

# SCOTTISH BORDERS COUNCIL SCOTTISH BORDERS LICENSING BOARD

MINUTE of Meeting of the SCOTTISH BORDERS LICENSING BOARD held in Via Microsoft Teams on Friday, 25 June 2021 at 10.00 am

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

Apologies:- Councillor E. Thornton-Nicol.

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officer (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. MINUTE

There had been circulated copies of the Minute of the Meeting held on 21 May 2021 for approval and signature by the Convener.

**DECISION  
APPROVED.**

### 2. 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 12 May 2021 – 16 June 2021.

**DECISION  
NOTED.**

### 3. LICENSING (SCOTLAND) ACT 2005:

**Section 47: Application for Temporary Premises Licence  
Consider application for provisional Grant /Grant of Temporary premises Licence.**

Verdant Leisure 2 Limited

Temporary Structure  
Coldingham Bay Leisure Park  
School Road  
Coldingham

Licensed hours applied for:

On Sale

Mon to Sun 11.00am – 11.00pm

Off Sale

Mon to Sun 11.00am - 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 Temporary premises licence together with the proposed Operating Plan and layout plan. Mr Wynne, Licensing Standards and Enforcement Officer advised that the application was for a temporary Premises Licence. Following a fire at the existing premises, extensive damage had been caused and a temporary structure had been erected in the form of a Marquee in order to provide facilities to residents on site during the holiday season. The application was within policy and no objections had been received. Police Scotland had no comment.

The Convener welcomed Mr Stephen McGowan, TLT Solicitors and Bev Dixon, Director of Verdant Leisure to the meeting via Microsoft Teams. Mr McGowan explained that the fire had destroyed the existing restaurant and a modest temporary structure had been erected to provide food and drink between 11 a.m. and 11 p.m. with some gentle background music, an entertainment Licence had not been requested. Verdant Leisure would invest in building a brand new premises later in the year and the temporary licence would only be in operation until the new building was complete. Bev Dixon concurred with the comments made by Mr McGowan stating that the temporary premises was to get them through the summer months and provide facilities for the holiday home owners. Mr McGowan highlighted how helpful SBC Officers had been in supporting a multi-agency response to getting the temporary accommodation up and running.

## **DECISION GRANTED.**

4.0 **Section 29: Application for Variation of Premises Licence.** Consider the following applications for Variation of Premises Licence

**(i) Country Pubs 1 Limited**

The Horseshoe Inn  
Eddleston  
EH45 8QP

- Change on sale core hours to commence at 11.00am each day (currently 11.30am Monday to Saturday and 12.00noon Sunday)  
Change terminal hour on Thursdays to 1.00am (currently 12.00midnight)
- Change off sale core hours to commence at 11.00am each day (currently 11.30am Monday to Saturday and 12.00noon Sunday)
- Amend seasonal variation
- Question 5 Listed Activities changes NO to YES in columns 2, 3 and 4 for conference facilities, films, indoor/outdoor sports, and televised sports;  
Change NO to YES in columns 3 and 4 for accommodation;  
Change NO to YES in columns 2 and 3 for gaming
- Change terms for children and young persons access
- New layout plan detailing new external seating area to be included within the licence footprint

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other – none.

There had been circulated copies of an application for the variation of a premises licence together with the proposed Operating Plan and layout plan. Mr Wynne, Licensing Standards and Enforcement Officer advised that the application, which

was within policy was to include a new layout and outdoor area. There were no objections or representations and the Police Scotland had no comments.

The Convener welcomed Mr Iain Dempster, Applicant to the meeting via Microsoft Teams. Mr Dempster advised that following feedback from customers, they had introduced a temporary outdoor area, which had been very well received and an application had been made to formalise the arrangement and tidy their operating plan.

**DECISION  
GRANTED.**

**(ii) Lidl Great Britain Limited**

Lidl  
Wilton Path  
Hawick  
TD9 7DS

Amendments to the Operating Plan and Layout Plan:-

- The inclusion of a Seasonal Variation (Question 4) – to read ‘an increased capacity of alcohol display for the period 1 December each year until 2 January of the following year. The relevant capacities shall be stated in Question 7 below’. The applicant is seeking an increased capacity to allow them to adequately cope with increased seasonal demand around the Christmas and New Year period; and

- Capacity (Question 7) - an increase in the capacity of the alcohol display area from 48.72 m<sup>2</sup> to 56.01 m<sup>2</sup> (non-seasonal), with the seasonal variation increasing this area by 9.50 m<sup>2</sup> to 65.51 m<sup>2</sup> between 1 December each year and 2 January the following year.

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other – none.

There had been circulated copies of an application for the variation of a premises licence together with the proposed Operating Plan and layout plan. Mr Wynne, Licensing Standards Officer explained that the application was for the inclusion of a seasonal variation, which reflected the increase in variety of alcohol for a one month period between 1 December 2021– 2 January 2021. The proposed amendments were within Policy and no objections or representations had been received.

The Convener welcomed Mr Andrew Hunter, Harper Macleod Solicitors to the meeting via Microsoft Teams. Mr Hunter confirmed that the variation was for a one month period over the Festive period and the layout plan clearly showed which areas would be utilised.

**DECISION  
GRANTED.**

**(iii) Jedforest Rugby Football Club**

Clubrooms  
Jedforest RFC  
Riverside Park  
Jedburgh

Amendment to licence and operating plan:-

- a change to the core On Sale Hours –

Current On Sale Hours

12.30pm – 11.00pm Sun  
11.00am – 11.00pm Mon to Thurs  
11.00am – 1.00am Fri & Sat

Proposed On Sale Hours

11.00am – 12 midnight Sun to Wed  
11.00am – 1.00am Thurs, Fri & Sat

- a change to the core Off Sale Hours –

Current Off Sale Hours

12.30pm – 10.00pm Sun  
11.00am – 10.00pm Mon to Sat

Proposed Off Sale Hours

11.00am – 10.00pm Sun to Sat

- the addition to the permitted activities referred to in question 5 (columns 2, 3 & 4) of the Operating Plan, to include restaurant facilities, bar meals and films, both within and outwith core hours;
- the addition to the permitted activities referred to in question 5 (column 4) of the Operating Plan, to include receptions (including weddings, funerals, birthdays, retirements etc), club or other group meetings; recorded music, live performance, dance facilities and televised sport, outwith core hours; and
- a change to the terms/explanation at question 6 of the Operating Plan relating to children and young persons access to include 'access for the purpose of dining'.

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other – none.

There had been circulated copies of an application for the variation of a premises licence together with the proposed Operating Plan and layout plan. Mr Wynne, Licensing Standards and Enforcement Officer advised that the premises had recently undergone a refurbishment and the application was to bring the operating plan up to date to include restaurant facilities, bar meals and films, both within and outwith core hours and receptions (including weddings, funerals, birthdays, retirements etc), club or other group meetings; recorded music, live performance, dance facilities and televised sport, outwith core hours. The proposed amendments were within Policy and no objections or representations had been received.

The Convener welcomed Mr Tunnah, Club representative to the meeting via Microsoft Teams. Mr Tunnah confirmed that the application was to vary the operating plan, following a refurbishment of the club rooms.

**DECISION  
GRANTED**

*The meeting concluded at 10.30 am*