

# Public Document Pack



## SCOTTISH BORDERS LICENSING BOARD FRIDAY, 27TH JANUARY, 2023

A MEETING of the SCOTTISH BORDERS LICENSING BOARD will be held on FRIDAY, 27 JANUARY 2023 at 10.00 am. The Meeting will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS and will be a blended meeting in accordance with the Licensing (Scotland) Act 2005 and can be accessed remotely via Microsoft Teams.

**All Attendees, including members of the public, should note that the public business in this meeting will be livestreamed and video recorded and that recording will be available thereafter for public view for 180 days.**

N. McKINLAY  
Clerk to the Licensing Board

17 January 2023

| BUSINESS                                |   |   |  |
|---|---|---|--|
| 1.                                      | <b>Apologies for Absence</b>  |   |  |
| 2.                                      | <b>Order of Business</b>  |   |  |
| 3.                                      | <b>Declarations of Interest</b>   |   |  |
| 4.                                      | <b>Minute</b> (Pages 5 - 10)<br>Minute of Meeting of 16 December 2022 for approval. (Copy attached.)  |   |  |
| 5.                                      | <b>Licences dealt with under Delegated Powers</b> (Pages 11 - 16)<br>(Copy attached.)   |   |  |
| 6.                                      | <b>Licensing (Scotland) Act 2005:</b> (Pages 17 - 30)<br><b>Section 20: Application for Grant / Provisional Grant of Premises Licence.</b><br>Consider the following application for Grant / Provisional Grant of Premises Licence (applicants cited to attend.) (Copies attached).<br><br><table><tr><td><b>Milestone Garden and Leisure Ltd</b></td><td>Milestone Garden and Leisure Ltd<br/>Newtown St Boswells<br/>TD6 0PL<br/><b>(Provisional)</b></td></tr></table> | <b>Milestone Garden and Leisure Ltd</b> | Milestone Garden and Leisure Ltd<br>Newtown St Boswells<br>TD6 0PL<br><b>(Provisional)</b> |
| <b>Milestone Garden and Leisure Ltd</b> | Milestone Garden and Leisure Ltd<br>Newtown St Boswells<br>TD6 0PL<br><b>(Provisional)</b>  |   |  |



**SCOTTISH BORDERS COUNCIL  
LICENSING BOARD**

MINUTE of Meeting of the SCOTTISH BORDERS LICENSING BOARD held in the Council Chamber, Council HQ, Newtown St Boswells and via Microsoft Teams on 16 December 2022 at 10.00 am

Present:- Councillors M. Douglas (Convener), J. Cox, D. Parker, J. PatonDay, P. Brown, N. Richards, E. Small, F. Sinclair, T. Weatherston.

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officers (M. Wynne and J. Scott), Licensing Officers – (S. Lackenby and T. Thomson), PC S. Aitchison (Police Scotland), Democratic Services Officer (F. Henderson).

**1.0 MINUTE**

There had been circulated copies of the Minute of the Meeting held on 18 November 2022.

**DECISION**

**APPROVED the minute for signature by the Convener.**

**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 2 November - 2 December 2022.

**DECISION**

**NOTED.**

**3.0 LICENSING (SCOTLAND) ACT 2005:**

**3.1 Section 20: Application for Premises Licence**

Consider the following applications for Grant/Provisional Grant of Premises Licence

**(i) Lidl Great Britain Ltd**

Lidl Supermarket  
Tweedbank Industrial Estate  
Tweedbank Drive  
Tweedbank  
TD1 3RS  
**(Provisional)**

Amendments to Operating Plan to include the following:-

- Q.5(c) - the removal of gaming as a permitted activity.
- Q.5(c) - the addition to the permitted activities (columns 2, 3 & 4) of the Operating Plan, to include outdoor drinking facilities as an activity during and out with core hours (for enclosed beer garden area).
- Q.5 (f) any other activities – The addition of deliveries and takeaways (which may include alcohol, with food).

- Q.6 – Amend the wording of the children and young person’s access to read the following: -

6(b) - children and young person’s will be allowed access to the premises provided they are accompanied by a responsible adult who is there for the purpose of consuming a meal or attending a pre-arranged private function; and

6(d) - permit children and young person’s access until 10pm Sunday to Saturday (currently 10pm Sunday to Thursday and 9pm Friday and Saturday).

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 premises license together with proposed Operating Plan, proposed layout plan and provisional site location plan. Mr Wynne explained that the variations were within policy and no objections had been received. Police Scotland had no comments.

The Convener welcomed Mr Andrew Hunter, Agent and Emma Black, Lidl Supermarket to the meeting via Microsoft Teams. Mr Hunter explained that the Lidl store would be located within Tweedbank and alcohol sales would represent 5.4% of regular trading with a small increase during the Festive Season to 6.4%. A number of letters of support had been received from residents and the Community Council.

**DECISION**

**AGREED TO GRANT.**

**(ii) Runningburn Premier Events Venue**

Runningburn Premier Events  
Runningburn Farm  
Stichill, Kelso  
D5 7TE  
**(Provisional)**

Proposed business activity - The premises were a detached purpose built modern barn/events venue set within a rural setting. The premises consisted of an entrance porch, function room, stage area, cloakrooms, toilets, storeroom, bar area, kitchen and office. There was also a small lawn area to the front and rear. The proposal was to sell alcohol on an On and Off Sale basis.

Licensed hours applied for:

ON SALE

Sun to Wed 11.00am – 12.00midnight

Thurs to Sat 11.00am – 1.00am

OFF SALE

Sun to Sat 10.00am – 10.00pm

Representations received:

Police Scotland - none.

Licensing Standards Enforcement Officer - none.

Health - none.

Other - none.

There had been circulated copies of an application for the grant of a premises license together with proposed Operating Plan, layout plan and site plan. Mr Wynne explained that the Events Manager was very experienced in running events and had previously organised the Highland Show and Border Union Show. The premises had previously operated with Occasional Licences without concerns. The application was within policy and no objections had been received. Police Scotland had no comments.

The Convener welcomed Mags Clark, Wedding and Events Manager was present and explained that the permanent structure had opened in February 2020 and replaced a previous marquee. Occasional licenses had previously been utilized for functions such as Weddings, Party Nights and funerals, however with 17 functions booked, this was not working and a license had been sought.

## **DECISION AGREED TO GRANT.**

### **4.0 LICENSING (SCOTLAND) ACT 2005:**

#### **4.1 Section 29: Application for a Variation of Premises Licence**

Considered the following applications for Variation of Premises Licence:

- |  |   |
|--|---|
| <b>(i) Galkot Ghumti Ltd /<br/>The Braw Bear Ltd</b> | The Braw Bear<br>112 High Street<br>Galashiels<br>TD1 1SQ<br>(To be known as the 1953<br>Bar & Restaurant') |
|--|---|

Amendments to Operating Plan to include the following:-

- Q.5(c) - the removal of gaming as a permitted activity.
- Q.5(c) - the addition to the permitted activities (columns 2, 3 & 4) of the Operating Plan, to include outdoor drinking facilities as an activity during and out with core hours (for enclosed beer garden area).
- Q.5 (f) any other activities – The addition of deliveries and takeaways (which may include alcohol, with food).
- Q.6 – Amend the wording of the children and young person's access to read the following: -

6(b) - children and young person's will be allowed access to the premises provided they are accompanied by a responsible adult who is there for the purpose of consuming a meal or attending a pre-arranged private function; and

6(d) - permit children and young person's access until 10pm Sunday to Saturday (currently 10pm Sunday to Thursday and 9pm Friday and Saturday).

#### 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 license together with proposed Operating Plan and current operating plan. Mr Wynne explained that

the premises wished to include an outside area and update their operating plan. The applicant was an experienced license holder and owned other licensed premises. The application was within policy and no objections had been received. Police Scotland had no comments.

The Convener welcomed Mr MacDonald, Agent to the meeting via Microsoft Teams who reiterated the reasons for the application as outlined by Mr Wynne.

**DECISION  
AGREED TO GRANT.**

**(ii) Lodge St James BURA No. 424**

Lodge St James BURA No. 424  
8 Union Street  
Hawick  
TD9 9LF

Amendments to licence and operating plan, which include the following:-

- a change to the core On Sale Hours –

Current On Sale Hours

12.30pm – 8.00pm Sun  
6.00pm – 11.00pm Mon & Wed  
6.00pm to 12 midnight Tues, Thurs & Fri  
11.00am – 12 midnight Sat

Proposed On Sale Hours

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

- a change to the core Off Sale Hours –
- amend the seasonal variation at question 4 to read 'Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day open until 1.00am or within any other Licensing Board Policy';
- the addition to the permitted activities referred to in question 5 (columns 2, 3 & 4) of the Operating Plan, to include conference facilities; theatre; films; indoor/outdoor sports and televised sport both within and outwith core hours;
- the addition to the permitted activities referred to in question 5 (columns 2 & 3) of the Operating Plan, to include gaming, within 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 and dance facilities, outwith core hours; and
- the addition of the terms/explanation at question 5(e) of the Operating Plan relating to the list of permitted activities (as to 'Yes' in column 4).

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 premises license together with proposed Operating Plan and current Operating Plan. Mr Wynne explained that the application was within policy and no objections had been received. Police Scotland had no comments.

The Convener welcomed Mr Kevin Ferguson, Secretary to the meeting via Microsoft Teams who reiterated the reasons for the application as outlined by Mr Wynne..

**DECISION  
AGREED TO GRANT.**

**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. **LICENSING SCOTLAND ACT 2005:**  
**Section 36(4): Application for Review of Premises Licence**  
The Board considered a request from Mr Wynne, Licensing Standards and Enforcement Officer to review a premises licences under Terms of Section 14 of the Licensing Scotland Act 2005. After consideration the Committee agreed action to be taken.

*The meeting concluded at 10.40 a.m.*

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

**03 December 2022 - 13 December 2023**

| NAME OF APPLICANT           | LICENCE TYPE | LICENCE DETAILS  | VENUE                                 |
|-----------------------------|--------------|--|---------------------------------------|
| Colin Telfer                | PERLIC       | Grant  | N/A                                   |
| Sukjin Kim                  | PERLIC       | Grant  | N/A                                   |
| Malcolm J Cooper            | OCCEXT       | Occasional Extension - Base Nightclub<br>Monday 26 December 2022 - 7.00pm - 3.00am   | Base Nightclub , Hawick               |
| Paul Mitchell               | OCCEXT       | Occasional Extension - Rutherfords MicroPub, New Years Eve Event<br>Saturday 31 December 2022 11.00am - 12.30am  | 38 The Square, Kelso,                 |
| Richard Crawford            | OCCEXT       | Occasional Extension - Indigo Rooms<br>Monday 26 December 2022 11.00am - 03.00am   | Indigo Rooms , Galashiels             |
| RPC (Hotels) Limited        | OCCEXT       | Occasional Extension - Ednam House Hotel<br>Friday 27 January 2023 - 12.00midnight - 1.00am  | Ednam House Hotel , Kelso             |
| Trust Inns Limited          | OCCEXT       | Occasional Extension - The Woodcutter Lounge and Bar<br>Sunday's 25 December and 1 January - 12.00midnight - 1.00am;<br>Monday's 26 December and 2 January 11.00pm - 1.00am;<br>Tuesday's 27 December and 3 January - 11.00pm - 12.00midnight; and Wednesday 28 December - 11.00pm - 12.00midnight | 1 Marigold Bank , Galashiels          |
| G And D Barrett Ltd         | OCCLIC       | Occasional Licence - Charity Disco<br>Saturday 28th January 2023 - 6.00pm - 12.00midnight  | Volunteer Hall , Galashiels           |
| Gala Rugby Football Club    | OCCLIC       | Occasional Licence - Gala RFC v Ayr - Outside Bar Facility<br>Saturday 10 December 2022 - 1.00pm - 9.00pm  | Nether Road , Galashiels              |
| Gala Rugby Football Club    | OCCLIC       | Occasional Licence - Gala RFC v Gala - Outside Bar Facility<br>Monday 26 December 2022 - 1.00pm - 9.00pm   | Nether Road , Galashiels              |
| Gala Rugby Football Club    | OCCLIC       | Occasional Licence - Gala RFC v Dundee High School FP - Outside Bar Facility<br>Saturday 7 January 2023 - 1.00pm - 9.00pm  | Nether Road , Galashiels              |
| Galapate Limited            | OCCLIC       | Occasional Licence - Burns Supper<br>Friday 20 January 2023 6.00pm - 1.00am  | Volunteer Hall , Galashiels           |
| Galapate Limited            | OCCLIC       | Occasional Licence - Barrie Knitwear Dinner and Dance<br>Saturday 21 January 20223 6.00pm - 1.00am   | Hawick Town Hall, Hawick              |
| Melrose Rugby Football Club | OCCLIC       | Occasional Licence - Marquee - Memorial Service for Dottie<br>Monday 19 December 2022 11.30am - 11:00pm  | The Greenyards High Street, Melrose   |
| Portzim Limited             | OCCLIC       | Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions<br>Friday 23 December 2022 - Thursday 5 January 2023 (Sundays to Thursdays 12:00 noon - 12midnight;<br>Fridays and Saturdays 12:00 noon to 1.00am)  | Lilliardsedge Holiday Park , Jedburgh |

|                            |        |   |   |
|----------------------------|--------|---|---|
| Portzim Limited            | OCCLIC | Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions<br>Friday 6 January 2023 to Thursday 19 January 2023 (Sundays to Thursdays 12:00 noon - 12midnight<br>Fridays and Saturdays 12:00 noon to 1.00am)    | Lilliardsedge Holiday Park, Jedburgh      |
| Portzim Limited            | OCCLIC | Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions<br>Friday 20 January 2023 to Thursday 2 February 2023<br>(Sundays to Thursdays 12:00 noon - 12midnight; Fridays and Saturdays 12:00 noon to 1.00am)  | Lilliardsedge Holiday Park, Jedburgh      |
| Portzim Limited            | OCCLIC | Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions<br>Friday 3 February 2023 to Thursday 16 February 2023<br>(Sundays to Thursdays 12:00 noon - 12midnight; Fridays and Saturdays 12:00 noon to 1.00am) | Lilliardsedge Holiday Park, Jedburgh      |
| Portzim Limited            | OCCLIC | Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions<br>Friday 17 February 2023 to Thursday 2 March 2023<br>(Sundays to Thursdays 12:00 noon - 12midnight; Fridays and Saturdays 12:00 noon to 1.00am)    | Lilliardsedge Holiday Park, Jedburgh      |
| Portzim Limited            | OCCLIC | Occasional Licence - additional/extended area for Restaurant Facilities, Entertainment and Functions<br>Friday 3 February 2023 to Thursday 16 February 2023<br>(Sundays to Thursdays 12:00 noon - 12midnight; Fridays and Saturdays 12:00 noon to 1.00am) | Lilliardsedge Holiday Park, Jedburgh      |
| Selkirk Conservative Club  | OCCLIC | Occasional Licence - Musical Entertainment for New Year's Day - Selkirk Silver Band<br>Sunday 1 January 2023 12.00noon - 12.00midnight  | Conservative Club , Selkirk               |
| St John Masonic Hall       | OCCLIC | Occasional Licence - Burns Supper<br>Friday 17th February 2023 - 7.00pm - 12.00midnight   | St Johns Lodge Of Freemasons , Coldstream |
| Volunteer Park Sports Club | OCCLIC | Occasional Licence - New Year's Eve Party<br>Sunday 31 December 2022 6.00pm - 1.00am  | Volunteer Park, Hawick                    |
| West Linton Bowling Club   | OCCLIC | Occasional Licence - 80th Birthday Party<br>Saturday 17 December 2022 2.30pm - 7.00pm   | Chapel Brae, West Linton                  |
| Andrew Telfer              | OCCPLH | Occasional Licence - Funeral<br>Thursday 22 December 2022 2.00pm -10.00pm   | Laidlaw Memorial Hall , Hawick            |
| Ben Glasgow                | OCCPLH | Occasional Licence - Sale of Vodka and Gin Products<br>Saturday 4 February 2023 10.00am - 3.00pm  | Eastgate , Peebles                        |
| Ben Glasgow                | OCCPLH | Occasional Licence - Sale of Vodka and Gin Products<br>Saturday 4 March 2023 10.00am - 3.00pm   | Eastgate, Peebles                         |
| Ben Glasgow                | OCCPLH | Occasional Licence - Sale of Vodka and Gin Products<br>Saturday 1 April 2023 10.00am - 3.00pm   | Eastgate, Peebles                         |
| Ben Glasgow                | OCCPLH | Occasional Licence - Sale of Vodka and Gin Products<br>Saturday 6 May 2023 10.00am - 3.00pm   | Eastgate, Peebles                         |
| Cecilia Benson             | OCCPLH | Occasional Licence - Wedding Ceremony, meal and after dinner dancing<br>Sunday, 29 January 2023 - 12.00noon - 12.00midnight   | Neidpath Castle, Peebles                  |
| Christopher Lightfoot      | OCCPLH | Occasional Licence - The Festive Fling after Race Dance<br>Thursday, 29 December 2022 3.00pm - 11.30pm  | Kelso Racecourse, Kelso                   |
| Donna Wilkinson            | OCCPLH | Occasional Licence - Braw Lads And Lasses Association - Bingo night<br>Saturday 4 February 2023 - 6.30pm - 1.00am   | Volunteer Hall , Galashiels               |

|                 |        |   |   |
|-----------------|--------|---|---|
| Fabiano Furlan  | OCCPLH | Occasional Licence - Cafe/Bistro - Creative Borders<br>Friday 30 December 2022 to Thursday 12 January 2023 11.00am to 9.00pm  | Creative Borders , Galashiels               |
| Fabiano Furlan  | OCCPLH | Occasional Licence - Cafe/Bistro - Creative Borders<br>Friday 13 January 2023 to Thursday 26 January 2023 11.00am to 9.00pm   | Creative Borders, Galashiels                |
| Fabiano Furlan  | OCCPLH | Occasional Licence - Cafe/Bistro - Creative Borders<br>Friday 27 January 2023 to Thursday 9 February 2023 11.00am to 9.00pm   | Creative Borders , Galashiels               |
| Fabiano Furlan  | OCCPLH | Occasional Licence - Cafe/Bistro - Creative Borders<br>Friday 16 December 2022 to Thursday 29 December 2022 - 11.00am to 9.00pm<br>Saturday 17 December 11.00am - 10.00pm | Creative Borders , Galashiels               |
| Fraser Wright   | OCCPLH | Occasional Licence - Tapas Days<br>Friday 17th February and Saturday 18th February 2023 - 12.00noon - 12.00midnight   | Maxwell's , Duns                            |
| Garry Rennie    | OCCPLH | Occasional Licence - Selling Whiskies and Spirits Peebles Auction House<br>Thursday 23 February till Wednesday 8 March 2023 - 10.00am - 5.00pm every day                  | Peebles Auction House , Peebles             |
| Gavin Parker    | OCCPLH | Occasional Licence - The Wee Crook Tweedsmuir Cafe/Bistro, By Biggar<br>Friday 23 December 2022 - Thursday, 5 January 2023  | Marquee At Crook Inn Hotel , Biggar         |
| Gavin Parker    | OCCPLH | Occasional Licence - The Wee Crook Tweedsmuir Cafe/Bistro, By Biggar<br>Friday 9 December 2022 - Thursday, 22 December 2022   | Marquee At Crook Inn Hotel , Biggar         |
| Grieg Sparks    | OCCPLH | Occasional Licence - Wedding Ceremony and Evening reception<br>Saturday 11th February 2023 12.00noon - 12.00midnight  | Neidpath Castle, Peebles                    |
| James Henderson | OCCPLH | Occasional Licence - 60th Birthday<br>Saturday 7 January - 6.00pm - 12.00midnight   | Hownam Village, Kelso                       |
| James Henderson | OCCPLH | Occasional Licence - Xmas Tree Sales Venue Friday, 2 December - 3.30pm - 9.00p<br>Saturday 3 December 11.00am - 5.00pm and Sunday 4 December 2022 - 11.00am - 5.00pm      | Kersmains Farm , Kelso                      |
| James Henderson | OCCPLH | Occasional Licence - Xmas Tree Sales Venue<br>Friday, 9 December - 3.30pm - 9.00pm, Saturday 10 December 11.00am - 5.00pm<br>Sunday 11 December 2022 - 11.00am - 5.00pm   | Kersmains Farm , Kelso                      |
| James Henderson | OCCPLH | Occasional Licence - Xmas Tree Sales Venue<br>Friday, 16 December - 3.30pm - 9.00pm, Saturday 17 December 11.00am - 5.00pm<br>Sunday 18 December 2022 - 11.00am - 5.00pm  | Kersmains Farm , Kelso                      |
| Jeremy Fraser   | OCCPLH | Occasional Licence - Refill Eco Shop, Lauder<br>Thursday, 15 December 2022 6.00pm - 9.00pm Saturday, 20 November 2022 - 7.00pm - 11.30pm                                  | 30 West High Street, Lauder                 |
| Jim McDevitt    | OCCPLH | Occasional Licence - A Heart for Duns - Scripts to Stage live Theatre Production<br>Friday 13 January 2023 6.30pm - 10.30pm   | Volunteer Hall , Duns                       |
| Jim McDevitt    | OCCPLH | Occasional Licence - A Heart for Duns - Cinema Evening<br>Friday 20 January 2023 7.00pm - 11.00pm   | Volunteer Hall, Duns                        |
| John Baxter     | OCCPLH | Occasional Licence - The Great Tapestry of Scotland<br>Saturday 7 January 2023 - Saturday, 21 January 2023 10:00am - 6:00pm   | The Great Tapestry Of Scotland , Galashiels |
| John McDevitt   | OCCPLH | Occasional Licence - Dancing through the Decades<br>Saturday 28 January 2023 4.00pm - 1.00am  | Hawick Town Hall , Hawick                   |
| Lauren Beattie  | OCCPLH | Occasional Licence - Awards presentation evening for Live Borders Leisure Club members<br>Friday, 14 January 2023 6.30pm - 10.30pm  | Hawick Town Hall, Hawick                    |
| Leanne Charlton | OCCPLH | Occasional Licence - Milestone Off sale<br>Monday 9th January 2022 to Sunday 22nd January 2023 - 10.00am - 10.00pm  | Milestone, Newtown St Boswells              |

|                                     |        |  |  |
|-------------------------------------|--------|--|--|
| Leslie Mallin                       | OCCPLH | Occasional Licence - 21st Birthday Party<br>Saturday 28 January 2023 6.30pm - 12.00midnight                                    | St Boswells Public Hall , St Boswells    |
| Leslie Mallin                       | OCCPLH | Occasional Licence - Incorporation of Hammermans Burns Supper<br>Friday 20 January 2023 6.00pm - 1.00am                        | Victoria Hall, Selkirk                   |
| Moira Dalglish                      | OCCPLH | Occasional Licence - National Hunt Horse Racing Meeting<br>Sunday, 15 January 2023 11.00am - 4.30pm                            | Kelso Racecourse, Kelso                  |
| Pauline Drysdale                    | OCCPLH | Occasional Licence - Farm Shop<br>Friday, 16 December to Thursday, 29 December 2022 10:00am - 5:00pm                           | Drysdale Freight Limited, Cockburnspath  |
| Peter Allan                         | OCCPLH | Occasional Licence - National Hunt Horse Race Meeting<br>Friday, 17 February 2023 11.00am - 7.00pm                             | Kelso Racecourse , Kelso                 |
| Peter Allan                         | OCCPLH | Occasional Licence - Border Federation Anniversary Ball<br>Saturday, 21 January 2023 6.30pm - 12.30am                          | Springwood Park, Kelso                   |
| Peter Allan                         | OCCPLH | Occasional Licence - National Hunt Horse Race Meeting<br>Sunday 15 January 2023 11.00am - 7.00pm                               | Kelso Racecourse , Kelso                 |
| Rebecca Graham                      | OCCPLH | Occasional Licence - Christmas Party<br>Wednesday 14 December 2022 7.00pm - 12.00midnight                                      | Peebles Rugby Club , Peebles             |
| Rebekah Housden                     | OCCPLH | Occasional Licence - Wedding and Reception<br>Saturday 28 January 2023 - 1.00pm - 12.30am                                      | Village Hall , Newcastleton              |
| Sarah Nelson                        | OCCPLH | Occasional Licence - Wedding Ceremony, reception and breakfast<br>Saturday 10 December 2022 -1.00pm - 12.00midnight            | Neidpath Castle , Peebles                |
| Steven Drummond                     | OCCPLH | Occasional Licence - 21st Birthday Party<br>Friday 30 December 2022 6.30pm - 1.00am  | Greenlaw War Memorial Hall, Greenlaw     |
| Broughton Farmers Dance Committee   | OCCVOL | Occasional Licence - Live Band<br>Friday 13 January 2023 7.30pm - 1.00am   | Main Street , Broughton                  |
| Carlops Village Centre              | OCCVOL | Occasional Licence - Burns Supper with Piper and Ceilidh<br>Friday 27 January 2023 7.30pm - 12.00midnight                      | Carlops                                  |
| Coldingham Society                  | OCCVOL | Occasional Licence - Quiz Night<br>Friday 20 January 2023 - 7.00pm - 10.00pm   | Bridge Street, Coldingham                |
| Fountainhall Village Hall Committee | OCCVOL | Occasional Licence - World Cup Final - Social Gathering<br>Sunday 18 December 2022 2.00pm - 10.00pm                            | Fountainhall Village Hall , Fountainhall |
| Fountainhall Village Hall Committee | OCCVOL | Occasional Licence - Calcutta Cup (England v Scotland) - Rugby - Social Gathering<br>Saturday 4 February 2023 2.00pm - 10.00pm | Fountainhall Village Hall , Fountainhall |
| Gavinton Village Hall               | OCCVOL | Occasional Licence - Burns Supper<br>Saturday 21 January 2023 6.30pm - 11.00pm   | Village Hall , Gavinton                  |
| Gavinton Village Hall               | OCCVOL | Occasional Licence - Community Cinema - The Lost King<br>Friday 27 January 2023 6.30pm - 10.30pm                               | Village Hall, Gavinton                   |
| Gavinton Village Hall               | OCCVOL | Occasional Licence - Community Cinema - Fisherman's Friends<br>Friday 16 December 2022 - 6.30pm - 10.30pm                      | Village Hall, Gavinton                   |
| Heiton Village Hall Committee       | OCCVOL | Occasional Licence - New Years Eve Celebration<br>Saturday 31 December 2022 8.00pm - 1.00am                                    | Village Hall, Heiton                     |
| Jedforest Point To Point Races      | OCCVOL | Occasional Licence - Point to Point Races<br>Sunday 22 January 2023 11.00am - 5.00pm   | Friarshaugh, Kelso                       |
| Kirkhope Parish Hall                | OCCVOL | Occasional Licence - Burns Supper<br>Friday 27 January 2023 7.00pm - 11.30pm   | Kirkhope Village Hall, Ettrickbridge     |

|                                 |        |  |                            |
|---------------------------------|--------|--|----------------------------|
| MacFie Hall Committee           | OCCVOL | Occasional Licence - Burn's Night with Ceilidh Band<br>Saturday, 21 January 2023 7.00pm to 12.00midnight                               | Macfie Hall, Heriot        |
| Oxnam Village Hall              | OCCVOL | Occasional Licence - Burns Supper<br>Friday 3rd February 2023 - 7.30pm - 11.00pm   | Oxnam, Jedburgh            |
| Selkirk Musical Theatre Company | OCCVOL | Occasional Licence - Performance of Cabaret<br>Tuesday 28th February and Saturday 4th March 2023 6.30pm - 10.30pm                      | Victoria Hall , Selkirk    |
| Southdean Village Hall          | OCCVOL | Occasional Licence - Hogmany Dance<br>Saturday 31 December 2022 8.00pm - 12.30am   | Southdean, Hawick          |
| The Abbotsford Trust            | OCCVOL | Occasional Licence - Marquee - Christmas Market<br>Saturday 17 December 2022 - Sunday, 18 December 2022 - 11.00am - 10.00pm (each day) | Abbotsford House , Melrose |
| Yarrowford Public Hall          | OCCVOL | Occasional Licence - Burns Supper<br>Saturday 21 January 2023 7.00pm - 11.00pm   | Yarrowford, Selkirk        |

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Regulatory Services  
24 NOV 2022  
Legal & Licensing

**SCOTTISH BORDERS LICENSING BOARD**

**APPLICATION FOR PREMISES LICENCE**

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** *Licensing (Scotland) Act 2005, section 20(1)*

**Question 1**

*Name, address and postcode of premises to be licensed.*

**Milestone Garden and Leisure Ltd  
Newtown St Boswells  
TD6 0PL**

**Question 2**

*Particulars of applicant*

*(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

**N/A**

*(b) Where applicant is a partnership, please provide full name, and postal address of partnership.*

**N/A**

*(c) Where applicant is a company, please provide name, registered office and company registration number.*

**Milestone Garden and Leisure Ltd  
Newtown St Boswells  
TD6 0PL  
SC 285 408**

(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

N/A

(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\*

Ross Grainger Allan, [REDACTED]  
[REDACTED]

\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

**Question 3**

Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **NO**

If YES – provide full details

[REDACTED]

**Question 4**

Previous convictions

|  |           |
|--|-----------|
| Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1) | <b>NO</b> |
|--|-----------|

\*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

| Name & position (if applicable) | Date of conviction or sentence | Court | Offence | Penalty |
|---------------------------------|--------------------------------|-------|---------|---------|
|                                 |                                |       |         |         |

**DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)**

**Question 5**

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.



|   |  |
|---|--|
| <b>Receipt number</b>                               |  |
| <b>Received by (INITIALS)</b>                       |  |
| <b>Consideration date</b>                           |  |
| <b>Last date for consideration</b>                  |  |
| <b>Date of initial hearing</b>                      |  |
| <b>Date of any modification hearing</b>             |  |
| <b>Date granted/refused (delete as appropriate)</b> |  |

|  |   |
|--|---|
| <b>For use by the Licensing Board only</b>                                       |   |
| <b>If application is for a premises licence - Documents required</b>             |   |
| <b>Operating plan</b>  | ✓ |
| <b>Layout plan</b>   |   |
| <b>Planning certificate</b>  |   |
| <b>Building standards certificate</b>  |   |
| <b>Food hygiene certificate</b>  |   |
| <b>If application is for a provisional premises licence - Documents required</b> |   |
| <b>Provisional planning certificate</b>  |   |
| <b>Operating plan</b>  |   |
| <b>Layout plan</b>   |   |

Description of premises (where application is submitted by a members' club, please also complete question 6)

The premises are a detached ground floor building operating as a Garden Centre, Restaurant/Café and Gift Shop.

**Question 6**

To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES/NO\*

\*delete as appropriate

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this application are true to the best of my knowledge and belief.

Signature



(see note below)

Date: 22/11/22

Capacity: APPLICANT/~~AGENT~~ (delete as appropriate)

Telephone number and email address of signatory:



**I have enclosed the relevant documents with this application – please tick the relevant boxes**

|                                |   |
|--------------------------------|---|
| Operating plan                 | ✓ |
| Layout plan                    | ✓ |
| Planning certificate           |   |
| Building standards certificate |   |
| Food hygiene certificate       |   |

The information on this form may be held on an electronic public register which may be available to members of the public on request.

| <b>For use by the Licensing Board only</b> |  |
|--|--|
| <b>Application checklist</b>               |  |
| <b>Date received</b>                       |  |
| <b>Fee amount</b>                          |  |

**SCOTTISH BORDERS LICENSING BOARD**

**OPERATING PLAN**

**Licensing (Scotland) Act 2005, section 20(2)(b)(i)**

**Question 1**

**STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH**

|   |            |
|---|------------|
| <i>(a) Will alcohol be sold for consumption solely ON the premises?</i>       | <b>NO</b>  |
| <i>(b) Will alcohol be sold for consumption solely OFF the premises?</i>      | <b>YES</b> |
| <i>(c) Will alcohol be sold for consumption both ON and OFF the premises?</i> | <b>NO</b>  |

*\*delete as appropriate*

**Question 2**

**STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES**

| <b>Day</b>       | <b>ON Consumption</b> |                      |
|------------------|-----------------------|----------------------|
|                  | <b>Opening time</b>   | <b>Terminal hour</b> |
| <i>Monday</i>    | N/A                   | N/A                  |
| <i>Tuesday</i>   | N/A                   | N/A                  |
| <i>Wednesday</i> | N/A                   | N/A                  |
| <i>Thursday</i>  | N/A                   | N/A                  |
| <i>Friday</i>    | N/A                   | N/A                  |
| <i>Saturday</i>  | N/A                   | N/A                  |
| <i>Sunday</i>    | N/A                   | N/A                  |

**Question 3**

**STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES**

| Day       | OFF Consumption |               |
|-----------|-----------------|---------------|
|           | Opening time    | Terminal hour |
| Monday    | 10.00 AM        | 10.00 PM      |
| Tuesday   | 10.00 AM        | 10.00 PM      |
| Wednesday | 10.00 AM        | 10.00 PM      |
| Thursday  | 10.00 AM        | 10.00 PM      |
| Friday    | 10.00 AM        | 10.00 PM      |
| Saturday  | 10.00 AM        | 10.00 PM      |
| Sunday    | 10.00 AM        | 10.00 PM      |

**Question 4**

**SEASONAL VARIATIONS**

|   |    |
|---|----|
| Does the applicant intend to operate according to seasonal demand | NO |
|---|----|

\*if YES – provide details

|     |
|-----|
| N/A |
|-----|

**Question 5**

**PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL**

| COLUMN 1<br>(a) Activity   | COLUMN 2<br>Please confirm YES/NO | COLUMN 3<br>To be provided during core licensed hours – please confirm YES/NO | COLUMN 4<br>Where activities are also to be provided outwith core licensed hours please confirm YES/NO |
|--|-----------------------------------|---|--|
| Accommodation  | NO                                | NO  | NO   |
| Conference facilities  | YES                               | YES   | YES  |
| Restaurant facilities  | YES                               | YES   | YES  |
| Bar meals  | NO                                | NO  | NO   |
| (b) Activity<br>Social functions including:                          | Please confirm YES/NO             | To be provided during core licensed hours – please confirm YES/NO             | Where activities are also to be provided outwith core licensed hours please confirm YES/NO             |
| Receptions including weddings, funerals, birthdays, retirements etc. | YES                               | YES   | YES  |
| Club or other group  | YES                               | YES   | YES  |

| <i>meetings etc</i>                                    |  |  |   |
|--|--|--|---|
| <b>(c) Activity</b><br><b>Entertainment including:</b> | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided during</b><br><b>core licensed hours –</b><br><b>please confirm YES/NO</b> | <b>Where activities are also to</b><br><b>be provided outwith core</b><br><b>licensed hours please</b><br><b>confirm YES/NO</b> |
| <i>Recorded music – see 5(g)</i>                       | YES                                    | YES  | YES   |
| <i>Live performance – see 5(g)</i>                     | YES                                    | YES  | YES   |
| <i>Dance facilities</i>                                | YES                                    | YES  | YES   |
| <i>Theatre</i>   | NO                                     | NO   | NO  |
| <i>Films</i>   | NO                                     | NO   | NO  |
| <i>Gaming</i>  | NO                                     | NO   | NO  |
| <i>Indoor/outdoor sports</i>                           | NO                                     | NO   | NO  |
| <i>Televised sport</i>                                 | NO                                     | NO   | NO  |
| <b>(d) Activity</b>                                    | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided during</b><br><b>core licensed hours –</b><br><b>please confirm YES/NO</b> | <b>Where activities are also to</b><br><b>be provided outwith core</b><br><b>licensed hours please</b><br><b>confirm YES/NO</b> |
| <i>Outdoor drinking facilities</i>                     | NO                                     | NO   | NO  |
| <b>(e) Activity</b>                                    | <b>Please confirm</b><br><b>YES/NO</b> | <b>To be provided during</b><br><b>core licensed hours –</b><br><b>please confirm YES/NO</b> | <b>Where activities are also to</b><br><b>be provided outwith core</b><br><b>licensed hours please</b><br><b>confirm YES/NO</b> |
| <i>Adult entertainment</i>                             | NO                                     | NO   | NO  |

*Where you have answered YES in respect of any entry in column 4 above, please provide further details below.*

These activities may commence around 9.00 am. No activity will go beyond core hours other than under the authority of an occasional licence.

*(f) any other activities*

*If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.*

N/A

**(g) Late night premises opening after 1.00am**

|  |                |
|--|----------------|
| <b>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</b> | <b>YES/NO*</b> |
| <b>When fully occupied, are there likely to be more customers standing than seated?</b>                            | <b>YES/NO*</b> |

*\*delete as appropriate*

**Question 6 (On-sales only)**

**CHILDREN AND YOUNG PERSONS**

|            |   |                |
|------------|---|----------------|
| <b>(a)</b> | <i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i> | <b>YES/NO*</b> |
|------------|---|----------------|

*\*delete as appropriate*

|  |
|--|
| <b>(b)</b> <i>Where the answer to 6(a) is YES provide statement of the <b>TERMS</b> under which they will be allowed entry</i> |
| N/A  |

|  |
|--|
| <b>(c)</b> <i>Provide statement regarding the <b>AGES</b> of children or young persons to be allowed entry</i> |
| N/A  |

|  |
|--|
| <b>(d)</b> <i>Provide statement regarding the <b>TIMES</b> during which children and young persons will be allowed entry</i> |
| N/A  |

|  |
|--|
| <b>(e)</b> <i>Provide statement regarding the <b>PARTS</b> of the premises to which children and young persons will be allowed entry</i> |
| N/A  |

**Question 7**

**CAPACITY OF PREMISES**

*What is the proposed capacity of the premises to which this application relates?*

|   |
|---|
| 1.87 x 4.31 x 0.39 - 3.14m <sup>2</sup> |
|---|

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

*Personal details*

|   |
|---|
| <b>(a)</b> <i>Name</i><br>Leanne Charlton |
|---|

(b) *Date of birth*

(c) *Contact address*

(d) *Telephone number and e-mail address*

(e) *Personal licence*

| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference number of personal licence</i> |
|----------------------|--|---|
| 25/9/19              | Scottish Borders                       | SB/LIQ/12816                                |

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity

The contents of this operating plan are true to the best of my knowledge and belief.

Signature: [REDACTED]

Date: 22/11/22

Capacity: APPLICANT/~~AGENT~~ (delete as appropriate)

Telephone number and email address of signatory:

**Please retain for your records**

**Your Data: Alcohol Licencing**

The Scottish Borders Licensing Board will act as the 'Data Controller' for the personal data you provide to us. The information held by the Licensing Board is managed by employees of Scottish Borders Council, and contained within Scottish Borders Council systems. The Data Protection Officer, who is

responsible for ensuring personal data is managed in accordance with data protection legislation, can be contacted as follows:

Address: Data Protection Officer, Information Management, Scottish Borders Council, Newtown St Boswells TD6 0SA.

Email: [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk)

Telephone: 0300 100 1800

The information we collect from you will include details such as your name, address, e-mail address, telephone number, date of birth, national insurance number, and (if applicable) details of any previous criminal convictions and previous licence information.

## **Why do we need this information?**

Your information is being collected to allow the Scottish Borders Licensing Board to administer the process of applying for licences under the Licensing (Scotland) Act 2005.

We need to know the personal data requested on the application form in order to provide this service to you. If you do not provide this information then we will be unable to process your request for a licence. We will not collect any personal data from you that is not needed for this purpose.

The lawful basis for collecting your information in these circumstances is:

**Compliance with legal obligation:** Scottish Borders Licensing Board is required to collect your information in order to carry out the function of providing licences in relation to the Licensing (Scotland) Act 2005.

## **What will we do with your information?**

We will use your information to process your application for a licence. This will involve sharing your information with Police Scotland, and where the type of licence applied for is a premises licence, notice of your application (including a copy of it) will be given to people with a notifiable interest in the land neighbouring the premises, any community council for the area where the premises is situated and the relevant Council area office for the area where the premises is situated.

Applications will be considered at meetings of the Scottish Borders Licensing Board, which are open to the public. We are also required to publish information in licensing registers, which will include the licence holder and premises manager's name, and details about the premises.

You should also be aware that your data will be stored on servers located within the United Kingdom. We will take all reasonable steps to ensure that your data is kept secure and more information on how we do this can be provided by contacting the Data Protection Officer (contact details can be found above).

## **How long will we keep your information?**

We will keep your information for the length of time specified within our document retention schedules, and after this period it will be destroyed under secure arrangements.

## **Decision-Making**

The Council does not use profiling or automated decision-making processes. Some processes are semi-automated (such as anti-fraud data matching) but a human decision maker will always be involved before any decision is reached in relation to you.



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**SCHEDULE**

Regulatory Services

24 NOV 2022

Legal &amp; Licensing

**SCHEDULE 6****DISABLED ACCESS AND FACILITIES STATEMENT*****Licensing (Scotland) Act 2005, Section 20(2)(b)(ia)*****QUESTION 1****DISABLED ACCESS AND FACILITIES**

|      |  |     |
|------|--|-----|
| 1(a) | Is there disabled access to the premises   | YES |
| 1(b) | Do you have facilities for those with a disability   | YES |
| 1(c) | Do you have any other provisions available to aid the use of the premises by disabled people | YES |

\*delete as appropriate

If you have answered YES to any of the questions above please complete, as appropriate, the following sections

**QUESTION 2****DISABLED ACCESS TO, FROM AND WITHIN PREMISES**

Please provide clear and detailed description of how accessible the premises are for disabled people eg ramps, accessible floor, signage

Level floor throughout, ramp on exit, electronic doors

**QUESTION 3**

**FACILITIES AVAILABLE**

Please describe in detail the facilities provided for disabled people eg disabled toilets, lifts, accessible tables

Disabled toilets, accessible tables

**QUESTION 4**

**OTHER PROVISIONS**

Please provide details of any other provisions made to aid the use of the premises by disabled people, for example: assistance dogs welcome, large print menus

Assistance dogs welcome, table service

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant, please state in what capacity**

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature:   
\*see note below

Date: 22/11/22

Capacity:

APPLICANT/~~AGENT~~

Telephone number and email address of signatory:



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