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SCOTTISH BORDERS LICENSING BOARD FRIDAY, 18TH MARCH, 2022

A MEETING of the SCOTTISH BORDERS LICENSING BOARD will be held on FRIDAY, 18 MARCH 2022 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 the Council Website.

NUALA MCKINLAY
Clerk to the Licensing Board

11 March 2022

BUSINESS	
1.	Apologies for Absence
2.	Order of Business
3.	Declarations of Interest
4.	Minute (Pages 3 - 6) Minute of Meeting Minute of Meeting held on 28 February 2022 to be approved and signed by the Convener. (Copy attached.)
5.	Licences dealt with under Delegated Powers (Pages 7 - 10) (Copy attached.)
6.	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”
7.	Section 36: - Review of Premises Licence (Pages 11 - 18) Consider application for review of Premises Licence following reports of conduct inconsistent with licensing objectives :- (a) report by Principal Regulatory Services Officer;

	<p>(b) report by Licensing Standards and Enforcement Officer; and</p> <p>(c) affidavit from Premises Licence Holder.</p> <p>(Licenceholder cited to attend.) (Copies attached.)</p>
8.	<p>Section 84A - Review of Personal Licence - Police Letter (Pages 19 - 22) 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>
9.	<p>Minute (Pages 23 - 24) Private Section of Minute of meeting held on 28 February 2022 for approval (Copy attached.)</p>
10.	<p>Any other items previously circulated</p>
11.	<p>Any other items which the Convener decides are Urgent</p>

NOTE

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 Fiona Henderson Tele: 01835 826502
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**SCOTTISH BORDERS COUNCIL
LICENSING BOARD**

MINUTE of Meeting of the SCOTTISH
BORDERS LICENSING BOARD held via
Microsoft Teams on 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

Licensed hours applied for:

On Sale

Off Sale

N/A 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.**

4. **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 a.m.

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**SCOTTISH BORDERS LICENSING BOARD
LICENCES ISSUED UNDER DELEGATED POWERS**

16 February - 08 March 2022

NAME OF APPLICANT	LICENCE TYPE	LICENCE DETAILS	VENUE
Cardrona Hotel, Golf And Country Club Limited	SUBDPM	Substitution of Designated Premises Manager - Siann Reid	MacDonald Cardrona Hotel Golf And Country Club, Peebles
Diane Black	PERLIC	Personal Licence - Grant	N/A
Elisabeth Kelly	PERLIC	Personal Licence - Grant	N/A
Russell Elliott	PERLIC	Personal Licence - Renewal	N/A
Gala Rugby Football Club	OCCLIC	Occasional Licence - Outside Bottle Bar Saturday 19 February 2022 - 12.00noon - 6.00pm	Netherdale, Galashiels
Hawick Burns Club	OCCLIC	Occasional Licence - Social Evening with Live Entertainment Saturday 26 February 2022 6.00pm - 1.00am Saturday 19 February 2022 6.00pm - 1.00am	Albert Road, Hawick
Henry Ballantyne Memorial Institute	OCCLIC	Occasional Licence - 75th Birthday Party Saturday 12 March 2022 7.00pm - 1.00am	27 Caberston Road, Walkerburn
Portzim Limited	OCCLIC	Occasional Licence - Additional / extended area for Restaurant Facilities, Entertainment and Functions 18 February 2022 - Friday 4 March 2022 Sundays to Thursdays 11.00am - 12midnight Fridays and Saturdays 11.00am to 1.00am	Lilliardsedge Holiday Park, Jedburgh
Portzim Limited	OCCLIC	Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions Friday 4 March 2022 to Thursday 17 March 2022 Sundays to Thursdays 11.00am - 12midnight Fridays and Saturdays 11.00am to 1.00am Saturday 5 March 2022 - Friday 18 March 2022 12.00noon - 1.00am	Lilliardsedge Holiday Park, Jedburgh
Selkirk Conservative Club	OCCLIC	Occasional Licence - Surprise 19th Birthday Party Saturday 26 February 2022 7.00pm - 1.00am	Ettrick Terrace, Selkirk
Stow Bowling Club	OCCLIC	Occasional Licence - 60th Birthday Party Saturday 19 February 2022 6.00pm - 1.00am	8 Station Road, Stow
Aidan Quinn	OCCPLH	Occasional Licence - Peebles Gin Festival Saturday 12 March 2022 - 1.00pm - 11.00pm	Peebles Burgh Hall, Peebles
Allan Walker	OCCPLH	Occasional Licence - Sale of Artisan Spirits made by Selkirk Distillers Thursday 24 February to Wednesday 9 March 2022 - 10.00am - 10.00pm	6 High Street, Selkirk
Allan Walker	OCCPLH	Occasional Licence - Sale of Artisan Spirits made by Selkirk Distillers Saturday 5 March 2022 - 10.00am - 1.00pm	Market Stall, Selkirk
Allan Walker	OCCPLH	Occasional Licence - Sale of Artisan Spirits made by Selkirk Distillers Saturday 5 March 2022 - 10.00am - 2.00pm	Outside The Tapestry Building, Galashiels
Angelena Johnson	OCCPLH	Occasional Licence - The sale of goods and provisions associated with a Convenience Store Thursday 24 February to Wednesday 9 March 2022 10.00am - 10.00pm - daily	One Stop Shop, Hawick

Angelena Johnson	OCCPLH	Occasional Licence - The sale of goods and provisions associated with a Convenience Store Thursday 10 March to Wednesday 23 March 2022 10.00am - 10.00pm - daily	One Stop Shop, Hawick
Angelena Johnson	OCCPLH	Occasional Licence - The sale of goods and provisions associated with a Convenience Store Thursday 24 March to Wednesday 6 April 2022 10.00am - 10.00pm - daily	One Stop Shop, Hawick
Angelena Johnson	OCCPLH	Occasional Licence - The sale of goods and provisions associated with a Convenience Store Thursday 7 April to Wednesday 20 April 2022 10.00am - 10.00pm - daily	One Stop Shop, Hawick
Angus MacPherson	OCCPLH	Occasional Licence - Concert with 3 Bands Followed by Disco Saturday 26 February 2022 6.00pm - 1.00am	Memorial Hall, Innerleithen
Ben Glasgow	OCCPLH	Occasional Licence - Sale of Gin Products Saturday 5 March 2022 10.00am - 3.00pm	Eastgate, Peebles
David Kinghorn	OCCPLH	Occasional Licence - Cultural Residential Experience Friday 18 March 2022 - Saturday 19 March 2022 11.00am - 1.00am and Sunday 20 March 2022 11.00am - 12.00midnight	Marchmont House, Duns
James Henderson	OCCPLH	Occasional Licence - Joint Family Birthday Party 21st and 50th Saturday 19 March 2022 - 6.00pm - 1.00am	Border Events Centre, Kelso
Jim McDevitt	OCCPLH	Occasional Licence - Longridge Towers Production of Matilda Wednesday 16 February 2022 - Thursday 17 February 2022 7.00pm - 11.30pm	Volunteer Hall, Duns
Jim McDevitt	OCCPLH	Occasional Licence - Rotary Club of Duns Ceilidh Saturday 5 March 2022 7.00pm - 11.30pm	Volunteer Hall, Duns
Kate Moss-Jones	OCCPLH	Occasional Licence - Live Theatre Wednesday 23 February 2022 7.00pm - 10.00pm	Mac Arts, Galashiels
Kate Moss-Jones	OCCPLH	Occasional Licence - Hip Hop Gig - Goldie Lookin Chain Saturday 26 February 2022 7.00pm - 12.00midnight	Mac Arts, Galashiels
Kate Moss-Jones	OCCPLH	Occasional Licence - Live Semi-Acoustic Music Friday 4 March 2022 6.30pm - 10.00pm	Mac Arts, Galashiels
Kate Moss-Jones	OCCPLH	Occasional Licence - Live Ska Band (Pork Pie) Saturday 5 March 2022 7.00pm - 12.00midnight	Mac Arts, Galashiels
Kenneth Maybury	OCCPLH	Occasional Licence - I Love 80's Tribute Concert Saturday 5 March 2022 6.30pm - 11.45pm	Tait Hall, Kelso
Kieran McGuckian	OCCPLH	Occasional Licence - Wedding Ceremony and Reception Saturday 12 March 2022 - 12.00noon - 11.45pm	Neidpath Castle, Peebles
Leslie Mallin	OCCPLH	Occasional Licence - Rangers Dinner Saturday 19 February 2022. 6.00pm - 1.00am	Memorial Hall, Innerleithen
Margaret Henderson	OCCPLH	Occasional Licence - 21st Birthday Party Saturday 19 February 2022 - 4.00pm - 1.00am	Henry Ballantyne Memorial Institute, Walkerburn
Moira Dalgliesh	OCCPLH	Occasional Licence - Wedding Monday 28 February 2022 1.00pm - 10.30pm	Harmony House, Melrose
Moira Dalgliesh	OCCPLH	Occasional Licence - The Buccleuch Hunt Ball Saturday 26 February 2022 6.30pm - 2.00am	Floors Castle, Kelso

Moira Dalgliesh	OCCPLH	Occasional Licence - National Hunt Horse Racing Meeting Saturday 5 March 2022 11.00am - 5.30pm	Kelso Racecourse, Kelso
Nicholas Bullard	OCCPLH	Occasional Licence - West Linton Farmers Market Saturday 5 March 2022 10.00am - 2.30pm	West Linton Primary School, West Linton
Norah Howie	OCCPLH	Occasional Licence - Psychic Show, Hawick Town Hall Tuesday, 22 March 2022 - 6.30pm - 12.00midnight	Hawick Town Hall, Hawick
Peter Allan	OCCPLH	Occasional Licence - National Hunt Horse Race Meeting Saturday 5 March 2022 11.00am - 8.00pm	Kelso Racecourse, Kelso
Peter Allan	OCCPLH	Occasional Licence - Wedding Reception Friday 11 March 2022 3.00pm - 12midnight	Kelso Racecourse, Kelso
Rosemary Cully	OCCPLH	Occasional Licence - National Hunt Horse Racing Meeting Saturday 5 March 2022 11.00am - 7.00pm	Kelso Racecourse, Kelso
Scott Dodds	OCCPLH	Occasional Licence - Dinner Saturday 19 February 2022 - 1.00pm - 12.00midnight	Neidpath Castle, Peebles
Simon Rutherford	OCCPLH	Occasional Licence - Sale of Craft Gin Products Saturday 5 March 2022 10.00am - 1.00pm	Kirk Wynd, Selkirk
Stephen Gauld	OCCPLH	Occasional Licence - Wedding Reception Saturday 19 March 2022 2.00pm - 12.00midnight	St Boswells Village Hall, St Boswells
Tabatha McCree-Cox	OCCPLH	Occasional Licence - Sampling and Off Sales for Gin and Hand Sanitiser Products Saturday 5 March 2022 10.00am - 1.00pm	West Linton Primary School, West Linton
William Hamilton	OCCPLH	Occasional Licence - Lauderdale Hunt Social Gathering and Supper Friday, 18 March 2022 - 6.00pm - 11.00pm	Fountainhall Village Hall, Galashiels
Yvonne Sinclair	OCCPLH	Occasional Licence - Brewery Tap Day Saturday 19 February 2022 1.00pm - 8.00pm	Brewery Gunsgreenhill, Eyemouth
Blainslie Village Hall	OCCVOL	Occasional Licence - Six Nations 'Super Saturday' Rugby Games - Community Social Gathering Saturday 19 March 2022 - 2.00pm - 10.30pm	Blainslie, Galashiels
Borders Nursery League	OCCVOL	Occasional - Voluntary - Caterhaugh Farm, Nr Selkirk Saturday 5 March 2022 - 11.00am - 6.00pm	Carterhaugh Farm, Selkirk
Buccleuch Point To Point	OCCVOL	Occasional Licence - Point to Point Horse Racing Sunday, 20 March 2022 11.30am - 5.00pm	Friarshaugh, Kelso
Coldstream Community Trust	OCCVOL	Occasional Licence - Jazz Evening Friday 4 March 2022 7.00pm - 12.00midnight	51 High Street, Coldstream
Ettrick And Lauderdale JAC	OCCVOL	Occasional Licence - Young Farmers Variety Concert Saturday 19 February 2022 7.00pm - 12.00midnight	Corn Exchange, Melrose
Gavinton Village Hall	OCCVOL	Occasional Licence - Film Night Friday 25 February 2022 - 6.30pm - 11.00pm	Village Hall, Duns
Gavinton Village Hall	OCCVOL	Occasional Licence - Burns Supper Friday 4 March 2022 - 6.30pm - 11.00pm	Village Hall, Duns
Lauder Amateur Dramatics Society	OCCVOL	Occasional Licence - Drama Production Friday 18th and Saturday 19th March 2022 7.00pm - 9.30pm	Public Hall, Lauder
Lodge Kelso And Tweed No.58	OCCVOL	Occasional Licence - Monthly Meeting Wednesday 16 March 2022 7.00pm - 11.30pm	Masonic Hall, Kelso

Reston Young Farmers	OCCVOL	Occasional Licence - Stock Judging Tuesday 22 February 2022 - 7.00pm - 10.00pm	Blackburn Mill Farm, Duns
Roxburgh Village Hall Committee	OCCVOL	Occasional Licence - Village / Social Fundraising Event - Televised Six Nations Rugby Games Saturday 26 February 1.00pm - 10.00pm	Roxburgh, Kelso
Roxburgh Village Hall Committee	OCCVOL	Occasional Licence - Village / Social Fundraising Event - Televised Six Nations Rugby Games Saturday 12 March 2022 1.00pm - 10.00pm	Roxburgh, Kelso
Roxburgh Village Hall Committee	OCCVOL	Occasional Licence - Village / Social Fundraising Event - Televised Six Nations Rugby Games Saturday 19 March 2022 1.00pm - 10.00pm	Roxburgh, Kelso
Teviotdale Young Farmers Club	OCCVOL	Occasional Licence - Teviotdale Young Farmers Pantomime Friday 25 February and Saturday 26 February 2022 6.00pm - 12.00midnight	Hawick Town Hall, Hawick

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