

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, 31 May 2019 at 10.00 am

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

Apologies:- Councillors J. Brown, D. Paterson and T. Weatherston
In Attendance:- Managing Solicitor (Property and Licensing), Licensing Services Team Leader, 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 19 April 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 10 April 2019 to 15 May 2019.

**DECISION
NOTED.**

3. **LICENSING (SCOTLAND) ACT 2005:**
Section 29: Application for Variation of Premises Licence
3.1 The Board considered the following application for a Variation of Premises Licence:-

Baxter Storey Scotland Limited

Refectory and Union
Borders College
Scottish Borders Campus
Nether Road
Galashiels

Amendments to the Operating and Layout Plans as follows:

- amend the explanation in relation to the additional activities to take place outwith core hours
- amend wording in relation to any activities other than those listed and proposed to take place on the premises
- amend the children and young person's access statement to reflect the diverse use of the premises
- increase the capacity from 522 to 600 persons
- amendment to layout plan to include the training bar, restaurant and entrance reception area within the licensed footprint

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

- 3.2 There had been circulated copies of an application for variation of Premises Licence, together with current and amended Operating and Layout Plans. Mr Tunnah, Licensing Standards and Enforcement Officer advised that the application was to update the existing operating and layout plans, to include the training bar, restaurant and entrance reception area as part of the licensed footprint. With specific regard to the training area, the amendment would allow for full service of alcohol to be permitted as part of the course provision for students. In addition, the application included the transfer of the Licence to Borders College. The Convener welcomed Fiona Nicol, representing Borders College who advised that the training area was currently used for courses related to the hospitality industry involving students in the responsible service of alcohol. Ms Nicol explained that the restaurant training area was open to the public and had operated for some time on a bring your own bottle basis. The College recognised that all alcohol accreditations now required those involved in the sale and provision of alcohol to meet the licensing objectives and the proposed amendments would enable students to promote safe drinking. In response to a Member's question regarding how the alcohol would be kept secure, Ms Nicol confirmed that new lockable chillers and storage facilities had been put in place. There were no objections and the application was granted.

**DECISION
GRANTED.**

4. **ANY OTHER ITEMS WHICH THE CONVENER DECIDES ARE URGENT**
The Managing Solicitor (Property and Licensing), highlighted the ongoing Scottish Government Consultation with regard to the Licensing (Scotland) Act 2005, Section 142 - draft revised Guidance for Licensing Boards. He advised that the revised draft document incorporated the many legislative changes which had taken place since the introduction of the new licensing regime and it was noted that the SOLAR Licensing Group, a legal body of licensing practitioners, would be submitting a response on behalf of its Members by 11 June 2019. In the circumstances, it was proposed that an individual response on behalf of Scottish Borders was not necessary but once finalised, it would be useful to hold a training session later in the year in relation to the Guidance.

DECISION:-

- (a) **NOTED** the ongoing consultation; and
- (b) **AGREED** that a training session be arranged to take place later in the year once the Guidance had been finalised

The meeting concluded at 10.10 am