

A MEETING of the SCOTTISH BORDERS LICENSING BOARD will be held on FRIDAY, 18 SEPTEMBER 2020 at 10.00 am. The Convener has directed that this meeting will be conducted in accordance with the Licensing (Scotland) Act 2005 and will be accessed remotely via Microsoft Teams. The meeting will be live streamed to the public and a link will be on the Council Website.

N.McKINLAY  
Clerk to the Licensing Board

11 September 2020

<b>BUSINESS</b>	
1.	<b>Apologies for Absence</b>
2.	<b>Order of Business</b>
3.	<b>Declarations of Interest</b>
4.	<b>Minute</b> (Pages 9 - 12) Minute of Meeting held on 31 July 2020 to be approved and signed by the Convener. (Copy attached.)
5.	<b>Licences dealt with under Delegated Powers</b> (Pages 13 - 30) (i) 6 February – 9 March 2020 (ii) 10 March – 31 March 2020 (iii) 1 April – 30 April 2020 (iv) 1 May – 31 May 2020 (v) 1 June – 30 June 2020 (vi) 1 July – 31 July 2020 (vii) 1 August – 31 August 2020  (Copy attached.)
6.	<b>Police Scotland Annual Report</b> Consider Chief Constable's report to the Scottish Borders Licensing Board for the period from 1 April 2019 to 31 March 2020. (Copy to follow.)
7.	<b>Licensing (Scotland) Act 2005:</b>
	(a) <b>Section 20: Application for Premises Licence</b> (Pages 31 - 114) Consider the following applications for Grant/Provisional Grant of Premises Licence (applicants cited to attend.)(Copies attached.)  (i) <b>MossPaul Holdings Ltd</b> <span style="float: right;">MossPaul Inn Teviothead</span>

Hawick  
(Provisional)

Proposed business activity - A single room office space on the ground floor of the former MossPaul Inn to operate as a distribution point for online and telephone orders of predominately specialist wines and spirits.

Licensed hours applied for:

On Sale

N/A  
10.00pm

Off Sale

Mon to Sun 10.00am –

Representations received:

Police Scotland - none

Licensing Standards Officer - none

Health – none

Other – representation/objection attached.

**(ii) Punjabi Grill Ltd**

39-41 High Street  
Hawick  
(Provisional)

Proposed business activity - Ground floor bistro/restaurant premises in town centre location. Alcohol will be generally but not exclusively sold to accompany meals for consumption on the premises.

Licensed hours applied for:

On Sale

Sun to Wed 11.00am to midnight  
10.00pm  
Thurs to Sat 11.00am – 1.00am

Off Sale

Mon to Sun 11.00am –

Representations received:

Police Scotland - none.

Licensing Standards Officer - none

Health - none.

Other – representations/objections 1 - 2 and SBC Environmental Health attached

**(iii) Tweed Valley Distilling Co Ltd**

6 Caley Cottages  
Peebles  
(Provisional)

Proposed business activity – end terraced cottage to be used as a dispatch point only for remote sales (internet and telephone) of the company's alcohol products.

Licensed hours applied for:

On Sale

None  
10.00pm

Off Sale

Mon to Sun 10.00am –

Representations received:

Police Scotland - attached

Licensing Standards Officer - none

Health – none

Other – none

**(iv) Bloodline Spirits Ltd**

Unit 9  
Southpark Industrial Estate  
Peebles  
(Provisional)

Proposed business activity – single storey industrial unit within a small industrial estate predominantly a commercial distillery producing craft gin. Distillery tours, talks and demonstrations will be offered with tasting sessions.

Licensed hours applied for:

On Sale

Mon to Sun 11.00am – 10.0pm  
10.00pm

Off Sale

Mon to Sun 10.00am –

Representations received:

Police Scotland - none

Licensing Standards Officer - none

Health - none

Other – representation/objection attached

**(v) Oxtan Community Development Ltd**

Oxtan Community Shop  
Station Road  
Oxtan  
(Provisional)

Proposed business activity - Village convenience store (portacabin) with off sale alcohol provision situated adjacent to Village/Community Hall in Station Road, Oxtan. Alcohol sales capacity 1.2m x 0.4m.

Licensed hours applied for:

On Sale

None  
10.00pm

Off Sale

Mon to Sun 10.00am –

Representations received:

Police Scotland - attached

Licensing Standards Officer - none

Health – none

Other - none

**(b) Section 29: Application for Variation of Premises Licence**  
(Pages 115 - 232)

Consider the following applications for Variation of Premises Licence (applicants cited to attend.) (Copies attached.)

**(i) Co-operative Group Food Limited**

Co-op  
Jewellers Wynd  
38 High Street  
Jedburgh

Amendment to Operating Plan:

- Change current wording at question 5(f) to read:

‘The sale of food, non-food items and other household goods and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provision of the Licensing (Scotland) Act 2005’.

Representations received:  
Police Scotland - none  
Licensing Standards Officer - none  
Health - none  
Other – none

**(ii) WM Morrison Supermarkets PLC**

Mart Street  
Hawick

Amendment to Operating Plan:

- Change current wording at question 5(f) to read:  
Products other than alcohol will be sold and ancillary consumer services provided (including a customer café) during all or part of the period between 06:00 and 24:00 hours each day, subject to customer demand and other statutory consents where these are required. A home delivery shopping service and a click and collect service may be operated from the store.

Representations received:  
Police Scotland - none  
Licensing Standards Officer - none  
Health - none  
Other – none

**(iii) Punch Partnership Ltd**

Besom Inn  
75-77 High Street  
Coldstream

Amendments to Operating Plan and Layout Plan:

- Amend On Sale and Off Sales opening hours on Sunday to commence at 11.00am (currently 12.30pm)
- Include following activities outwith core hours:  
Bar meals; receptions; club meetings; recorded music; live performance; dance; gaming; indoor/outdoor sport; tv sport
- Include outside drinking during and outwith core hours
- Amend further information – activities for breakfast may commence before core hours but not before 8.00am and column 4 activities (outwith core hours) will be ancillary
- Amend question 6(e) to children and young persons will be allowed access to the dining areas, toilets, outside areas and the function room
- Addition of outside drinking areas
- Addition of carry out food facility

Representations received:  
Police Scotland - none  
Licensing Standards Officer - none  
Health - none  
Other – none

**(iv) Verdant Leisure 2 Ltd**

Scoutscroft Holiday Centre  
St Abbs Road  
Coldingham

Amendments to Operating Plan and Layout Plan:

- Amend On Sale and Off Sales opening hours on Sunday to commence at

	<p>11.00am (currently 12.30pm)</p> <ul style="list-style-type: none"> <li>• Include following activities outwith core hours: bar meals; receptions; live performance; and gaming outwith core hours</li> <li>• Amend seasonal variation: the premises may take advantage of any general extension granted by the Board in terms of its Policy</li> <li>• Include Off Sale capacity of 10m<sup>2</sup></li> <li>• Addition of shop within main building and reconfiguration of unlicensed Family Entertainment Centre</li> <li>• Change description of premises to: detached holiday complex in a small busy rural village comprising of 2 public bars – one with external patio area, both with attached lounges, one restaurant area and a small shop</li> </ul> <p><u>Representations received:</u>  Police Scotland - none  Licensing Standards Officer - none  Health - none  Other – representations/objections 1-14 attached</p>
8.	<p><b>Items likely to be Taken in Private</b>  Before proceeding with the private business, the following motion should be approved:</p> <p>“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”</p>
9.	<p><b>Licensing (Scotland) Act 2005:</b></p>
	<p>(a) <b>Section 72</b>  (Pages 233 - 240)  Consider application for Grant of Personal Licence following objection from Police Scotland. (Copy application together with Police Scotland report attached) (applicant cited to attend)</p>
	<p>(b) <b>Section 84A</b>  (Pages 241 - 242)  Consider application for review of Personal Licence following report of conduct inconsistent with licensing objectives received from Police Scotland. (Police Scotland report attached) (licenceholder cited to attend)</p>
10.	<p><b>Minute</b> (Pages 243 - 244)  Private Section of Minute of meeting of 31 July 2020 for approval (Copy attached.)</p>
11.	<p><b>Any other items previously circulated</b></p>
12.	<p><b>Any other items which the Convener decides are Urgent</b></p>

## 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.

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**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

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Please direct any enquiries to Fiona Henderson Tele: 01835 826502  
E-mail: [fhenderson@scotborders.gov.uk](mailto:fhenderson@scotborders.gov.uk)

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