

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 24 February 2023 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. Dishington (Police Scotland), Sergeant R. Stark (Police Scotland), Democratic Services Officer (F. Henderson).

ORDER OF BUSINESS

The Chair varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

1.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 27 January 2023.

DECISION

AGREED to approve the Minute for signature by the Chairman.

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 periods 14 January - 12 February 2023.

DECISION

NOTED.

3.0 LICENSING (SCOTLAND) ACT 2005:

3.1 Section 20: Application for Grant/ Provisional Grant of Premises Licence

Consider the following application for Grant of Premises Licence

Live Borders

Retail Shop
The Great Tapestry of Scotland
14-22 High Street
Galashiels
TD1 1SD
(Provisional)

The premises were a purpose built exhibition centre for the Great Tapestry of Scotland, situated within Galashiels town centre. The area to be licensed is the ground floor retail shop for the purposes of off sale provision of local spirits and beers.

Licensed hours applied for:

ON SALE

N/A

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 and proposed layout plan. Mr Wynne explained that the premises had been purpose built to house the Great Tapestry of Scotland. The area for the off sales was the ground floor retail area where they proposed to sell local produce to include local gins and beers. The application was within policy and there had been no objections. Police Scotland had no comment.

The Convener welcomed Mr Baxter, Shop Manager to the meeting. Mr Baxter re-iterated what Mr Wynne had said and confirmed that this was similar to other gift shops throughout Scotland and was for off Sales only.

DECISION

AGREED TO GRANT.

URGENT BUSINESS

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chair 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.

4.0 EXTENSION OF LICENSING – KINGS CORONATION

There had been circulated copies of a letter dated 20 February 2023 from Mr Wynne, Licensing Standards and Enforcement Officer. The letter explained that the Kings Coronation week-end would be held Thursday, 4 to Sunday 7 May 2023 inclusive and it was anticipated that some licensed premises within the Scottish Borders may apply for extended hours to their premises licence.

- 4.1 The letter went onto explain that in terms of Section 67 of the Licensing (Scotland) Act 2005, the Board may determine that it was appropriate to grant a general extension of licensed hours for the Kings Coronation holiday weekend. This extension would apply from Thursday, 4 May 2023 to Sunday 7 May 2023 inclusive and would allow an extension of the terminal hours for the sale of alcohol during that period until 1 a.m. The extension would only apply to on sales of alcohol. There would be no general extensions beyond this although any applications for extended hours out with the general extension would be considered on a case-by case basis. It was noted that the majority of licensed premises within Scottish Borders Council had licensing Hours to 1 a.m. on Thursday/Friday /Saturdays, although not on a Sunday and approving a general extension would negate the submission of extended hours applications to the Board.

DECISION

AGREED to grant a general extension of licensed hours for the Kings Coronation Holiday Weekend to apply from Thursday, 4 to Sunday 7 May 2023 to allow an extension of the terminal hour for the sale of alcohol during that period until 1.00 a.m.

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

5.0 ALCOHOL PROFILING

There was a presentation from Susan Elliot, ADP Coordinator on Alcohol Profiling within the Scottish Borders.

6.0 MINUTE

The Board considered the Private Minute of the Meeting held on 27 January 2023.

The meeting concluded at 10.30 a.m.