

SCOTTISH BORDERS COUNCIL LICENSING BOARD

MINUTES of Meeting of the SCOTTISH
BORDERS LICENSING BOARD held in via
MS Teams on Monday, 28 February 2022 at
10.00 am

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

Apologies:- Councillors J Greenwell.

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and
Enforcement Officers (M. Wynne, J. Scott and H. Wood), Inspector J
McGuigan, Democratic Services Officers (F. Henderson).

APPOINTMENT OF CONVENER

The Managing Solicitor welcomed everyone to the meeting of the Scottish Borders Licensing Board. In the absence of Councillor Greenwell, Councillor Tatler proposed that Councillor Weatherston be appointed as Convener for the meeting. This was seconded by Councillor Turnbull and unanimously agreed.

DECISION

AGREED that Councillor Weatherston be appointed Convener for this meeting.

1. MINUTE

There had been circulated copies of the Minute of the Meeting held on 21 January 2022.

DECISION

APPROVED the minute for signature by the Convener.

2. LICENSES 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 7 December 2021 – 15 February 2022.

DECISION

NOTED.

3. LICENSING (SCOTLAND) ACT 2005:

Section 20: Application for Premises Licence. Considered the following application for Grant/Provisional Grant of Premises Licence.

(a) Partnership of MW & CA Houghton	Storage Unit Airhouses Oxton Lauder TD2 6PX Provisional
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Licensed hours applied for:

On Sale

N/A

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 grant of a provisional premises license together with the proposed Operating Plan and Layout Plan. Mr Michael Wynne, Licensing Standards and Enforcement Officer advised that the storage unit would be used mainly, but not exclusively as a dispatch point for remote sales (internet and telephone) but would predominantly be dispatched to customers staying in the rented holiday home accommodation on site. The proposal was to sell alcohol on an Off-Sales basis only. The application was within policy and no objections had been received. Police Scotland had no comments.

The convener welcomed Mrs Kelly, applicant, who joined the meeting via Microsoft Teams. Mrs Kelly explained that the business was a 5 star, self catering luxury accommodation and they would like to include beer and wine in their guests welcome pack and to sell alcohol to guests while staying in the accommodation.

**DECISION
GRANTED.**

(b) Michael Fascia

Heatherlie House Hotel
7 Heatherlie Park
Selkirk TD7 5AL
Provisional

Licensed hours applied for:

On Sale

Sun to Wed 11.00am – 12 midnight

Thurs to Sat 11.00am to 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 grant of a provisional premises license together with the proposed Operating Plan and Layout Plan. Mr Michael Wynne, Licensing Standards and Enforcement Officer advised that the property was a formerly licensed small family run hotel situated on the outskirts of Selkirk town centre and consisted of seven letting bedrooms, dining room, lounge bar and beer garden. The property which had previously been licenced had been vacant for a number of years. The proposal being to sell alcohol on an On and Off Sale basis. The application was within policy and no objections had been received. Police Scotland had no comments.

The Convener welcomed Mr Fascia, Applicant who joined the meeting via Microsoft Teams. Mr Fascia explained that a considerable amount of money had been spent on the hotel to bring it back to life and the proposal was to run as a small Hotel and then to include a public bar.

**DECISION
GRANTED.**

**PRIVATE BUSINESS
DECISION**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

5. SECTION 36 – REVIEW OF PREMISES LICENCE

The Clerk advised that as the date of the meeting had been changed, the Applicant and Representative were unavailable to attend.

DECISION

AGREED that as the applicant and representative were unavailable the matter be continued to the next meeting.

6. SECTION 84A – REVIEW OF PERSONAL LICENCE

The Clerk advised that as the date of the meeting had been changed, the Applicant and Representative were unavailable to attend.

AGREED that as the applicant and representative were unavailable the matter be continued to the next meeting.

The meeting concluded at 10.15 am