

Public Document Pack



SCOTTISH BORDERS LICENSING BOARD FRIDAY, 15TH DECEMBER, 2017

A MEETING of the SCOTTISH BORDERS - LICENSING BOARD will be held in COMMITTEE ROOMS 2/3, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on FRIDAY, 15 DECEMBER 2017 at 10.00 am

J. J. WILKINSON,
Clerk to the Council,

8 December 2017

BUSINESS					
1.	Apologies for Absence				
2.	Order of Business				
3.	Declarations of Interest				
4.	Minute (Pages 5 - 8) Minute of Meeting of 17 November 2017 for approval. (Copy attached.)				
5.	Licences dealt with under Delegated Powers (Pages 9 - 16) (Copy attached.)				
6.	Licensing (Scotland) Act 2005:				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 80%; vertical-align: top;"> <p>(a) Section 20: Application for Premises Licence</p> <p>Consider the following application for Grant/Provisional Grant of Premises Licence (applicants cited to attend.)(Copies attached.)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Pearsons of Duns Ltd</p> <p>Licensed Hours applied for: <u>ON SALE</u> Sunday to Thursday 11.00am – 12.00midnight Friday and Saturday 11.00am – 1.00am</p> <p><u>Representations received:</u> Police Scotland - none. Licensing Standards Officer - none.</p> </td> <td style="width: 50%; vertical-align: top;"> <p>The Cheeklaw Centre Station Road Duns (Provisional)</p> <p><u>OFF SALE</u> Monday to Sunday 10.00am – 10.00pm</p> </td> </tr> </table> </td> <td style="width: 20%; vertical-align: top; text-align: right;"> <p>Pages 17 – 30)</p> </td> </tr> </table>	<p>(a) Section 20: Application for Premises Licence</p> <p>Consider the following application for Grant/Provisional Grant of Premises Licence (applicants cited to attend.)(Copies attached.)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Pearsons of Duns Ltd</p> <p>Licensed Hours applied for: <u>ON SALE</u> Sunday to Thursday 11.00am – 12.00midnight Friday and Saturday 11.00am – 1.00am</p> <p><u>Representations received:</u> Police Scotland - none. Licensing Standards Officer - none.</p> </td> <td style="width: 50%; vertical-align: top;"> <p>The Cheeklaw Centre Station Road Duns (Provisional)</p> <p><u>OFF SALE</u> Monday to Sunday 10.00am – 10.00pm</p> </td> </tr> </table>	<p>Pearsons of Duns Ltd</p> <p>Licensed Hours applied for: <u>ON SALE</u> Sunday to Thursday 11.00am – 12.00midnight Friday and Saturday 11.00am – 1.00am</p> <p><u>Representations received:</u> Police Scotland - none. Licensing Standards Officer - none.</p>	<p>The Cheeklaw Centre Station Road Duns (Provisional)</p> <p><u>OFF SALE</u> Monday to Sunday 10.00am – 10.00pm</p>	<p>Pages 17 – 30)</p>
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	Health - none. Other – I Sanderson.	
(b)	<p>Section 29: Application for Variation of Premises Licence</p> <p>Consider the following application for Variation of Premises Licence (applicants cited to attend.) (Copies attached.)</p> <p>Tempest Brewing Co Ltd Block 11 Units 1 & 2 Tweedbank Industrial Estate Galashiels TD1 3RS</p> <p>Amendments to Premises Licence, Operating and Layout Plan:</p> <ul style="list-style-type: none"> • Amend description of premises to include on sale provision of alcohol • Addition of on sale core hours (currently none) - Monday to Sunday 11.00am -10.00pm • Addition of bar meals, club or other group meetings, etc, recorded music and live performance during core licensed hours with supporting information relating to how the premises operates • Amend the explanation of any other activities in line with the removal of Members Club status • Addition of children and young persons statement • Amendment to layout plan to include tap room/on sale area <p><u>Representations received:</u> Police Scotland - none. Licensing Standards Officer - none. Health - none. Other – none.</p>	(Pages 31 - 48)
7.	<p>Section 37: Review of Premises Licences (Pages 49 - 54)</p> <p>Consider review of Premises Licences by the Board for breach of mandatory condition 10 – failure to pay annual fee (licence holders cited to attend). (Copy report attached.)</p>	
8.	Any other items previously Circulated	
9.	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: Councillors J Greenwell (Convener), J Brown, D Paterson, N Richards, S Scott, R Tatler, E Thornton-Nicol, G Turnbull, T Weatherston.

Please direct any enquiries to Fiona Henderson 01835 826502
fhenderson@scotborders.gov.uk

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MINUTE of MEETING of the SCOTTISH BORDERS
LICENSING BOARD held in Committee Rooms 2 & 3,
Council Headquarters, Newtown St Boswells on Friday
17 November 2017 at 10.00 a.m.

Present:- Councillors J. Greenwell (Convener), D. Paterson, N. Richards, S. Scott, R. Tatler, E. Thornton-Nicol, G. Turnbull.
Apologies:- Councillors J. Brown, T. Weatherston.
In Attendance:- Managing Solicitor (Property and Licensing), Licensing Team Leader, Licensing Standards and Enforcement Officer (Mr I. Tunnah) Democratic Services Officer (F. Henderson), Inspector Hodges, PC C. Lackenby, Police Scotland.

1.0 **MINUTE**

1.1 The Minute of Meeting of 20 October 2017 had been circulated.

**DECISION
APPROVED.**

2.0 **LICENCES DEALT WITH UNDER DELEGATED POWERS**

2.1 For Members' information there had been circulated copies of a list of licences dealt with under delegated powers for the period 12 October - 8 November 2017.

**DECISION
NOTED.**

3.0 **LICENSING (SCOTLAND) ACT 2005:**

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

(i) Simon Rutherford	Rutherfords Micropub 38 The Square Kelso
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Amendments to Operating Plan -
Changes to existing on sale core hours
Current On Sale
Sun to Sat 11.00am to 10.00pm

Proposed On Sale
Sun to Sat 11.00am to midnight

Representations received:

Police Scotland - none
Licensing Standards Officer - none
Health - none
Other - none

There had been circulated copies of the Application, current operating plan and proposed operating plan. The Licensing Standards and Enforcement Officer advised that the application was for an extension to operating hours to offer flexibility, although the owner did not intend to operate these hours seven days per week.

Mr Rutherford was present at the meeting and explained that the micropub operated until 10 p.m. seven days a week, however he wanted the flexibility to be open later in the summer months and when events were held in the town. He reiterated that it was not his intention to open until midnight seven days per week.

**DECISION
GRANTED.**

- 3.2 (ii) Partnership of
Cameron Crombie and Anne Mark Tavern Bar
High Street
Eyemouth

Amendments to Operating Plan and Layout Plan -

Changes to existing core hours

Current Sunday On Sale

12.30pm to 11.30pm

Proposed Sunday On Sale

11.00am to midnight

Current Off Sale (Monday to Sunday)

12.30pm to 10.00pm

Proposed Off Sale (Monday to Sunday)

11.00am to 10.00pm

Change seasonal demand explanation as per Licensing Board policy

Addition of activities outwith core hours: restaurant, bar meals, receptions, club or group meetings, recorded music, indoor/outdoor sports and televised sports

Include outdoor drinking facilities within and outwith core hours

Change explanation in respect of outwith core hours entries

Change terms of children and young persons access to all public areas

Change layout plan to include defined outdoor drinking area

Representations received:

Police Scotland - none

Licensing Standards Officer - none

Health - none

Other - none

There had been circulated copies of the Application, current Operating Plan, proposed Operating Plan and proposed layout plan. The Licensing Standards and Enforcement Officer advised that the business had recently been taken over by new management and the Operating plan required to be updated. The proposed amendments were within Board Policy and raised no concerns.

The Clerk to the Board advised that the applicants were unable to attend the meeting and had asked that the application be considered in their absence.

**DECISION
GRANTED.**

4.0 **SECTION 37: REVIEW OF PREMISES LICENCES**

- 4.1 There had been circulated copies of a list of unpaid annual premises fees in 2017/18. The Board were advised that a reminder letter had been sent to all licensed premises required to pay their annual premises fees advising that the fee was due and the methods of payment available. A further letter was sent to those who failed to pay by the due date advising them that the fee remained unpaid and that the matter would be brought to the Licensing Board, resulting in a number of fees being paid and an updated list was circulated at the meeting. The Board were of the opinion that a firm stance required to be taken as premises required to pay this on an annual basis as a condition of Premises Licence and many of the premises listed were well established and continued to trade. Following considerable discussion, it was agreed that there had been ample opportunity to pay the fees outstanding and the Board requested that under Section 37, should the fees remain unpaid, those premises licences would be reviewed at the next meeting.

DECISION

AGREED that under Section 37 of the Licensing (Scotland) Act 2005 should

annual fees remain unpaid for any Premises Licence, a review hearing would take place in respect of those premises at the Licensing Board on the 15 December 2017.

5.0 URGENT BUSINESS

5.1 Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

6.0 ANNUAL JOINT BOARD/LOCAL LICENSING FORUM

6.1 The Board were reminded that the Annual Joint Board and Local Licensing Forum meeting was scheduled to be held on Wednesday, 6 December 2017 and encouraged to attend.

**DECISION
NOTED.**

7.0 VALEDICTORY

7.1 The Chairman thanked PC Lackenby for all his work with the Licensing Board and wished him luck as he took up his new post with Police Scotland.

PRIVATE BUSINESS

8.0 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

9.0 Minute

The Private Minute of the Meeting held on 20 October 2017 was approved.

The meeting concluded at 10.15 a.m.

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**SCOTTISH BORDERS LICENSING BOARD
LICENCES ISSUED UNDER DELEGATED POWERS**

9 November - 1 December 2017

NAME OF APPLICANT	LICNTYPE	LICENCE DETAILS	VENUE
Verdant Leisure	SEC29V	Shop Pease Bay Caravan Site , Cockburnspath	
Stobo Castle Health Spa Limited	SEC29V	Stobo Castle Health Spa, Peebles	
Mansefield Pubs (LIC) Limited	SEC29V	Red Lion Hotel , Crawford Street, Kelso	
Lidl U K Gmbh	SUBDPM	Lidl UK GmbH, Wilton Path , Hawick	
Lidl U K Gmbh	SUBDPM	Lidl , Shedden Park Road, Kelso	
Johnston's Of Elgin Limited	SUBDPM	Johnstons Of Elgin Ltd, Eastfield Mills, Mansfield Road, Hawick	
Nightsafe Bistro (Hawick) Limited	SUBDPM	Night Safe Bistro Ltd , 12 High Street, Hawick	
Kaimes Hospitality Limited	SUBDPM	Nightclub 82, 84 Overhaugh Street , Galashiels	
Mansefield Pubs (LIC) Limited	SUBDPM	Red Lion Hotel, Crawford St, Kelso	
Motor Fuel Limited	SUBDPM	Fuel Service Station, Edinburgh Rd, Jedburgh	
Greene King Retailing Ltd	SUBDPM	Public House, 35 High Street, Peebles	
The Spotty Dog (Lauder) Limited	CONPRO	The Spotty Dog, 3A East High Street, Lauder	
		Occasional Licence Family Day	
Vale Of Leithen Social Club	OCCLIC	Monday 1 January 2018 11.00am - 1.00am	Vale Of Leithen Social Club, Innerleithen
		Occasional Licence Juniors Football Club Presentation	
Chirnside Bowling Club	OCCLIC	Sunday 10 December 2017 2.30pm - 7.00pm	Chirnside Bowling Club, Chirnside
		Occasional Licence 21st Birthday Party	
Stow Bowling Club	OCCLIC	Saturday 11 November 2017 12.00noon – 1.00am	Stow Bowling Club, Stow
		Occasional Licence for 60th Birthday Party	
Galapate Limited	OCCLIC	Saturday 18 November 2017 7.00pm – 1.00am	Volunteer Hall, Galashiels
		Occasional Licence for Live Band	
Galashiels Bowling Club	OCCLIC	Sunday 19 November 2017 7.00pm – 12.00midnight	Galashiels Bowling Club, Galashiels
		Occasional Licence for Live Band	
Hawick Angling Club	OCCLIC	Sunday 19 November 2017 7.00pm – 12.00midnight	Hawick Angling Club, Hawick
		Occasional Licence for Comedy Evening	
West Linton Bowling Club	OCCLIC	Sunday 3 December 2017 7.30pm – 11.00pm	West Linton Bowling Club, West Linton
		Occasional Licence for Comedy Evening	
West Linton Bowling Club	OCCLIC	Sunday 3 December 2017 7.30pm – 11.00pm	West Linton Bowling Club, West Linton

Scottish Borders Brewery Ltd	OCCLIC	Occasional Licence for Social Evening Friday 10 November – Saturday 11 November 2017 6.00pm – 12.00midnight	Eckford Village Hall, Eckford
Galashiels Bowling Club	OCCLIC	Occasional Licence for Race Night Saturday 18 November 2017 7.00pm – 12.00midnight	Galashiels Bowling Club, Galashiels
Vale Of Leithen Social Club	OCCLIC	Occasional Licence for Family Day Saturday 10 December 2017 2.00pm – 10.00pm	Vale Of Leithen Social Club, Innerleithen
Chirnside Bowling Club	OCCLIC	Occasional Licence for Civic Week Christmas Parties Saturday 9 December 2017 12.00noon – 5.30pm	Chirnside Bowling Club, Chirnside
Peebles Rugby Football Club	OCCLIC	Occasional Licence for Disco Saturday 9 December 2017 7.00pm – 1.00am	Peebles Rugby Football Club, Peebles
Peebles Rugby Football Club	OCCLIC	Occasional Licence for Xmas Party Night Friday 15 December 2017 7.00pm – 1.00am	Peebles Rugby Football Club, Peebles
Peebles Rugby Football Club	OCCLIC	Occasional Licence for Xmas Party Night Wednesday 20 December 2017 8.00pm – 12.00midnight	Peebles Rugby Football Club, Peebles
Peebles Rugby Football Club	OCCLIC	Occasional Licence for Disco Sunday 24 December 2017 8.00pm – 1.00am	Peebles Rugby Football Club, Peebles
Peebles Rugby Football Club	OCCLIC	Occasional Licence for Disco Tuesday 26 December 2017 5.00pm – 1.00am	Peebles Rugby Football Club, Peebles
Scottish Borders Brewery Limited	OCCLIC	Occasional Licence for Winter Xmas Market Saturday 25 November – Friday 8 December 2017 11.00am – 8.00pm	Born in the Borders, Jedburgh
Royal British Legion (Galashiels)	OCCLIC	Occasional Licence for Retirement Party Friday 1 December 2017 7.00pm – 12.00midnight	Royal British Legion (Galashiels) Branch, Galashiels
Alan Scott	OCCPLH	Occasional Licence for Music Concert Saturday 23 December 2017 7.00pm – 12.00midnight	Hawick Town Hall, Hawick
Angus MacPherson	OCCPLH	Occasional Licence for Christmas Party Friday 29 December 2017 6.00pm – 1.00am	Memorial Hall, Innerleithen
Allan Walker	OCCPLH	Occasional Licence for Christmas Fayre Saturday 2 December – Sunday 3 December 2017 11.00am – 4.00pm both days	Paxton House, Paxton
Allan Walker	OCCPLH	Occasional Licence for Christmas Pop-up Shop Wednesday 13 December 2017 10.00am – 10.00pm Thursday 14, Friday 15 and Saturday 16 December 2017 10.00am – 6.00pm	1 High Street, Selkirk

Lindsay Wood	OCCPLH	Occasional Licence for DDAOS panto Wednesday 29, Thursday 30 November and Friday 1 December 2017 6.30pm – 11.00pm	Volunteer Hall, Duns
Judith Gillies	OCCPLH	Occasional Licence for Kelso Farmers Market Saturday 2 December 2017 10.00am – 2.00pm	Kelso Square, Kelso
Emma McNab	OCCPLH	Occasional Licence for Gin Tasting event Saturday 2 December 2017 6.00pm – 11.30pm	Village Hall, Eddleston
Susan Upton	OCCPLH	Occasional Licence for Wedding Friday 24 November 2017 4.00pm – 11.00pm	Gunsgreen House, Eyemouth
Philip White	OCCPLH	Occasional Licence for 21st Birthday Party Saturday 25 November 2017 6.00pm – 12.00midnight	St Boswells Village Hall, St Boswells
Gordon Fairbanks	OCCPLH	Occasional Licence for Social evening Saturday 2 December 2017 6.00pm – 12.00midnight	Memorial Hall, Innerleithen
Kevin Crawford	OCCPLH	Occasional Licence for Party Night Friday 1 December 2017 6.30pm – 1.00am	Victoria Halls, Selkirk
Catherine MacInnes	OCCPLH	Occasional Licence for Christmas Fayre Sunday 10 December 2017 11.00am – 3.00pm	Bedrule Village Hall, Bedrule
Mark Hay	OCCPLH	Occasional Licence for Border Union AGM and Lunch Friday 15 December 2017 12.00noon – 7.00pm	Springwood Park Showground, Kelso
Mark Hay	OCCPLH	Occasional Licence for Radio Borders Xmas Bash Saturday 16 December 2017 6.00pm – 1.00am	Springwood Park Showground, Kelso
James Henderson	OCCPLH	Occasional Licence for Kelso Civic Week event Saturday 16 December 2017 6.00pm – 12.30am	Tait Hall, Kelso
Cameron Crombie	OCCPLH	Occasional Licence for Lecture Friday 15 December 2017 5.00pm – 10.00pm	Ebba Centre, St Abbs
Luke Fenton	OCCPLH	Occasional Licence for Christmas Craft & Gift Fayre Saturday 25 and Sunday 26 November 2017 10.00am – 4.00pm	Volunteer Hall, Galashiels
Lindsay Wood	OCCPLH	Occasional Licence for Christmas Day Lunch Monday 25 December 2017 11.00am – 5.00pm	Volunteer Hall, Duns
Laurence Reid	OCCPLH	Occasional Licence for TKMAXX Party Saturday 2 December 2017 7.00pm – 12.00midnight	Mac Arts , Galashiels
Laurence Reid	OCCPLH	Occasional Licence for Gala Town Band Concert Saturday 9 December 2017 7.00pm – 11.00pm	Mac Arts , Galashiels
Laurence Reid	OCCPLH	Occasional Licence for CABN Party Wednesday 13 December 2017 5.00pm – 11.00pm	Mac Arts , Galashiels

Laurence Reid	OCCPLH	Occasional Licence for Reggae Disco Friday 15 December 2017 6.00pm – 1.00am	Mac Arts , Galashiels
Laurence Reid	OCCPLH	Occasional Licence for Xmas Film Sunday 17 December 2017 7.00pm – 11.00pm	Mac Arts , Galashiels
Laurence Reid	OCCPLH	Occasional Licence for Borders Big Band Concert Tuesday 19 December 2017 7.00pm – 11.00pm	Mac Arts , Galashiels
Malcolm Cooper	OCCPLH	Occasional Licence for Mosstroopers Ball Friday 1 December 2017 6.00pm – 1.00am	Town Hall, Hawick
Shaun Turnbull	OCCPLH	Occasional Licence for 21st Birthday Party Saturday 2 December 2017 6.00pm – 1.00am	Legends, Newcastleton
Fiona Ingram	OCCPLH	Occasional Licence for Christmas Party Sunday 17 December 2017 2.00pm – 10.00pm	Land South East of Deanfoot Cottage , West Linton
Nicolina Fitzgerald	OCCPLH	Occasional Licence for TESCO Party Saturday 2 December 2017 6.00pm – 12.30am	Community Centre, Galashiels
Kerry-Louise McElrath	OCCPLH	Occasional Licence for Alex Salmond unleashed Friday 24 November 2017 7.00pm – 12.00midnight	Volunteer Hall, Galashiels
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Thursday 23 November 2017 6.30pm – 11.00pm	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Friday 24 November 2017 11.00am – 1.00am	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Saturday 25 November 2017 11.00am – 1.00am	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Sunday 26 November 2017 11.00am – 12.00midnight	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Wednesday 29 November 2017 11.00am – 12.00midnight	Provender, Melrose
Sophy Delavigne	OCCPLH	Occasional Licence for Christmas Lights Switch On Saturday 2 December 2017 4.00pm – 7.00pm	High Street, Hawick
Ashley Wilkie	OCCPLH	Occasional Licence for Winter Wonderland Friday 1 December 2017 5.00pm – 9.00pm	Town Hall, Jedburgh
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Thursday 30 November 2017 11.00am – 12.00midnight	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Friday 1 December 2017 11.00am – 1.00am	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Saturday 2 December 2017 11.00am – 1.00am	Provender, Melrose

Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Sunday 3 December 2017 11.00am– 12.00midnight	Provender, Melrose
Christian Orde	OCCPLH	Occasional Licence for Alcohol Sales Wednesday 6 December 2017 11.00am – 12.00midnight	Provender, Melrose
Newlands Community Development Trust	OCCVOL	Occasional Licence for Ceilidh Sunday 31 November 2017 6.00pm – 1.00am	Newlands Centre, West Linton
Kirkhope Hall Committee	OCCVOL	Occasional Licence for Ceilidh Saturday 11 November 2017 7.00pm – 10.30pm	Village Hall, Kirkhope
Friends Of Earlston Primary School	OCCVOL	Occasional Licence for Christmas Fair Thursday 7 December 2017 6.30pm – 9.00pm	Primary School, Earlston
Hermitage Hall Committee	OCCVOL	Occasional Licence for Drama performance Friday 8 December 2017 7.00pm – 11.00pm	Hermitage Hall, Hermitage Water
Chirnside Amateur Boxing Club	OCCVOL	Occasional Licence for Chirnside Boxing Club Show Sunday 19 November 2017 12.00pm – 5.00pm	Old High School, Eyemouth
Reston JAC	OCCVOL	Occasional Licence for Charity Disco Saturday 25 November 2017 7.30pm – 12.00midnight	Village Hall, Westruther
Gattonside Village Hall	OCCVOL	Occasional Licence for Cheese and Wine Party Saturday 9 December 2017 7.30pm – 11.00pm	Village Hall, Gattonside
Cardrona Village Association (CVA)	OCCVOL	Occasional Licence for Traquair Choir Saturday 2 December 2017 7.00pm – 10.00pm	Village Hall, Cardrona
Broughton Rural Committee	OCCVOL	Occasional Licence for Fundraiser Friday 15 December 2017 7.00pm – 11.00pm	Village Hall, Broughton
Rotary Club Of Selkirk	OCCVOL	Occasional Licence for Quiz Night Friday 24 November 2017 7.00pm – 10.30pm	High School, Selkirk
William Laidlaw Memorial Hall	OCCVOL	Occasional Licence for St Andrews Day Concert Friday 24 November 2017 6.00pm – 12.00midnight	Laidlaw Memorial Hall, Bonchester Bridge
William Laidlaw Memorial Hall	OCCVOL	Occasional Licence for Fred Morrison - Piper Saturday 9 December 2017 6.30pm – 11.30pm	Laidlaw Memorial Hall, Bonchester Bridge
St Ronan's Silver Band	OCCVOL	Occasional Licence for Social Event Saturday 3 March 2018 6.00pm – 12.00midnight	Silver Band Hall, Innerleithen
St Ronan's Silver Band	OCCVOL	Occasional Licence for Band Concert Saturday 28 April 2018 7.30pm – 10.00pm	St Ronans Primary School, Innerleithen
St Ronan's Silver Band	OCCVOL	Occasional Licence for Band Concert Saturday 22 September 2018 6.00pm – 12.00midnight	Memorial Hall, Innerleithen
St Ronan's Silver Band	OCCVOL	Occasional Licence for Band Concert Saturday 15 December 2018 6.00pm – 12.00midnight	Memorial Hall, Innerleithen

Coldstream Community Trust	OCCVOL	Occasional Licence for Christmas Lights Switch On Sunday 3 December 2017 4.00pm – 6.30pm	Community Centre, Coldstream
Coldstream Community Trust	OCCVOL	Occasional Licence for Variety Concert Sunday 9 December 2017 6.00pm – 11.00pm	Community Centre, Coldstream
Connect Berwickshire Youth Project	OCCVOL	Occasional Licence for Race Night Friday 10 December 2017 6.00pm – 11.00pm	Community Centre, Coldstream
Newcastleton School Partnership	OCCVOL	Occasional Licence for Christmas Fayre Friday 1 December 2017 6.00pm – 9.30pm	Village Hall, Newcastleton
Newcastleton School Partnership	OCCVOL	Occasional Licence for Christmas Concert Thursday 14 December 2017 6.00pm – 9.30pm	Village Hall, Newcastleton
The Haining Volunteers	OCCVOL	Occasional Licence for Re-enactment of 2 Walter Scott Courtcases Friday 24 November 2017 7.00pm – 10.30pm	Haining House, Selkirk
The Haining Volunteers	OCCVOL	Occasional Licence for Ghostwalk Friday 1 December 2017 7.00pm – 10.00pm	Haining House, Selkirk
Berwickshire Hunt Supporters Club	OCCVOL	Occasional Licence for Race Night Friday 1 December 2017 7.00pm – 11.30pm	Village Hall, Gavinton
Cockburnspath Village Hall	OCCVOL	Occasional Licence for Pop-up-Pub Friday 24 November 2017 6.30pm – 11.30pm	Village Hall, Cockburnspath
Cockburnspath Village Hall	OCCVOL	Occasional Licence for Quiz Night Friday 8 December 2017 6.30pm – 11.30pm	Village Hall, Cockburnspath
Lauderdale Hunt Supporters Club	OCCVOL	Occasional Licence for Supper followed by Auction Friday 8 December 2017 5.00pm – 11.00pm	Public Hall, Lauder
Gibson Park Playgroup	OCCVOL	Occasional Licence for Christmas Shopping evening Thursday 30 November 2017 6.30pm – 9.00pm	Ormiston Institute, Melrose
Longformacus Village Hall	OCCVOL	Occasional Licence for Film Night Saturday 25 November 2017 7.00pm – 11.00pm	Village Hall, Longformacus
Peebles Burgh Silver Band	OCCVOL	Occasional Licence for Silver Band Concert Friday 15 December 2017 6.30pm – 10.00pm	Burgh Hall, Peebles
Eddleston Village Hall	OCCVOL	Occasional Licence for Christmas Fayre Saturday 9 December 2017 2.30pm – 4.00pm	Village Hall, Eddleston
Redpath Village Hall	OCCVOL	Occasional Licence for Pub Themed Social Event Friday 22 December 2017 7.00pm – 12.00midnight	Village Hall, Redpath
Sylvia Scott	OCCEXT	Extended Hours for Party Nights Sunday 10 December 2017 12.00midnight – 1.00am	Quins, Galashiels
Sylvia Scott	OCCEXT	Extended Hours for Party Nights Saturday 9 December 2017 12.00midnight – 1.00am	Quins, Galashiels

Sylvia Scott	OCCEXT	Extended Hours for Party Nights Saturday 16 December 2017 12.00midnight – 1.00am	Quins, Galashiels
Sylvia Scott	OCCEXT	Extended Hours for Party Nights Sunday 17 December 2017 12.00midnight – 1.00am	Quins, Galashiels
Angus O'Malley's	OCCEXT	Extended Hours for Xmas Eve Disco Sunday 24 December 2017 12.00midnight – 1.00am	Angus O'Malley's, Selkirk

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SCOTTISH BORDERS LICENSING BOARD

APPLICATION FOR PROVISIONAL PREMISES LICENCE*

**Delete as appropriate*

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

PEARSONS OF DUNS LTD	MR GARRY PEARSON
THE CHEEKLAW CENTRE	
STATION ROAD	
DUNS TD11 3EL	

Question 2

Particulars of applicant

(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

N/A

(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

N/A

(c) Where applicant is a company, please provide name, registered office and company registration number.

PEARSONS OF DUNS LTD
THE CHEEKLAW CENTRE
STATION ROAD
DUNS TD11 3EL
COMPANY REGISTRATION NUMBER – SC183235

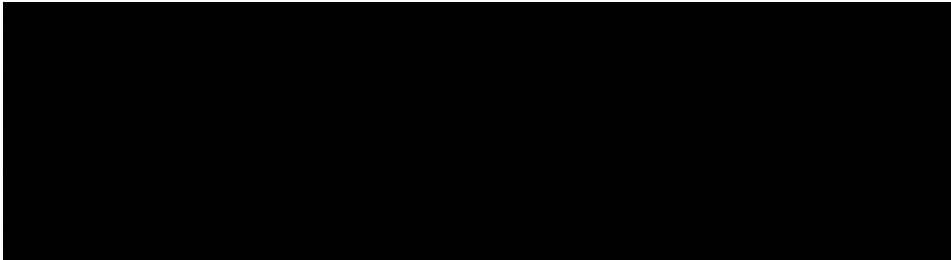
(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

N/A

(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

MR MONTEITH PEARSON

MR GARRY PEARSON



* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3

Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? NO*

If YES – provide full details

[Empty box for details]

Question 4

Previous convictions

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1) NO*

*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES *Licensing (Scotland) Act 2005, section 20(2)(a)*

Question 5

Description of premises (where application is submitted by a members' club, please also complete question 6)

PEARSONS OF DUNS IS A MULTI PRODUCT RETAIL AND TRADE OUTLET WHICH SELLS BUILDING MATERIALS, STOVES. GARDEN PRODUCTS AND SOLID FUEL. WE HAVE A SMALL CAFÉ WITH 14 TABLES. A SOLELY OCCUPIED BUILDING ON THE OUTSKIRTS OF THE TOWN OF DUNS.

THE AIM IS TO SELL ALCOHOL FOR SALE ON THE PREMISES IN OUR CAFÉ AT LUNCHTIMES AND POSSIBLY EVENING EVENTS.

GIFT WINES AND BEERS TO BE SOLD IN THE GARDEN GIFT SHOP

Question 6

To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	N/A
--	-----

*delete as appropriate

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature * (see note below)

Date 1/11/17

Capacity ...PERSONAL LICENCE HOLDER..... AGENT (delete as appropriate)

Telephone number and email address of signatory ...01361 882277 OPTION 1 enquiries@pearsonsofduns.com

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
Operating plan	✓
Layout plan	✓
Planning certificate	
Building standards certificate	
Food hygiene certificate	✓

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence - Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	
If application is for a provisional premises licence - Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

LICENSING (SCOTLAND) ACT 2005

NOTICE OF OBJECTIONS/REPRESENTATIONS



SCOTTISH BORDERS LICENSING BOARD

Licensing Unit, Council Headquarters, Newtown St Boswells TD6 0SA

Name and Address of Premises

PEARSONS OF DUNS LTD.
CUNCKLAW CENTER, STATION RD. DUNS. TD11 3EL

Name and Address of Objector

MR & MRS I. SANDERSON

Nature of Objections/Representations

WHILST WE ARE NOT OBJECTING TO LUNCHTIME SALES OF ALCOHOL IN THE CAFE OR OFF SALES IN THE SHOP DURING NORMAL, CURRENT BUSINESS HOURS WE DO, HOWEVER, WISH TO OBJECT TO THE POSSIBLE GRANTING OF EXTENDED LATE LICENCE(S). THIS OBJECTION IS ON THE GROUNDS OF LIKELY DISTURBANCES AND NUISANCE DUE TO THE PROXIMITY OF THE PREMISES TO OUR HOME, INCLUDING THAT FROM NIGHT TIME VEHICULAR TRAFFIC. IN ADDITION WE CONSIDER THE ACCESS ROAD UNSAFE FOR NIGHT TIME PEDESTRIAN ACCESS, ESPECIALLY IN THE WINTER MONTHS.

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SCOTTISH BORDERS LICENSING BOARD

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

(a) Will alcohol be sold for consumption solely ON the premises?	NO
(b) Will alcohol be sold for consumption solely OFF the premises?	NO
(c) Will alcohol be sold for consumption both ON and OFF the premises?	YES

*delete as appropriate

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11.00am	12.00pm
Tuesday	11.00am	12.00pm
Wednesday	11.00am	12.00pm
Thursday	11.00am	12.00pm
Friday	11.00am	1.00am
Saturday	11.00am	1.00am
Sunday	11.00am	12.00pm

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00am	10.00pm
Tuesday	10.00am	10.00pm
Wednesday	10.00am	10.00pm
Thursday	10.00am	10.00pm
Friday	10.00am	10.00pm
Saturday	10.00am	10.00pm
Sunday	10.00am	10.00pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

*If YES – provide details

Christmas Eve, Christmas Day, Boxing Day, New Years Eve and New Years Day open until 1 a.m. or within any other licensing board policy.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 (a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO

<i>Accommodation</i>	NO	NO	NO
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	NO	NO	NO
(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music –see 5(g)</i>	YES	YES	YES
<i>Live performance – see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	YES	YES	NO
(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO

<i>Outdoor drinking facilities</i>	YES	YES	NO
(e) Activity	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

These activities may commence prior to core hours but will not extend beyond other than with the benefit of an extended hours licence.

(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The premises consist of a Garden Centre, Café/Restaurant, Coal Merchant and Builders Merchant with a wide variety of goods and services available to trade and general public.

(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	NO*
---	-----

When fully occupied, are there likely to be more customers standing than seated?	YES
--	-----

*delete as appropriate

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
-----	--	-----

*delete as appropriate

(b)	Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry
-----	--

CHILDREN AND YOUNG PERSONS WILL BE ALLOWED IN ALL SHOP AREAS WITHIN THE PREMISES.

CHILDREN ALLOWED ACCESS WHEN ACCOMPANIED BY A RESPONSIBLE ADULT WHEN PARTAKING IN MEALS, SNACKS AND LIGHT REFRESHMENTS WITHIN THE CAFÉ AREA.
YOUNG PERSONS FOR THE SAME PURPOSE BUT UNACCOMPANIED.

(c) *Provide statement regarding the **AGES** of children or young persons to be allowed entry*

CHILDREN 0-15 YEARS
YOUNG PERSONS – 16 AND 17 YEARS

(d) *Provide statement regarding the **TIMES** during which children and young persons will be allowed entry*

CHILDREN AND YOUNG PERSON WHEN PARTAKING IN MEALS, SNACKS OR LIGHT REFRESHMENTS
ALLOWED ACCESS TILL 10PM.

CHILDREN AND YOUNG PERSONS WHEN IN THE SHOP AREAS AT ANY TIME WHEN OPEN

(e) *Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry*

ALL PUBLIC AREAS

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

ON SALE AREA – A 45-SEATER CAFÉ WHERE ALCOHOL TO BE STORED IN THE REFRIDGERATOR AND ON THE COUNTER BEHIND THE TILL.

OFF SALE – AROUND 1M2 WALL DISPLAY

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence) Personal details

(a) Name

(b) Date of birth

(c) Contact address

(d) Telephone number and e-mail address

(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature Marion L Johnstone.....  * (see note below)

Date 1/11/17

Capacity ... Agent..... ~~APPLICANT~~/AGENT (delete as appropriate).

Telephone number and email address of signatory

01361 882277 option 1 . enquiries@pearsonsofduns.com



- OUTSIDE AREA
- EMERGENCY EXIT
- FIRE HORNS
- PROPOSED SELLING DISPLAY AREA

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17/02089/5229



SCOTTISH BORDERS LICENSING BOARD

Licensing (Scotland) Act 2005, Section 29
APPLICATION FOR VARIATION OF PREMISES LICENCE

If you are completing this form by hand, please write legibly in block capitals using ink

Question 1

Please provide the name, address, postcode, date and place of birth, and contact telephone number of the current Licensee.

Tempest Brewing Co Ltd (per Annika Meiklejohn)
Block 11
Units 1 & 2
Tweedbank Industrial Estate
Galashiels
TD1 3RS **Tel. No. 01896 759500** [REDACTED]

Question 2

*Please provide full name, address, postcode and *licence number of the premises (*if known)*

Tempest Brewing Co. Ltd,
Block 11, Units 1-2 Tweedbank Ind. Est.
Tweedbank
TD1 3RS **SB/PREM/522**

Question 3

Do you propose to vary any of the information contained in the operating plan contained in the licence application?

YES

Where the proposed variation affects the current operating plan, please submit an operating plan including the proposed variations.

(if YES, please give details of the proposed variation below) (continue on a separate sheet if necessary)

Include On Sales (Currently None) – Monday to Sunday 11 a.m. to 10 p.m.
At Question 5 (Listed Activities) Change No to Yes at column 2 and 3 for Bar Meals, Club or other group meetings, Recorded music and Live Entertainment. At Question 5(f) Any other activities include appropriate description of other activities. Complete Question 6 Children and Young Person.

Question 4

Do you propose a variation to the layout plan contained in the licence? YES

Where the proposed variation affects the current layout plan, please submit 5 sets of plans showing the proposed new layout of the premises.

(if YES, please give details of the proposed variation below) (continue on a separate sheet if necessary)

Show Tap Room/On Sales area

Question 5

Do you propose to vary any other information contained or referred to in the licence, including an addition, deletion or other modification? YES

(if YES, please give details of the proposed variation below) (continue on a separate sheet if necessary)

Change description of premises to include a small 'On Sale' facility.

VARIATION TO SUBSTITUTE NEW PREMISES MANAGER

Question 6

Please provide details below of the name, address and personal licence number of the EXISTING Premises Manager.

Proposed Premises Manager

Name and telephone number

Date and place of birth

Contact address, including postcode

Email address

Personal licence

Date of issue	Name of Licensing Board issuing	Reference number of personal licence

Is the variation in respect of Question 6 to take effect during the application period? YES/NO*

If the answer to the above question is NO, please provide below the date from which the variation is to take effect.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT
If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature [REDACTED] * (see note below)

Date 26/10/17

Capacity APPLICANT (delete as appropriate)

Telephone number and email address of signatory 07891672011 - annika@tempestbrewco.com...

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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SCOTTISH BORDERS LICENSING BOARD

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

(a) Will alcohol be sold for consumption solely ON the premises?	NO
(b) Will alcohol be sold for consumption solely OFF the premises?	YES
(c) Will alcohol be sold for consumption both ON and OFF the premises?	NO

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00am	10.00pm
Tuesday	10.00am	10.00pm
Wednesday	10.00am	10.00pm
Thursday	10.00am	10.00pm
Friday	10.00am	10.00pm
Saturday	10.00am	10.00pm
Sunday	10.00am	10.00pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO
---	----

*If YES – provide details

N/A

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 (a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	No	No	No
Conference facilities	No	No	No
Restaurant facilities	No	No	No
Bar meals	No	No	No

(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including weddings, funerals, birthdays, retirements etc</i>	No	No	No
<i>Club or other group meetings etc.</i>	No	No	No
(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music –see 5(g)</i>	No	No	No
<i>Live performance – see 5(g)</i>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No
(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	No	No	No
(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	No	No	No

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

N/A

(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The premises and business operate as a brewery predominantly supplying ales to the trade, however, part of the business is sale by retail to non trade.

(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
--	-----

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	N/A
--	-----

(b) Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry
--

N/A

(c) Provide statement regarding the AGES of children or young persons to be allowed entry
--

N/A

(d) Provide statement regarding the TIMES during which children and young persons will be allowed entry
--

N/A

(e) Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry
--

N/A

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

20 square metres

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

(a) *Name*

Annika Meiklejohn

(b) *Date of birth*

[REDACTED]

(c) *Contact address*

[REDACTED]

(d) *Telephone number and e-mail address*

[REDACTED]

(e) *Personal licence*

Date of issue	Name of Licensing Board issuing	Ref number of personal licence
31/8/2009	Scottish Borders Licensing Board	SB/LIQ/3871

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SCOTTISH BORDERS LICENSING BOARD

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

(a) Will alcohol be sold for consumption solely ON the premises?	NO
(b) Will alcohol be sold for consumption solely OFF the premises?	NO
(c) Will alcohol be sold for consumption both ON and OFF the premises?	YES

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11.00 a.m.	10.00 p.m.
Tuesday	11.00 a.m.	10.00 p.m.
Wednesday	11.00 a.m.	10.00 p.m.
Thursday	11.00 a.m.	10.00 p.m.
Friday	11.00 a.m.	10.00 p.m.
Saturday	11.00 a.m.	10.00 p.m.
Sunday	11.00 a.m.	10.00 p.m.

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00am	10.00pm
Tuesday	10.00am	10.00pm
Wednesday	10.00am	10.00pm
Thursday	10.00am	10.00pm
Friday	10.00am	10.00pm
Saturday	10.00am	10.00pm
Sunday	10.00am	10.00pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO
---	-----------

*If YES – provide details

N/A

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 (a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	No	No	No
Conference facilities	No	No	No
Restaurant facilities	No	No	No
Bar meals	YES	YES	No

(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including weddings, funerals, birthdays, retirements etc</i>	No	No	No
<i>Club or other group meetings etc.</i>	YES	YES	No
(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music –see 5(g)</i>	YES	YES	No
<i>Live performance – see 5(g)</i>	YES	YES	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No
(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	No	No	No
(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	No	No	No

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Note:- Any food offering will be brought in by way of outside caterers and provided as part of brewery tour/visit package. There will be no food preparation on the premises.

(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The premises adjoin the tempest brewery and consist of a Tap Room Tasting area with casual seating and a small retail area offering the various bottled beers produced as well as a quantity of other marketing material. The brewery predominantly supplies direct to trade

however there is a small sale by retail to the general public offering by way of off sales. The on sale facility is in the main to facilitate Real Ale/Craft Ale enthusiasts and those enjoying a guided tour of the Brewery who are then able to taste and purchase in the Tap Room Tasting area.

(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
--	-----

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	Yes
--	-----

(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children and Young Persons accompanied by an appropriate adult when the adult is purchasing from the retail shop area.

(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Children - 0 to 15 years
Young Persons 16 – 17 years

(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

Throughout Off Sales Hours

(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

The Shop area within the premises

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

20 square metres
25 persons

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

(a) Name

Annika Meiklejohn

(b) Date of birth

[REDACTED]

(c) Contact address

[REDACTED]

(d) Telephone number and e-mail address

[REDACTED]

(e) Personal licence

Date of issue	Name of Licensing Board issuing	Ref number of personal licence
31/8/2009	Scottish Borders Licensing Board	SB/LIQ/3871

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .. [REDACTED] * (see note below)

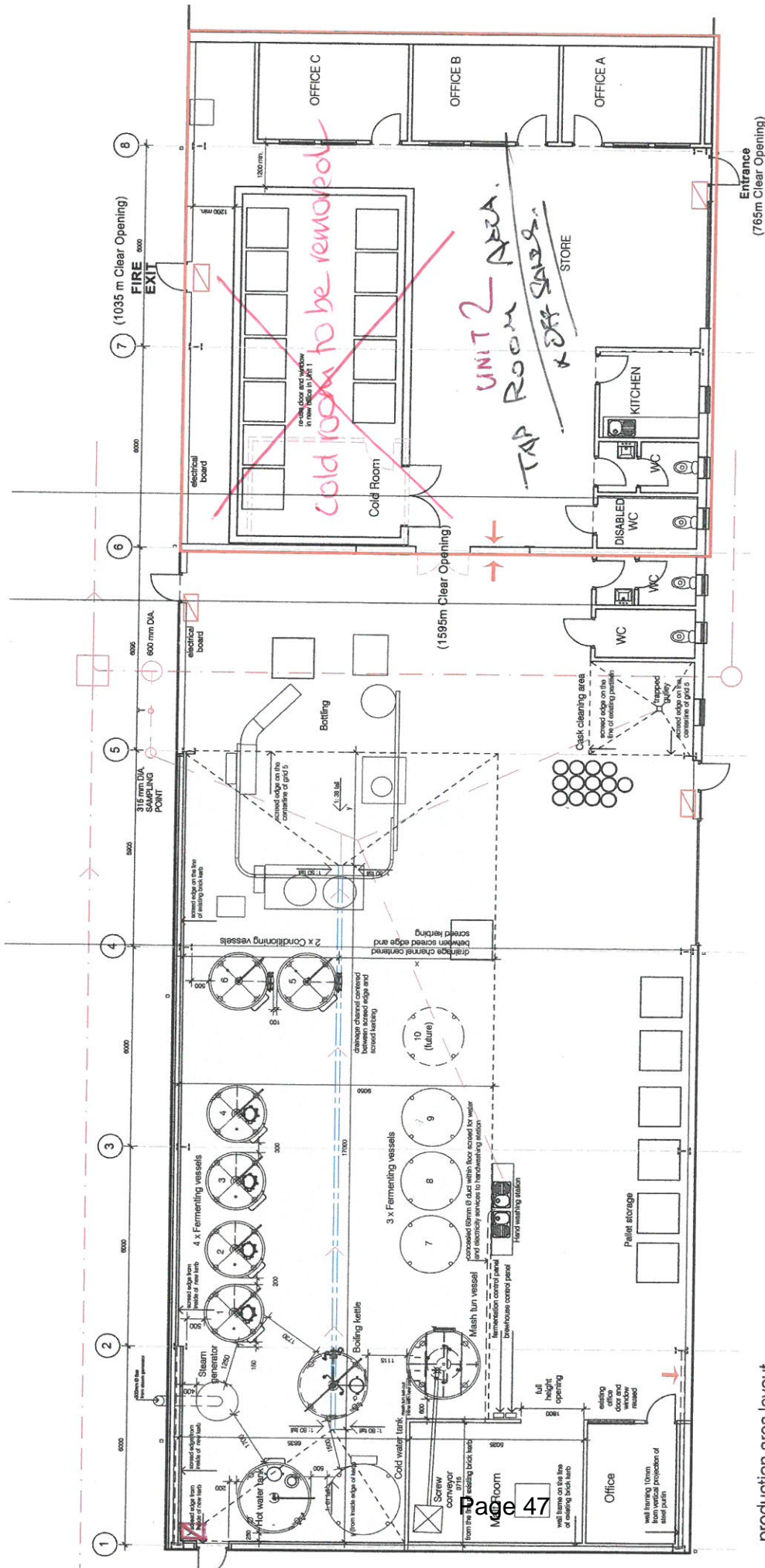
Date .. ✓ 26-10-17 ..

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

* **Data Protection Act 1998** The information on this form may be held on an electronic public register which may be available to members of the public on request.

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FIRE ALARM SYSTEM
Category M BS 5839-1

- Sounder Strobe
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SCOTTISH BORDERS LICENSING BOARD

Report by The Clerk to the Licensing Board

NON PAYMENT OF PREMISES LICENCE ANNUAL FEES 2017/18

15 December 2017

1 PURPOSE AND SUMMARY

- 1.1 This report on the non payment of Premises Licence Annual Fees requests that the Board agree to hold a Review Hearing in respect of the Premises detailed in Appendix A and B to this report.
- 1.2 The grounds for the request are that the following condition to which the premises licences are subject has been breached, namely Mandatory Condition 10 of Schedule 3 to the Act – failure to pay the annual fee as required by regulation made under terms of Section 136 of the Act.
- 1.3 The annual fee for all premises fell due on 1 October 2017. A reminder letter was issued to the licence holders in September 2017. No payment has been made to date by any of the Premises listed in Appendix A and B. The premises listed in Appendix A paid the previous year's annual fee (or in part). The premises listed in Appendix B are currently suspended due to non payment of the previous year's annual fees.

2 RECOMMENDATIONS

- 2.1 I recommend that the Board:-
 - (a) agree to hold review hearings in respect of the premises licences listed in Appendix A and B; and
 - (b) determine if any of the following options, which are available to them under terms of Section 39 of the 2005 Act would be appropriate in the circumstances:-
 - (i) to issue a written warning to the licence holder,
 - (ii) to make a variation of the licence,
 - (iii) to suspend the licence for such period as the Board may determine,
 - (iv) to revoke the licence.

3 BACKGROUND

- 3.1 The Clerk to the Licensing Board requests the Licensing Board consider reviewing all the Premises Licences listed in Appendix A and B under terms of Section 37(4)(a) of the Act. Mandatory Condition 10 of Schedule 3 attached to all premises licences requires the payment of annual or recurring fees.
- 3.2 The annual fee for all premises fell due on 1 October 2017. A reminder letter was issued to the licence holders in September 2017. No payment has been made to date by any of the Premises listed in Appendix A and B. The premises listed in Appendix A paid the previous year's annual fee (or in part). The premises listed in Appendix B are currently suspended due to non payment of previous annual fees.

4 IMPLICATIONS

4.1 Financial

The outstanding amount of fees due total £3,650.00. There are no other financial implications for the licensing Board in considering the review, however dependent on the outcome of the review hearing there could be a subsequent appeal by any of the Premises Licence Holders to the Sheriff Principal under Section 131 of the Licensing (Scotland) Act 2005 which could then have financial implications for the Board.

4.2 Risk and Mitigations

Should the Board fail to review the Premises Licences listed in Appendix A and B, it could be seen as failing to address its legal duties. The risk is therefore mitigated by this report.

4.3 Equalities

It is anticipated there will be no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals contained in the report.

4.4 Acting Sustainably

There are no economic, social or environmental effects as a result of the proposals contained in this report.

4.5 Carbon Management

There is no impact on the Council's carbon emissions as a result of proposals contained in this report.

4.6 Rural Proofing

Not applicable as this is not a new policy.

4.7 Changes to Scheme of Administration or Scheme of Delegation

No changes to either the Scheme of Administration or the Scheme of Delegation are required as a result of the recommendations in this report.

Approved by

Licensing Team Leader

Signature

Author(s)

Name	Designation and Contact Number
Ian Tunnah	Licensing Standards Officer 01835 825246

Background Papers:

Previous Minute Reference: N/A

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jackie Wilson can also give information on other language translations as well as providing additional copies.

Contact us at: Licensing Unit, Scottish Borders Council, Legal and Democratic Services, Council Headquarters, Newtown St Boswells, Melrose, TD6 OSA Tel: 01835 826662, email liquorandlicensing@scotborders.gov.uk.

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ANNUAL FEE UNPAID FOR 2017/18

PREMISES NUMBER	PREMISES NAME AND ADDRESS	PREMISES LICENCE HOLDER	ANNUAL FEE
SB/PREM/1	Grantshouse Inn, Grantshouse TD11 3RW	David and Angela Robertson	£220
SB/PREM/62	Costcutter, Market Place, Eyemouth TD14 5HE	Waseem Ashraf	£280
SB/PREM/244	County Hotel, High Street, Selkirk TD7 4BZ	Partnership of Will Haegeland and Trond Dalby	£280
SB/PREM/234	Fletchers, Hillside Terrace, Selkirk TD7 4LT	David Sanderson	£220
SB/PREM/529	Grapevine - Now Your Talking, 2 Douglas Bridge, Galashiels TD1 1BH	Partnership of Will Haegeland and Trond Dalby	£280
SB/PREM/190	Melrose Cricket Club, Huntlyburn, Melrose TD6 9BP	Melrose Cricket Club	£180
SB/PREM/501	Turnbulls, 8 High Street, Galashiels TD1 1SD	John Ross Irvine t/a J R Exports	£280 (plus £140 from 2016/17)
SB/PREM/417	Turnbulls, 4 Oliver Place, Hawick TD9 9BG	John Ross Irvine t/a J R Exports	£220 (plus £110 from 2016/17)
		Total	£2,210.00

PREMISES LICENCES CURRENTLY SUSPENDED FOR NON PAYMENT OF PREVIOUS YEARS ANNUAL FEES

PREMISES NUMBER	PREMISES NAME AND ADDRESS	PREMISES LICENCE HOLDER	ANNUAL FEE	TOTAL OUTSTANDING
SB/PREM/146	Sunflower Restaurant, 4 Bridgegate, Peebles EH45 8RZ	Firm of The Sunflower Restaurant	£220	£440
SB/PREM/222	Tibbieshiels Inn, St Marys Loch, Selkirk TD7 5LH	Moody Enterprises Scotland Ltd	£220	£440
SB/PREM398	Kwan's Restaurant, 1012 Roxburgh Street, Kelso TD5 7DH	Kwan's Kelso Limited	£280	£560
			Total	£1,440.00