

SCOTTISH BORDERS COUNCIL SCOTTISH BORDERS LICENSING BOARD

MINUTES of Meeting of the SCOTTISH BORDERS LICENSING BOARD held in Committee Rooms 2 and 3, Council Headquarters, Newtown St Boswells on Friday, 21 May 2021 at 10.00 am

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

Apologies:- Councillor J. Brown.

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 Sharon Lackenby, Police Scotland, Democratic Services Officer (F. Henderson).

CONVENER

The Convener opened the meeting and welcomed Members of the Licensing Board and members of the public to Scottish Borders Licensing Board's open on-line meeting. He explained the meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place due to the Covid-19 pandemic.

1.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 23 April 2021 for approval and signature by the Convener.

DECISION APPROVED.

2.0 LICENCES DEALT WITH UNDER DELEGATED POWERS

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the period 13 April 2021 to 11 May 2021.

DECISION NOTED.

3.0 LICENSING (SCOTLAND) ACT 2005:

Section 20: Application for Provisional Grant/Grant of Premises Licence.
Consider the following applications for Provisional Grant/Grant of Premises Licence.

Nacho Friend

**Courtyard Café
Kailzie
EH45 9HT
Provisional**

Restaurant/café situated within ground of Kailzie Estate serving food and beverages.

Licensed hours applied for:

On Sale

Sun to Thurs 11.00am – 12.00midnight
Fri and Sat 11.00am – 1.00am

Off Sale

Mon to Sun 10.00am - 10.00pm

Representations received:

Police Scotland – none.

Licensing Standards Officer - none.

Health - none.

Other - none.

There had been circulated copies of an application for the provisional grant of a premises licence together with the proposed Operating Plan and layout plan. Mr Tunnah, Licensing Standards and Enforcement Officer advised that the premises had previously operated as a licensed café, however, the licence was no longer in place and this application was a continuation of the previous operation under new ownership. The application was within policy. No objections had been raised and Police Scotland had no comments.

The Convener welcomed Mr John Duncan, Applicant to the meeting via Microsoft Teams. Mr Duncan confirmed that the premises would remain a café and may in the future offer evening meals at the week-end.

**DECISION
GRANTED.**

**ANY OTHER ITEMS WHICH THE CONVENER DECIDES ARE URGENT
URGENT BUSINESS**

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 make an early decision or to keep Members informed.

4.0 ALCOHOL IN PUBLIC PLACES

Councillor Tatler had requested an update on the progress with the potential introduction of Alcohol Byelaws in the Scottish Borders following the consultation which had taken place in 2019. The matter had been raised with him by Peebles Community Council in relation to problems being experienced with anti-social behavior. The Managing Solicitor (Property and Licensing) advised that the outcome of the consultation had been to pilot the byelaws in Eyemouth, Galashiels, Hawick and Peebles, however due to COVID this had not been progressed. There was some discussion on the possible timing of progressing the matter and the Chief Legal Officer advised it was anticipated that the matter would be progressed in the near future. .

**DECISION
NOTED.**

The meeting concluded at 10.15 am