develop business opportunities with the involvement of the local community, not to prop up failing businesses, nor to duplicate or compete with existing services. There was a link to LEADER funding with a sub-set of the LEADER Local Action Group advising on PiTH applications. Members of the Forum asked questions about the range of activities eligible for consideration under the scheme and the identification and measurement of outcomes. Mr Williams explained that there was an expectation that the scheme would support employment and that any increased turnover would be measured. Hopefully, subsequent to the pilot, the scheme would be rolled out across Scotland. In further discussion the Convener stressed that, in the expectation that PiTH projects would require a change in operating plan at the licensed premises, licensees should seek advice and apply for the necessary change at an early stage. It was agreed that the Forum should request regular updates on progress of the PiTH pilot scheme in the Scottish Borders. The Convener thanked Mr Williams for his attendance.

- (a) **NOTED the update.**
- (b) **AGREED to receive future updates on progress of the Pub is the Hub initiative in the Scottish Borders.**

3. **MINUTE.**

There had been circulated copies of the Minute of the meeting held on 26 January 2016.

DECISION

APPROVED the Minute for signature by the Convener.

3.1 **MATTERS ARISING FROM THE MINUTE**

With reference to paragraph 3.3 (b) of the Minute, Ms Walker had ascertained that, due to changes resulting from the Air Weapons Act, Licensing Board Policy Statements would be reviewed every 5 years and that the next Licensing Board Policy Statement would be due in November 2018 rather than November 2017 as had been expected. However an interim policy statement could be produced if the Licensing Board so wished. Members of the Forum noted that there were changes in the Alcohol Profile which could be reflected in a Supplementary Policy Statement if this was considered the best way forward. It was agreed that the Licensing Board be asked to consider whether it wished to review the whole Policy prior to the election in May 2017 or whether a Supplementary Statement should be produced. In the meantime it was agreed that the Forum's short-life working group set up to review the Policy Statement, of N. Gillies, M. Hay, I. Tunnah, S. Walker, M. Wynne should meet to identify the areas of change evidenced by the Alcohol Profile so that the Board could be alerted to these. It was agreed that the first meeting would be held on Monday 25 April 2016 at 1.30pm at the Queen's Head, Kelso.

DECISION

AGREED that:-

- (a) **the Convener would ask the Scottish Borders Licensing Board to consider whether it wished to review the Policy prior to May 2017 or whether it wished to produce a Supplementary Policy Statement in the meantime to reflect the changes in the Alcohol Profile; and**
- (b) **the short-life working group meet to identify the areas of change evidenced by the Alcohol Profile in order to bring these to the attention of the Licensing Board and to bring back a paper to the Forum.**

- 3.2 With reference to paragraph 3.6 of the Minute there was a discussion about the need to raise public awareness of what the 'Best Bar None' plaque stood for. Some Members of the Forum also felt that the Licensing Board did not give this Trade Award sufficient recognition when considering license applications. It was agreed that the Convener should speak to PC Nick Walker with a view to taking a presentation to the Licensing Board in order to update the Board on the Best Bar None launch.

DECISION

AGREED that the Convener would liaise with PC Nick Walker with a view to updating the Licensing Board on the launch of Best Bar None.

- 3.3 With reference to paragraph 4 of the Minute, Ms Walker advised that she would follow up with PC Robertson the request for circulation of the Chief Constable's Annual Report.

DECISION

NOTED

- 3.4 With regard to paragraph 5 of the Minute, the Democratic Services Officer advised that, as confirmed with the Convener, a presentation on licensing issues would be added to the agenda for all the Area Forum meetings during the August/September cycle of meetings. It was agreed that the dates of the meetings at which the presentation would be given would be circulated to Community Councils.

DECISION

AGREED that the Democratic Services team circulate to Community Councils the dates of the Area Fora meetings at which the presentation on Licensing issues would be given.

- 3.5 With reference to paragraph 12 of the Minute regarding Bar Code training the Convener read out an email received from Stephanie Bell, in her absence. Ms Bell had ascertained that the National Licensed Trade Association was in the process of looking at offering a training provision in Scotland that was similar to the training offered in England and Wales and which would comply with Scottish legislation. Currently the organisation was working with programme designers and had not been able to give a definite timescale. Ms Bell had asked to be kept informed of developments and would update the Forum when information had been received.

**DECISION
NOTED**

4. **ALCOHOL FOCUS SCOTLAND COMMUNITY TOOLKIT.**
There had been circulated copies of the Alcohol Focus Scotland Toolkit Resource 'Alcohol licensing in your community – how you can get involved'. Members agreed that this was a useful resource. It was suggested that this be circulated to Community Councils and be the focus of the presentations to the Area Fora. The aim was to increase community awareness of Licensing Board policy and how appropriate representations on applications could be submitted.

DECISION

- (a) **NOTED the availability of the Alcohol Focus Scotland toolkit as a community resource.**
- (b) **AGREED to circulate copies of the toolkit to Community Councils.**

5. **ACTION PLAN.**

With reference to the updated Local Licensing Forum action plan, which had been circulated with the Minute of the last meeting, each of the outstanding items were addressed and advice given as to the current position. With regard to the objective to gain a better understanding of decisions made by the Licensing Board, Ms Walker explained that she and the Convener had met with PC Lackenby and discussed the development by Police Scotland of a database which would be able to give information on outcomes of Licensing Board decisions where police objections had been raised. PC Lackenby had advised that the database, known as Innkeeper, would record all license applications, whether or not there had been an objection raised and the outcome of the consideration. All licensed premises would be included. The process of pulling off data could be tested and brought to the next meeting of the Forum. With reference to paragraph 10 of the Minute of 6 October 2015 PC Lackenby was asked to look at the recording process around occurrences of 'Incident on Licensed Premises' (ILP) in respect of the negative perception of this which could arise in respect of the licensed premises involved. PC Lackenby was asked to look into whether information on ILPs could be extracted so that the issue could be discussed at a future meeting. It was confirmed that a report from Police Licensing should be a standing item on the Local Licensing Forum agenda.

**DECISION
NOTED**

- (a) the updates to the action plan; and
- (b) that a report from Police Licensing be a standing item on the Local Licensing Forum agenda.

6. **EVALUATION OF LICENSING SCOTLAND ACT MARCH 2016 (MESAS).**

There had been circulated copies of a paper which summarised the report originally published as part of the 'Monitoring and Evaluating Scotland's Alcohol Strategy programme: Fifth Annual Report, March 2016'. Under key findings 'Impact of the Act on licensing practice' the original evaluation identified positive developments such as the positive role of Licensing Standards Officers. Also identified were areas of the Act that continued to be less well implemented, including Public Health provisions; transparency and accountability; public access; and the effectiveness of Local Licensing Forums. The paper contained a link to the full report. Ms Walker summarised the current position in the Scottish Borders in relation to the key findings. She also updated members of the Forum on the current position in relation to the Minimum Unit Pricing (MUP) court process and advised that the update, reflected in a flowchart, would be circulated with the Minute for information.

DECISION

- (a) **NOTED the updates.**
 - (b) **AGREED that the MUP process update be circulated with the Minute of the meeting.**
7. **SCOTTISH BORDERS LICENSING BOARD MINUTE.**
There had been circulated, for information, copies of the Scottish Borders Licensing Board Minute of 19 February 2016.

**DECISION
NOTED the Minute.**

8. **LICENSING BOARD LATE NIGHT PREMISES VISITS.**

The Convener passed on an invitation to join Members of the Licensing Board on night economy visits, accompanied by Police officers, which would take place on 2 April 2016. The aim was to give Members an oversight of what was happening in these areas. Mr Gillies and Mr Taylor indicated their wish to take part in the visit.

**DECISION
NOTED.**

The meeting concluded at 5.50 pm

Outline of MUP court process, as of March 2016

The Alcohol (Minimum) Pricing (Scotland) Act was passed by the Scottish Parliament in May 2012. The Scotch Whisky Association and several other European spirits and wine organisations have made a legal challenge to the Act, claiming that it is unlawful.

Outer House, Court of Session

Jan 2013: Hearing of SWA application for judicial review of Alcohol (Minimum Pricing) (Scotland) Act 2012.

May 2013: Judgement delivered. MUP found lawful.
Court rules there is objective justification supporting the proportionality of the Act and the proposed minimum price.

Inner House, Court of Session

Feb 2014: Hearing of SWA appeal against outer house ruling. Challenge that MUP breaches EU treaty rules.

April 2014: Inner House makes reference to ECJ for guidance on interpretation of EU law.

Jan 2016: Date set for final hearing. Judges order that any new material, not previously heard, can be submitted by either party prior to the final hearing.

June 2016: 6/7 June set for final hearing in case.

European Court of Justice, Luxembourg

May 2015: Hearing in ECJ.

Sept 2015: Advocate General delivers opinion.

AG states that MUP can be lawful under EU law, but only if proportionality is demonstrated and less-trade restrictive measure (such as tax) cannot achieve the same objective. It is up to the national court to determine whether MUP satisfies proportionality test based on the evidence.

Dec 2015: ECJ confirms AG opinion.

? UK Supreme Court

? Appeal to SC. This is not automatic. It depends on there being grounds for appeal and whether either party seeks to appeal.

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Suggestions for Supplementary Document

The following table outlines suggested amendments for a Supplementary Policy within Scottish Borders Statement of Licensing Policy.

Section Ref	Current	Proposed
1.6	<p>The Board recognises and supports the contribution of licensed premises in the local economy of the area for employment, tourism, social inclusion and the strong local identity of the area. It recognises and supports the significant impact of sporting and local traditional festivals whilst acknowledging the impact these have on local residents. The area is promoted as Scotland's leading short break destination. The Board also recognises the potential impact of alcohol related harm and associated costs within the Scottish Borders as evidenced in the Scottish Borders Alcohol Profile more fully referred to in 1.11 below. The Board will be mindful of all these factors when determining applications for licensed premises.</p>	<p>Remove – not sure of relevance. May cause confusion. Not role of Licensing Board to consider economic benefits.</p>
1.7	<p>Although various licensed premises have ceased trading since the introduction of the Act there would appear to be no specific pattern, with a variety of different types of business ceasing to trade. Various new licences have been granted during the same period and the number of licensed premises as at September 2013 was 468. As at the date of review of this Policy, the breakdown of licensed premises within Scottish Borders is as follows: Members Clubs - 19% Off Sale - large supermarkets - 9% Other Off Sale - 13% Other - 59%</p> <p>The Board is conscious that included in that total there are several premises currently not trading which still effectively have a live</p>	<p>Overall the number of licensed premises in Scottish Borders has remained stable over previous two years. As at May 2015 there were 466 licensed premises. A breakdown of premises is as follows:</p> <p>Hotels: 91 (19.5%) Members Clubs: 91 (19.5%) Restaurant: 70 (15%) Off Licence (Small): 68 (15%) Pub with food: 59 (13%) Pub: 42 (9%) Off Licence (Medium): 17 (4%) Off Licence (Large): 6 (1%) Nightclub: 4 (1%)</p>

	<p>Premises Licence. This situation can have an effect on statistics when premises numbers are considered in relation to overprovision. In light of this, the Board may take the view that if premises are not trading and annual fees remain unpaid for a period in excess of twelve months a premises review application will require to be considered.</p>	<p>Other: 18 (4%)</p> <p>The Board is conscious that included in that total there are several premises currently not trading which still effectively have a live Premises Licence. This situation can have an effect on statistics when premises numbers are considered in relation to overprovision. In light of this, the Board may take the view that if premises are not trading and annual fees remain unpaid for a period in excess of twelve months a premises review application will require to be considered.</p>
1.11	<p>The Board has worked with the Scottish Borders Local Licensing Forum (“the Forum”) during the making of this Policy and will have regard to any advice or recommendation the Forum may make to it. The Board further acknowledges the work carried out by the Forum along with others in capturing data which helps to highlight the impact alcohol consumption has on the Scottish Borders. The work has been finalised in the report Scottish Borders Alcohol Profile - an evidence base which has been beneficial in the formation of this Policy Statement. The summaries as they relate to the Scottish Borders for each of the objectives are detailed in the table below.</p> <p>Preventing Crime and Disorder/ Preventing Public Nuisance Alcohol plays a significant part in all Police related business. Although alcohol incidents are occurring on a daily basis, 72% of all alcohol related incidents occur at the weekend with over a third between midnight and 6am. The night time economy benefits a few small businesses, but has a significant financial impact on public services in particular where late opening hours occurs. This has an impact on the limited Police resources that are available over a rural area, resulting in</p>	<p>Evidence of alcohol related harm is provided to the Licensing Board through the Alcohol Profile (Profile) (<i>include in Supplementary Police as appendix</i>). The most recent Profile demonstrates:</p> <p>Preventing Crime and Disorder/ Preventing Public Nuisance</p> <p>Alcohol continues to play a significant part in Police related business with 18% of antisocial behaviour incidents involving alcohol however there has been a reduction in the average number of alcohol related incidents per month.</p> <p>The Profile outlines areas which continue to have the largest number of alcohol related incidents.</p> <p>Although alcohol related type incidents are occurring on a daily basis, 72% of all alcohol related incidents occur at the weekend with the largest number of incidents occurring between midnight and 3am.</p> <p>Securing Public Safety Although numbers are low, alcohol is a contributor to fires with potentially serious consequences through both fire deaths and injuries.</p>

<p>officers being deployed within town centres. Police report that many of those who do attend pubs and late night establishments will have 'preloaded' on alcohol purchased cheaply at off-sales.</p> <p><i>Further information on the impact of night time economy on Police and Emergency Departments can be found in Appendix 6 of the full report.</i></p> <p>.</p> <p>Police have also reported that they are seeing a change in the location of incidents, moving from public space into private space. This is evidenced in the three murders that occurred within the Scottish Borders in 2011 where the perpetrator was under the influence of alcohol. All of the murders occurred within private dwellings. In a separate piece of analysis carried out between April to November 2012, almost half of all recorded violence (excluding sexual crimes) is recorded with alcohol as an aggravator.</p> <p>Securing Public Safety</p> <p>Although numbers are low, alcohol is a contributor to fires with potentially serious consequences through both fire deaths and injuries.</p> <p>Protecting and Improving Public Health</p> <p>With over 1 in 4 males and 1 in 5 females drinking to hazardous or harmful levels and nearly half the Borders population drinking outwith the government's guidelines, it is safe to say that many individuals are drinking too much, too often. This clearly evidences the accepted alcohol culture that exists within the Scottish Borders however; this report also highlights the impact of alcohol related harm on front line services. Alcohol impacts on the Emergency Department at times where</p>	<p>Protecting and Improving Public Health</p> <p>Scottish Borders has downward trends in relation to alcohol related hospital stays and emergency attendances where alcohol was a contributing factor. However, there are areas in Scottish Borders with more alcohol related hospital stays compared to Scotland. These areas are highlighted within the Profile and will be referred to when considering any applications. Recent data also shows increasing trend in alcohol related deaths.</p> <p>Protecting Children & Young Persons from Harm</p> <p>It is positive to note the reduction in the number of children and young people drinking regularly and low numbers attending the Emergency Department, BGH where alcohol is contributing factor. However Occasional Licences continue to have a large percentage allowing children and young people access. This will continue to be monitored closely by the Licensing Board.</p>
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	<p>there is reduced cover and similar to Police, peak during the early hours of Sunday morning between 3am and 4am. Nearly 40% of these patients are serious enough to require admission to the hospital. Similarly, alcohol related incidents impacts on the service that can be delivered by Scottish Ambulance Service during the early hours of a weekend to people in the Scottish Borders who require an emergency response to life threatening conditions. <i>A full breakdown and further details of the data captured can be found in Appendix 5 of the full report.</i></p> <p>Protecting Children from Harm</p> <p>Although the proportion of 15 year olds who have ever had an alcoholic drink is higher in the Scottish Borders than the Scottish average, there are fewer 15 year olds drinking on a regular basis. There has also been a decrease in the percentage of 15 year olds purchasing alcohol from a shop. However, of the individuals who had ever had an alcoholic drink, a quarter of 13 year olds and over half of 15 year olds reported binge drinking in the previous 30 days.</p>	
4.4	<p>The Board is conscious of the fact that in a predominantly rural area such as the Scottish Borders, alcohol consumption and associated harm may not occur in the same area as it was purchased. The Board is aware of the changing pattern of alcohol sale and consumption and that evidence provided in the Alcohol Profile suggests that about 70% of alcohol consumed is now purchased as an off sale. As such when considering overprovision in the specific locality, it will also take into account the overall supply in the Borders as a whole.</p>	<p>The Board is aware that almost three-quarters of alcohol is sold in supermarkets and off-licenses (72%). When considering overprovision in a specific locality, the Licensing Board will also take into account the overall supply in the Borders.</p> <p>The Alcohol Profile demonstrates areas with higher rates of off-sales per head of population and therefore the Licensing Board will closely scrutinise any applications for this area.</p>
4.5	<p>The Board's previous policy indicated a view that night club type</p>	<p>The current level of late night entertainment premises within</p>

	premises (2 in Hawick and 2 in Galashiels) were probably at an appropriate level in specific areas. They acknowledge that this situation has changed with numbers for this type of operation having reduced during the life of the previous Policy. The Board is still of the opinion that any increase beyond the previous numbers of this type of operation in the specific areas could still constitute overprovision.	Scottish Borders is currently four. The Board is of a view that any increase beyond could be overprovision.
4.7	The proliferation of larger type supermarkets outwith town centres has continued, the Board recognises that this type of operation serves a larger area than the immediate area in which they are situated. It also acknowledges that small convenience type shops offering a full range of goods are a vital part of the many small rural communities in the area and that it is essential for the viability of such businesses that they are able to provide a full range of goods and services.	Remove – this is a statement only.
4.8	Where any application for an off sales Premises Licence, with no on sales provision, does not fall into the categories referred to at 4.7 or it replicates a similar off sales business in a particular area then the Board is likely to take the view that this would be overprovision, and applicants will be asked to clearly show how their individual proposal differs from what already exists and how it is likely to benefit the area as a whole.	The Board will closely scrutinise any application for an Off sales Premises License in areas where potential overprovision has been identified.
7.8	Late Hours. Applicants should be aware of the additional mandatory conditions as attached at Appendix 4, applied to late opening premises and the Licensing Board reserves the right to consider further reasonable conditions to promote the licensing objectives. The Board will grant any applications for times after 2.00am only in exceptional circumstances. The Board will expect licensees operating in the late hours category to dispense drinks in plastic or toughened vessels during the late hours. They may also consider applying such a condition to other premises where they see fit. The Board is aware of the variety of events, functions and festivals which occur in Scottish Borders and the importance of	Late Hours. Applicants should be aware of the additional mandatory conditions as attached at Appendix 4, applied to late opening premises (Premises operating after 1 a.m.), the Licensing Board reserves the right to consider further reasonable conditions to promote the licensing objectives. The Board will only consider applications for Core Hour times after 1.00am from specific late night venues, where substantial live entertainment is being provided and the alcohol sold is intended as being ancillary to that entertainment.

	<p>these to the area. With this in mind the Board will consider applications for occasional licences and extensions outwith normal hours and in exceptional circumstances will grant such applications. The Board does not consider that all events connected with historic common ridings and summer festivals should automatically be seen as justification to extend licensed hours thereby subsequently increasing the consumption of alcohol. Applicants will be required to have regard to the Board's position that it will not normally grant applications for more than 14 hours in any 24 hour period as specified in 7.3 above. Applicants will require to specify the reason for any extended hours and the connection to the local common riding or festival. The Board will consider the attaching of any of the late hours conditions along with any other appropriate condition which would assist any such licence granted meeting the five licensing objectives.</p>	<p>The Board is however aware of the variety of events, functions and festivals which occur in Scottish Borders and the importance of these to the area. With this in mind they will consider applications for occasional licences and extensions outwith normal hours and will in appropriate circumstances grant such applications.</p> <p>The Board does not consider that all events connected with historic common ridings and summer festivals should automatically be seen as justification to extend licensed hours and increase the consumption of alcohol.</p> <p>If granting an Occasional Licence or Extended hours application with hours in the late hours period, the Board will consider attaching some or all of the late hours conditions (Appendix4) along with any other appropriate condition.</p> <p>Any licensees operating in the late hours period will be expected to dispense drinks in plastic or toughened vessels.</p>
8.1	<p>Home deliveries</p> <p>The Board expects that premises which intend to provide home deliveries of alcohol must specify this activity in their Operating Plan and provide details of how this will operate with particular regard to the licensing objectives. These details should include the hours of delivery, the steps taken to identify the age of the person ordering, payment arrangements, and arrangements to protect the safety of those delivering alcohol.</p>	<p>Keep this statement but add in 'steps taken to identify the age of the person ordering and receiving alcohol,</p>

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Scottish Borders Local Licensing Forum Action Plan: October 2015 – October 2016

What we need to do	Action	Lead	Timescales	Outcome	Status
Gain a better understanding of decisions made by Licensing Board (LB).	Develop and maintain database with outcomes of decisions made in LB where objections have been supplies.	Clayton Lackenby	March 16	LLF keeps under review the decisions made by the Licensing Board and implementation of the Licensing (Scotland) Act 2005 in Borders.	Ongoing
Ensure Communities are better able to respond to applications and views will be considered by Licensing Board	Review AFS Community Toolkit and plan visits to 5 Area Forums to increase community's awareness of Licensing Board Policy and how they can submit appropriate representations on applications and variations.	Ian Tunnah, Mark Hay, Susan Walker, Other rep from Legal Team	End December 2016	Improved community engagement and appropriate responses made.	Ongoing
Improve engagement with Licensing Board	Liaise with Clerk to Board about joint CPD sessions (suggest first one on Air Weapons and Licensing (Scotland) Bill	Ian Tunnah	March 2016	Improved knowledge and awareness of Licensing legislation	Ongoing
Improve membership to capture Education/Social Work/Young People representation	Discuss with Community Learning & Development/Borders College/University	Susan Walker	Summer 2016	Improve representation on LLF.	Ongoing

Scottish Borders Local Licensing Forum Action Plan: October 2015 – October 2016

Review Licensing Board Statement of Policy 2013 – 2016	Short life working group identified. To meet after Summer 2016	Ian Tunnah, Susan Walker, Mark Hay, Neil Gillies	Summer 2017	Increased understanding of Board Policy	Ongoing
COMPLETED ACTIONS					
Develop 3 rd Edition of Alcohol Profile	Data being collated, analysed and report drafted.	Susan Walker/Erin Murray/Ian Tunnah	First draft to joint meeting 02.12.15	Evidence to support Board Policy Statement and decision making is available for Board members	Complete
	Carry out survey of Licensing Board to find out how helpful the Alcohol Profile is and any further requirements.	Susan Walker	15.10.15		Complete
Improve communication with LLF	<ul style="list-style-type: none"> • If any large documents are required in hard copy, LLF members to request from Committee Officers • Ensure distribution list kept up to date • Have 'email receipt' as routine • Ensure webpage kept up to date with access to minutes/agendas 	LLF Members Chair to liaise with Committee Officers	End October 2015	Improved communication with all LLF members.	Complete

Scottish Borders Local Licensing Forum Action Plan: October 2015 – October 2016

Gain a better understanding of decisions made by Licensing Board (LB).	Have LB minutes as standing item on LLF agenda for review and discussion.	Committee Officers	First meeting 2016	LLF keeps under review the decisions made by the Licensing Board and implementation of the Licensing (Scotland) Act 2005 in Borders.	Complete
Gain a better understanding of decisions made by Licensing Board (LB).	Request annual report for joint meeting in December 2015 to be circulated prior to the event.	Chair	ASAP		Complete
Send out LB minutes of meetings held between LLF meetings.	Committee Officers	ASAP		LLF keeps under review the decisions made by the Licensing Board and implementation of the Licensing (Scotland) Act 2005 in Borders.	Complete
Ensure communities are better able to respond to applications and views will be considered by Licensing Board.	Find out how to access Area Forums	Fiona Walling	End October	Improved community engagement and appropriate responses made.	Complete
Reflect On-trade views more effectively in 'Alcohol Profile	Gather snap shot of views from customers on consumption patterns prior to attending their venue.	Neil Gillies/Mark Hay	16.11.15	Licensing Board better informed about consumption patterns	

Scottish Borders Local Licensing Forum Action Plan: October 2015 – October 2016

Inform Licensing Board of work undertaken in Forum over past year	Draft LLF Annual Report in partnership with all LLF members.	Ian Tunnah/Susan Walker	4 th November 2015	Increase LB understanding of LLF	Completed
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Agenda Item 10

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING BOARD held in Committee Rooms 2/3, Council Headquarters, Newtown St Boswells on Friday, 18 March 2016 at 10.00 a.m.

Present:- Councillors W. Archibald (Convener), J. Campbell, J. Greenwell, B. Herd, G. Logan, D. Paterson, J. Torrance, T. Weatherston, B. White.
Apology:- Councillor R. Stewart.
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader, Licensing Standards and Enforcement Officers (Mr I. Tunnah and Mr M. Wynne), Democratic Services Officer (K. Mason), P.C. P. Robertson, Inspector M. Bennett - Police Scotland.

1. **MINUTE**

The Minute of Meeting of 19 February 2016 had been circulated.

DECISION

APPROVED and signed by the Convener.

2. **LICENCES DEALT WITH UNDER DELEGATED POWERS**

For Members' information there had been circulated copies of a list of licences dealt with under delegated powers for the period 11 February to 9 March 2016.

DECISION

NOTED.

3. **LICENSING (SCOTLAND) ACT 2005:**

(a) **Section 20: Application for Premises Licence.** The Board considered the following application for Provisional Grant of Premises Licence:-

- (i) Nigel Hobbs
- Tushielaw Inn
Ettrick Valley
Selkirk
TD7 5HT
Provisional Grant

Operating Plan includes provision of on and off sale facility.

No representations had been received.

Mr Hobbs was present. He advised that he planned to open up the premises as a country inn around Easter and that members of the community were pleased that the premises was re-opening.

DECISION

GRANTED.

(b) **Section 29: Application for Variation of Premises Licence.** The Board considered the following applications for Variation of Premises Licence:-

- (i) Lees Property Management Ltd
- Cross Keys Inn
Ettrickbridge
Selkirk
TD7 5JN

Amendments to operating plan:

- Change to existing core on sale hours

Current On Sale Hours

11.00am - 12midnight Fri & Sat

12.00noon - 12.00midnight Sun

Proposed On Sale Hours

11.00am - 1.00am Fri & Sat

11.00am - 10.00pm Sun

- Change to existing off sale hours on Sunday

Current Off Sale Hours

12.00noon - 10.00pm

Proposed Off Sale Hours

11.00am - 10.00pm Sun

- Change terms of the seasonal variation to cover Christmas Eve, Christmas Day, Boxing Day and New Year's Day until 1.00am
- Amend the listed activities to include indoor/outdoor sports to be provided both during and outwith core licensed hours
- Extend existing listed activities namely, club or other group meetings and outdoor drinking facilities to be provided outwith core licensed hours
- Amend the explanation of activities to be provided outwith core licensed hours
- Amend the supporting statement in relation to additional activities
- Amend the terms, times and parts of the premises permitted within the existing children and young persons statement

No representations had been received.

Mr Lees was present. He advised that the additional hours were requested to be in line with his other businesses. His premises manager had requested later hours because the general public and locals were looking for additional hours similar to what was enjoyed by other premises in the area.

**DECISION
GRANTED.**

(ii) Scottish Borders Brewery Limited

Born in the Borders
Lanton Mill, Lanton
Jedburgh
TD8 6ST

Amendments to Operating Plan and Layout Plan:

- To incorporate a change to the current licensed general retail unit to accommodate the introduction of specific Brewery Shop and Sample/Tasting Room - capacity 52m²

No representations had been received.

Mr Henderson was present. He advised of the growing interest in craft alcohol and explained the premises would be a dedicated retail unit for the sale of craft beer.

**DECISION
GRANTED.**

(iii) Hawick Golf Club

Hawick Golf Club
Vertish Hill
Hawick
TD9 0NY

Amendments to Licence and Operating plan:

- Change to core on sale hours:

Current On Sale Hours

11.00am - 11.00pm (Sun to Thurs)
11.00am - 1.00am (Fri & Sat)

Proposed On Sale Hours

11.00am - 12.00midnight (Sun to Wed)
11.00am - 1.00am (Thurs, Fri & Sat)

- Addition to permitted activities referred to in question 5 (column 4 – outwith core hours) of the operating plan, to include receptions including weddings, funerals, birthdays, retirements etc; Club or other group meetings etc; recorded music; dance facilities; indoor/outdoor sports; televised sport and outdoor drinking facilities;
- Addition of films to the permitted activities referred to in question 5 (columns 2, 3 and 4);
- Change to explanation as to ‘Yes’ in column 4;
- Change to explanation at question 5 (f) – any other activities and the removal of the full explanation relating to the Members Club;
- Removal of reference to Members Club in question 6 of the Operating Plan relating to the Children and Young Persons access and change to the terms of their access; and
- Removal of the Members Club status afforded under the terms of the Licensing (Scotland) Act 2005.

No representations had been received.

Mr Monaghan was present. He advised that the Club wished to provide food for members of the Club and wanted members of the public to be allowed access to improve the business. Members recognised that Golf Clubs were struggling and were supportive of the application.

**DECISION
GRANTED.**

(iv) Daniel Norris

Cross Inn
Paxton
TD15 1TE

Amendments to operating plan:

- Change to existing core on sale hours

Current On Sale Hours

12.00noon - 11.00 (Sun)
11.00am - 11.00pm (Mon to Thurs)
12.00noon - 12.30am (Fri & Sat)

Proposed On Sale Hours

11.00am - 12.00midnight (Sun)
11.00am - 12.00midnight (Mon to Thurs)
11.00am - 1.00am (Fri & Sat)

- Change to existing off sale hours on Sunday

Current Off Sale Hours

12.00noon - 10.00pm

Proposed Off Sale Hours

11.00am - 10.00pm Sun

- Addition of activities within core hours:
conference facilities, live performances, gaming, indoor/outdoor sports, televised sports, outdoor drinking and adult entertainment
- Addition of activities outwith core hours:
restaurant facilities, bar meals, club or other group meetings, televised sport and outdoor drinking facilities
- Update explanation of additional and other activities
- Change terms and conditions regarding children and young persons access
- Increase capacity from 120 to 160

No representations had been received.

Mr Norris was present. He advised that the premises had been closed for one and a half years. The premises was being refurbished and brought up to date. Councillor Campbell advised that prior to the previous business closing the premises had another function where milk, bread etc. were sold and she asked Mr Norris if he intended to carry on with this. Mr Norris advised this suggestion was being discussed with a Community Councillor.

**DECISION
GRANTED.**

(c) **Section 33: Application for Transfer and Variation of Premises Licence.** The Board considered the following application for Transfer and Variation of Premises Licence

- | | |
|--|---|
| (i) Transfer - Meiklejohn Hospitality Ltd to
Rossmuir Ltd | The Cobbles Inn
7 Bowmont Street
KELSO
TD5 7JH |
| (ii) Variation - Rossmuir Ltd | The Cobbles Inn
7 Bowmont Street
KELSO
TD5 7JH |

Amendments to Licence and Operating plan:

- Change to core on sale hours:

Current On Sale Hours

11.00am - 11.00pm (Mon to Thurs)
11.00am - 1.00am (Fri & Sat)
12.30pm - 11.00pm (Sun)

Proposed On Sale Hours

11.00am - 12.00midnight (Sun to Wed)
11.00am - 1.00am (Thurs, Fri & Sat)

- Change to core off sale hours:

Current Off Sale Hours

11.00am - 10.00pm (Mon to Sat)
12.30pm - 10.00pm (Sun)

Proposed Off Sale Hours

11.00am - 10.00pm (Sun to Sat)

- Addition to permitted activities referred to in question 5 (column 4 – outwith core hours) of the Operating Plan, to include restaurant facilities; bar meals; receptions including weddings, funerals, birthdays, retirements etc; recorded music; live performances; dance facilities and televised sport;
- Addition of indoor/outdoor sports to the permitted activities referred to in question 5 (columns 2, 3 and 4);
- Change explanation to 'Yes' in column 4.

No representations had been received.

Mr Becattelli was present. He advised that he had taken over the business and wished to bring the operating plan more in line with his business plan. The intention was to open the business earlier for the provision of teas and coffees.

**DECISION
GRANTED.**

4. **DATE OF NEXT MEETING**

The next meeting would be held on 22 April 2016.

**DECISION
NOTED.**

PRIVATE BUSINESS

5. **DECISION**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

LICENSING (SCOTLAND) ACT 2005

6. **Section 84A (amended to 83(7)):** The Board continued the hearing in relation to Mr Alan Turnbull's Personal Licence.

The meeting concluded at 10.35 a.m.

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LICENSING BOARD held in Committee Rooms 2/3,
Council Headquarters, Newtown St Boswells on
Tuesday, 5 April 2016 at 10.40 a.m.

Present:- Councillors W. Archibald (Convener), J. Campbell, J. Greenwell, G. Logan, B. White.
Apologies:- Councillors D. Paterson, R. Stewart, J. Torrance, T, Weatherston.
Absent:- Councillor B. Herd.
In Attendance:- Mr R. Kirk (Managing Solicitor – Property and Licensing), Mr A. Niven (Licensing Officer), Mr I. Tunnah, Licensing Standards and Enforcement Officer, Mr M. Wynne, Licensing Standards and Enforcement Officer, K. Mason, Democratic Services Officer.

LICENSING (SCOTLAND) ACT 2005

1. Section 68: The Board considered the following application for Extended Hours:-

Zing Enterprises Ltd, Base Nightclub, 8 – 10 Baker Street, Hawick
16/17 April 2016 – 2.00am – 3.00am – Hawick Rugby 7s

There had been circulated copies of a letter dated 14 March 2016 from Mr Ian Tunnah, Licensing Standards and Enforcement Officer advising that the reason for the application would appear to be to fulfil customer demand, due to the annual Hawick Rugby Club Seven a side tournament. The hours applied for were outwith the Board's Policy which clearly stated that hours beyond 2.00 am would only be granted in exceptional circumstances. The majority of Licensed Premises within the town centre area along with the licensed venues at Hawick Rugby Club had hours terminating at 1.00 am on the night in question.

The applicant Mr Gillies was present. He explained that Hawick 7s was an exceptional day in the town. According to Wikipedia, Hawick Rugby Club Sevens was an important event in the annual calendar of the well-known 7s circuit in the borders. Hawick would see the influx of several thousand visitors to the town and at this time he wanted to be part of that celebration and be able to provide services and facilities to both locals and visitors. Studies and reports recently carried out by tourism and leisure together with government studies indicated there was a lack of quality venues and businesses within this sector. He felt it was important at such times to show that his premises, as a modern facility, was open for business. Mr Gillies advised he had received letters of support from three local Councillors. He further advised he had received information from Police Licensing advising that there had been no incidents within the past six months which related to Base Nightclub apart from one incident which had occurred outwith the premises. He explained that Mr Tunnah had reiterated there had been no complaints of anti-social behaviour in the last six months.

Detailed discussions took place in relation to the application and Mr Gillies clarified he was not competing against the local pubs and explained his bona fide entertainment business only became busy after 1.00 am.

VOTE

Councillor Logan, seconded by Councillor White, moved that the application be refused because it was outwith the Board's Policy in that exceptional circumstances had not been met.

Councillor Greenwell, seconded by Councillor Campbell, moved as an amendment that the application be granted.

On a show of hands Members voted as follows:-

Motion - 2 Votes

Amendment - 3 Votes

Accordingly, the application was granted.

DECISION

AGREED that the application for 16/17 April 2016 - 2.00 am - 3.00 am be granted.

2. LICENSING BOARD POLICY STATEMENT

The Managing Solicitor clarified the options available to the Board in regard to the review of the Policy Statement. In response to a suggestion made by Councillor Logan about reviewing the Licensing Board's Policy Statement at the next meeting of the Licensing Board, Mr Tunnah advised that a sub-committee of the Local Licensing Forum had been established to look at the Policy Statement and discuss whether a supplementary Policy should be considered by the Licensing Board because there had been many changes to the alcohol profile. Members agreed to defer discussions on reviewing the Licensing Board's Policy Statement until they had received a steer from the Local Licensing Forum.

DECISION

AGREED to defer discussions on reviewing the Licensing Board's Policy Statement until a steer had been received from the Local Licensing Forum.

The meeting concluded at 11.10 a.m.

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING BOARD held in Committee Rooms 2/3, Council Headquarters, Newtown St Boswells on Friday, 22 April 2016 at 10.00 a.m.

Present:- Councillors W. Archibald (Convener), J. Campbell, J. Greenwell, G. Logan, D. Paterson, R. Stewart, T. Weatherston, B. White.
Apology:- Councillors B. Herd, J. Torrance.
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader, Licensing Standards and Enforcement Officers (Mr I. Tunnah and Mr M. Wynne), Democratic Services Officer (K. Mason), P.C. P. Robertson, Inspector J. Scott - Police Scotland.

1. **MINUTE**

The Minutes of Meetings of 18 March and 5 April 2016 had been circulated.

DECISION

APPROVED and signed by the Convener.

2. **LICENCES DEALT WITH UNDER DELEGATED POWERS**

For Members' information there had been circulated copies of a list of licences dealt with under delegated powers for the period 10 March to 13 April 2016.

DECISION

NOTED.

3. **BEST BAR NONE**

PC Nick Walker, Safer Communities was in attendance to give a presentation on Best Bar None. PC Walker advised that Best Bar None was administered by Scottish Business Resilience Centre and partners and local coordinators contributed to the ambition of the scheme. The aims of Best Bar None were to (a) promote a safer community; (b) to promote social responsibility; (c) to raise standards in licensed on trade venues; and (d) to reward well managed venues. In 2015 five licensed premises in the Borders were gold award winners and eight licensed premises in the Borders were silver award winners. Funding of the scheme amounted to £150 approximately per premises with £100 being funded from Scottish Business Resilience Centre. The national aims for 2016/17 were explained. PC Walker answered Members' questions relating to how the scheme was promoted and financial benefits available.

DECISION

NOTED and thanked PC Walker for his informative presentation.

4. **Licensing (Scotland) Act 2005:**

(a) **Section 20: Application for Premises Licence.** The Board considered the following applications for Grant of Premises Licence

(i) Partnership of Will Haegeland and Trond Dalby	Grapevine - Now You're Talking 2 Douglas Bridge Galashiels
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There had been circulated copies of

(a) a letter dated 6 April 2016 from I Tunnah, Licensing Standards and Enforcement Officer advising that as described in the application form the premises were to evolve from a café/restaurant to a Prosecco and Gin Bar in the evenings and it might be appropriate to consider restricting Children and Young persons access to have a terminal hour of 10 p.m.

(b) a letter dated 4 April 2016 from Dr Tim Patterson, Acting Joint Director of Public Health, Scottish Borders Council/NHS Borders advising that the application was proposing to allow access to all public areas for children (accompanied by an adult) and young people (unattended) for the duration of the purpose of dining or to attend a pre-arranged function. There were unlimited timescales for this and children and young people could stay on the premises potentially until 1.00 am Thursday, Friday and Saturday. The application stated that it would have a full-service restaurant as well as a Prosecco and Gin Bar in the evening. Dr Paterson's observations were based on the view that allowing access for children and young people without a time curfew was inconsistent with the Licensing Objective of Protecting Children from Harm and Scottish Borders Licensing Board's Statement of Licensing Policy 2013 – 2016. This was also the case for allowing access to the Prosecco and Gin Bar which did not offer full dining. Adult drinking behaviour could influence children's behaviours and as consumption of alcohol by young people (13 year olds and 15 year olds) continued to decrease both nationally and locally it was important that where children were exposed to alcohol this was time limited and for the purpose of a meal. Dr Paterson recommended that amendments be made to the application within section 6b to ensure clarity of terms of access to restaurant area only and, unless attending a pre-arranged function, children and young persons should have left the premises by 10 pm. Dr Paterson referred to the Alcohol Profile 2014/15 which highlighted Galashiels West as one of the Intermediate Geographies within the Scottish Borders with the highest rates of alcohol related problems, namely – alcohol related emergency attendances; alcohol related hospital stays; deaths from alcohol conditions; and alcohol related antisocial behavior. As this premise was located within Galashiels West, he asked the Licensing Board to consider this further evidence.

Mr Haegeland was present and gave an overview of his plans for the premises. He agreed to amend the times stated in his operating plan for children and young persons access to 10.00pm.

DECISION
GRANTED as amended.

DECLARATION OF INTEREST

Councillor Greenwell declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

Coldstream Football Club
(Members Club)

Jim Patterson Pavilion
Home Park
Coldstream

Operating Plan includes provision of on and off sale facility.

No representations had been received.

Mr David Lauder, Chairman, Coldstream Football Club was present. He explained that the club had been operating by applying for occasional licences over the last two years. There were sometimes difficulties when fixtures were changed at the last minute meaning that there was no occasional licence in place, hence the reason for applying for a Premises Licence.

DECISION
GRANTED.

- (b) **Section 29: Application for Variation of Premises Licence.** The Board considered the following applications for Variation of Premises Licence:-

(i) Punch Partnership Limited

Clovenfords Hotel
1 Vine Street
Clovenfords
Nr Galashiels

Amendments to operating plan and layout plan:-

- Change to existing on and off sale core hours on Sunday

Current

On Sale 12noon - 12midnight
Off Sale 12noon - 10.00pm

Proposed

On Sale 11.00am - 12midnight
Off Sale 11.00am - 10.00pm

- Addition of seasonal variation for Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day until 1.00am or any other agreed Board policy
- Addition to listed activities - theatre and films both during and outwith core licensed hours
- Extend existing listed activities namely, bar meals, receptions, recorded music, live performance, dance facilities, indoor/outdoor sport and televised sport to be provided outwith core licensed hours
- Amend the explanation of activities to be provided outwith core licensed hours
- Amend the terms of access and times permitted within the existing children and young persons statement
- Amendment to layout plan to include external area to the front of premises within the licensed footprint

There had been circulated copies of

(a) a letter dated 2 April 2016 from Police Scotland. Inspector Scott advised that if granted, the current application would permit the outside area to be used during core hours, which would allow patrons to drink alcohol outside the premises until 1.00 am on Friday and Saturday and midnight on other days. This might lead to excessive noise and disturb neighbours, contrary to the Preventing Public Nuisance licensing objective. In terms of Section 22(a)9(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, the Chief Constable was of the opinion that the variation in its current form should be modified so that the outside area was subject to a condition that it could not be used after 10.00 pm each day and that the concerns raised in this letter were addressed.

(b) a letter dated 6 April 2016 from Mr I Tunnah, Licensing Standards and Enforcement Officer advising if the outside area to the front of the Hotel was to be included in the licensed footprint it might be appropriate to consider restricting its use, for the sale or consumption of alcohol to have a terminal hour of 10.00 pm. The Hotel was surrounded by residential properties and use of the area throughout core hours could lead to noise nuisance and disturbance at these neighbouring properties. The Licensing Standards Officer suggested alternative wording at Questions 5, 6, 6(b), 6(c), 6(d), and 6(e) – explanation of activities to be provided outwith core hours and the children and young persons statement.

Mr Niall Hassard, Solicitor was present accompanied by Mr Roy MacIntosh, Designated Premises Manager. Mr Hassard confirmed that there would be no alcohol consumed outside the premises after 10.00 pm. He advised his client was happy to amend the application to reflect the comments of Police Scotland and the Licensing Standards and Enforcement Officer as detailed above. Mr Hassard further explained that his client wished to establish the premises as a community hub and the variation tidied up some anomalies in the existing operating plan.

DECISION

GRANTED as amended.

- (ii) The Co-operative Group Food Limited The Co-operative Food
Station Yard
Newtown St Boswells

Amendments to Operating Plan at Question 5(f) any other activities to change normal shop opening times Monday to Sunday to 6.00am to 10.00pm subject to customer demand (currently 7.00am to 10.00pm).

No representations had been received

Mr Niall Hassard, Solicitor was present accompanied by Ms Michelle McEwan, Store Manager. Mr Hassard confirmed that the application was for the premises to open at 6.00am to satisfy customer demand.

**DECISION
GRANTED.**

(c) Section 67: Queen's 90th Birthday Celebrations – 10 and 11 June 2016

The Managing Solicitor advised that correspondence had been received from Belhaven Pubs asking if the Scottish Borders Licensing Board had any plans to make a determination for licensed premises to be granted extended hours on the occasion of The Queen's Official birthday on 11 June without having to formally make an application to the Licensing Board. Members considered that the majority of licensed premises in the Scottish Borders already had core hours until 1.00am on a Friday and Saturday and were of the opinion that if any establishment wished to apply for extended hours for 10 and 11 June 2016 that the usual application should be submitted.

**DECISION
AGREED not to grant a Section 67 general extension for 10 and 11 June 2016.**

4. DATE OF NEXT MEETING

The next meeting would be held on 20 May 2016. The Managing Solicitor advised that because of the European Referendum, Council had agreed that the following meeting scheduled to be held on 17 June would now be held on 10 June 2016. Some Members advised that they would be unable to attend the Licensing Board on 10 June 2016.

**DECISION
NOTED.**

PRIVATE BUSINESS

5. DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

LICENSING (SCOTLAND) ACT 2005

- 6. Section 83:** The Board considered a notification of relevant offence in respect of Mr Alan Turnbull's Personal Licence and agreed that his Personal Licence be revoked.

The meeting concluded at 10.55 a.m.

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