

**SCOTTISH BORDERS COUNCIL  
SCOTTISH BORDERS LICENSING BOARD**

MINUTE of Meeting of the SCOTTISH  
BORDERS LICENSING BOARD held in  
Committee Rooms 2 and 3, Council  
Headquarters, Newtown St Boswells on  
Friday, 22 March 2019 at 10.00 am

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Present:- Councillors J. Greenwell (Convener), J. Brown, N. Richards, S. Scott,  
E. Thornton-Nicol and G. Turnbull

Apologies:- Councillors D. Paterson, R. Tatler and T. Weatherston  
In Attendance:- Managing Solicitor (Property and Licensing), Licensing Officer, Licensing  
Standards and Enforcement Officers (I. Tunnah and M. Wynne), Inspector J.  
McGuigan and PC T. Rae - Police Scotland  
Democratic Services Officer (F. Henderson), Trainee Democratic Services  
Officer

1. **MINUTE**  
The Minute of Meeting of 22 February 2019 had been circulated.

**DECISION  
APPROVED.**

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 13 February 2019 to 12 March 2019.

**DECISION  
NOTED.**

3. **GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES**  
There had been circulated copies of a draft Statement of Principles in accordance with the  
terms of the Gambling Act 2005 which require licensing authorities to publish a Statement  
of Principles proposed to be applied by the Board in exercising its functions under the Act,  
for a three year period. The Act required the Statement of Principles to be reviewed every  
three years. This report sought approval from the Board to the draft Statement of  
Principles for the period 31 January 2019 to 30 January 2022 and also sought authority to  
carry out the statutory consultation on the draft Statement to allow consideration of a final  
statement thereafter. The Managing Solicitor reported that as there had been no  
significant changes in the regulations issued by the Secretary of State or the guidance  
issued by the Gambling Commission then it was considered that no significant changes to  
the current Statement of Principles were necessary.

**DECISION**

- (a) **APPROVED the draft Statement of Principles for the period 31 January 2019  
to 30 January 2022;**
- (b) **AGREED to carry out the statutory consultation on the draft Statement of  
Principles for the period 31 January 2019 to 30 January 2022; and**

- (c) **INSTRUCTED the Clerk to bring forward a report to the Board on the outcome of the consultation following the expiry of the consultation period.**

4. **DECLARATIONS 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.

**MEMBER**

Councillor Turnbull in the Chair for the following item.

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

**Section 20: Application for Variation of Premises Licence**

- 5.1 The Board considered the following application for a Transfer and Variation of Premises Licence:-

**Donald Moffat**

Eildon Centre  
Victoria Street  
Coldstream

Amendments to Operating Plan:

- Change Core Hours  
ON SALE:  
Sunday to Thursday 11.00am-12.00midnight; Friday and Saturday 11.00am– 1.00am;  
(currently Monday to Thursday 7.00pm-12.00midnight; Friday 7.00pm-1.00am; Saturday 12.00noon-1.00am; Sunday 12.30pm-12.00midnight)  
OFF SALE:  
Sunday to Saturday 11.00am – 10.00pm  
(currently Monday to Friday 7.00pm -10.00pm; Saturday 12.00noon -10.00pm; Sunday 12.30pm -10.00pm)
- Change the terms of the Seasonal Variation
- Addition of Activities both within and outwith Core Hours: Restaurant, Bar Meals, Films
- Addition of Activities within Core Hours: Gaming
- Addition of Activities outwith Core Hours: Recorded Music
- Change explanation in respect of outwith Core Hours entries in Column 4
- Change terms and conditions for Children and Young Persons access

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

- 5.2 There had been circulated copies of an application for the Transfer and Variation of Premises Licence, together with the proposed amendments to the Operating Plan. Mr Tunnah, Licensing Standards and Enforcement Officer advised that the Premises Licence was to be transferred under delegated powers. The business had operated for some years with restricted hours and as the business was to be transferred an increase in hours within the current policy was requested. There were no objections received.

**DECISION  
GRANTED.**

6. **SECTION 56: APPLICATION FOR OCCASIONAL LICENCE**

- 6.1 The Board considered the following application for Occasional Licence:-

## Melrose RFC

Melrose RFC  
Melrose  
Saturday, 13 April 2019

- |                                   |                   |
|-----------------------------------|-------------------|
| (i) Melrose 7's Hospitality Tent  | 11.00am - 7.30pm  |
| (ii) Melrose 7's Public Beer Tent | 11.00am - 6.00pm* |

### Representations received:

Police Scotland - attached.

Licensing Standards Officer - attached.

Health - none.

Melrose RFC – \*attached amendment for (ii).

- 6.2 There had been circulated copies of applications for two Occasional Licences. Mr Tunnah, Licensing Standards and Enforcement Officer advised that the application was for the usual temporary bar facilities at the Annual Sevens Tournament. One application was for the Hospitality Marquee where entry was by ticket only and the other was for a public tent situated in the car park adjacent to the main stand. It was recommended that both licences be granted with the additional condition that a wrist band scheme be implemented at the entrance to the tournament venue which would clearly identify age by coloured bands. A representation dated 27 February 2019 had been received from Police Scotland that recommended that the licence be granted subject to the condition that an age identification scheme be used. The club had indicated that it was agreeable to such a condition.

### **DECISION**

**GRANTED subject to the condition that an age identification scheme be used.**

### 7. **ITEMS LIKELY TO BE TAKEN IN PRIVATE**

**Before proceeding with the private business, the following motion should be approved:**

“That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 14 of Part 1 of Schedule 7A to the aforementioned Act.”

### 8. **MINUTE**

The Board approved the Private Section of Minute of meeting of 22 February 2019.

***The meeting concluded at 10.10 am***