

A MEETING of the SCOTTISH BORDERS LICENSING BOARD will be held in COMMITTEE ROOMS 2 AND 3, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on FRIDAY, 20 SEPTEMBER 2019 at 10.00 am

N. McKINLAY
Clerk to the Licensing Board

13 September 2019

BUSINESS											
1.	Apologies for Absence										
2.	Order of Business										
3.	Declarations of Interest										
4.	Minute (Pages 7 - 8) Minute of Meeting held on 23 August to be approved and signed by the Convener. (Copy attached.)										
5.	Licences dealt with under Delegated Powers (Pages 9 - 40) (Copy attached.)										
6.	Licensing (Scotland) Act 2005:										
	<p>(a) Section 29: Application for Variation of Premises Licence. (Pages 41 - 106) Consider the following applications for variation of Premises Licence (applicants cited to attend.) (Copy attached.)</p> <p style="margin-left: 40px;">(i) Peter Tyler Denholm Meet Westside Denholm</p> <p style="margin-left: 80px;">Amendments to licence and operating plan, which include the following:</p> <ul style="list-style-type: none"> • a change to the core On Sale Hours – <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;"><u>Current On Sale Hours</u></td> <td style="text-align: center;"><u>Proposed On Sale Hours</u></td> </tr> <tr> <td style="text-align: center;">12.30pm – 11.00pm Sun</td> <td style="text-align: center;">11.00am – 12 midnight Sun to Thurs</td> </tr> <tr> <td style="text-align: center;">11.00am – 11.00pm Mon to Sat</td> <td style="text-align: center;">11.00am – 1.00am Fri & Sat</td> </tr> </table> • the addition of core Off Sale Hours – <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;"><u>Current Off Sale Hours</u></td> <td style="text-align: center;"><u>Proposed Off Sale Hours</u></td> </tr> <tr> <td style="text-align: center;">None</td> <td style="text-align: center;">10.00am – 10.00pm Sun to Sat</td> </tr> </table> 	<u>Current On Sale Hours</u>	<u>Proposed On Sale Hours</u>	12.30pm – 11.00pm Sun	11.00am – 12 midnight Sun to Thurs	11.00am – 11.00pm Mon to Sat	11.00am – 1.00am Fri & Sat	<u>Current Off Sale Hours</u>	<u>Proposed Off Sale Hours</u>	None	10.00am – 10.00pm Sun to Sat
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- the addition of a seasonal variation 'Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day open until 1.00am or within any other Licensing Board Policy';
- the addition to the permitted activities referred to in question 5 (Yes in column 4 – outwith core hours) of the Operating Plan, to include restaurant facilities, receptions (including weddings, funerals, birthdays, retirements etc), club or other group meetings etc, recorded music, live performances, dance facilities and outdoor drinking facilities;
- the addition of appropriate explanation/terms at question 5(e) of the Operating Plan relating to the list of permitted activities (as to 'Yes' in column 4); and
- the addition of appropriate explanation/terms at question 5(f) of the Operating Plan relating to any other activities.

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

(ii) Buccleuch Recreational Enterprises Ltd

Bowhill
Selkirk

Amendment to operating plan and layout plan:

- Change core hours to commence at 11.00am Sunday for on sale (currently 12.00noon); and 10.00am on Sunday for off sale (currently 12.00 noon).
- Change terminal core hours for on sale to 12.00midnight Sunday to Wednesday and 1.00am Thursday to Saturday (currently 11.00pm each evening).
- Change the terms of the seasonal variation in line with the Board's policy over the festive period.
- Change question 5 listed activities outwith core hours to include conference facilities, restaurant facilities, club or other group meetings, live performance, dance facilities, theatre, films, indoor and outdoor sports, and outdoor drinking facilities.
- Change question 5 listed activities to include both within and outwith core hours receptions etc, recorded music and televised sport.
- Change question 5 listed activities to include gaming within core hours.
- Change the explanation of activities outwith core hours and amend the statement under any other activities at question 5(f)
- Change the children and young persons access statement to permit children for the purposes of using any of the facilities for the duration of their visit whilst accompanied by an adult and young persons for the same reasons without the need to be accompanied.
- Amended layout plan showing re-arranged and re-located shop premises, etc.

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

(iii) St Boswells Rugby Football Club

Jenny Moores Road
St Boswells

Amendment to operating plan:

- Amend explanation at question 5(f) as to other activities to include use as a pre and after school club and remove specified day and times for use as a youth club.
- Amend the statement of children and young persons terms of entry and times when they will be permitted on the premises at question 6 (in addition to those currently stated in relation to sporting events and radio broadcasts) as follows:
- Children and young persons when attending any youth club until 9.00pm;
- Children attending any pre or after school club until 6.30pm.

Representations received:

Police Scotland – copy attached.

Licensing Standards Officer - none.

Health - none.

Other - none.

(iv) Iceland Foods Limited

33/43 High Street
Galashiels

- Amendment to layout plan - increase capacity to 4.55m² (previously 4.4m²)

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

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.	Licensing Scotland Act 2005 (Pages 107 - 108) Personal Licence Hearing Section 84A: Hearing to consider review of Personal Licence on report of conduct inconsistent with licensing objectives received from Police Scotland. (Police Scotland notification attached.) (licence holder cited to attend.)
9.	Minute (Pages 109 - 110) Private Section of Minute of meeting held on 23 August to be approved and signed by the Convener. (Copy attached.)
10.	Any other items previously circulated
11.	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, G. Turnbull, E. Thornton-Nicol and T. Weatherston

Please direct any enquiries to Eileen Graham Tele: 01835 826585
E-mail: eebrahim@scotborders.gov.uk
