

A MEETING of the SCOTTISH BORDERS LICENSING BOARD will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS - BLENDED on FRIDAY, 31 MARCH 2023 at 10.00 am

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 .

J. J. WILKINSON,
Clerk to the Council,

21 March 2023

BUSINESS	
1.	Apologies for Absence
2.	Order of Business
3.	Declarations of Interest
4.	Minute (Pages 5 - 8) Minute of Meeting of 24 February 2023 to be approved and signed by the Convener. (Copy attached.)
5.	Licences dealt with under Delegated Powers (Pages 9 - 14) (Copy attached.)
6.	Licensing (Scotland) Act 2005:
	(a) Section 20: Application for Premises Licence (Pages 15 - 26) Consider the following applications for Grant/Provisional Grant of Premises Licence (applicants cited to attend.)(Copies attached.) Durty Brewing Limited Durty Brewing 4 Traquair Road Innerleithen

EH44 6PD
(Provisional)

The premises is an existing ground floor commercial/retail/industrial building and the proposal is to create a new craft brewery and taproom to show case beers produced on site. The front of the building will form the primary public taproom space, including the bar area and toilet facilities.

A smaller second public area is intended for small events, private hires, private tasting sessions etc. The rear of the building houses the brewing equipment. There is a private outside space around the rear and the side of the building, which is enclosed by walls and fences and is accessed from the side and front of the building. The proposal being to sell alcohol on an On and Off-Sale basis.

Licensed hours applied for:

ON SALE

Sun to Sat 11.00am to 10.00pm

Representations received:

Police Scotland - none.

Licensing Standards Enforcement Officer - none.

Health - none.

Other - none.

OFF SALE

Sun to Sat 10.00am to 10.00pm

- (b) **Section 29: Application for Variation of Premises Licence** (Pages 27 - 44)
Consider the following application for Variation of Premises Licence (applicants cited to attend.) (Copies attached)

Park Resorts Limited

Eyemouth Holiday Park
(Driftwood Bar)
Fort Road
Eyemouth
TD14 5BE

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

- a change to the core On Sale Hours –

<u>Current On Sale Hours</u> 12.30pm – 12 midnight Sun 11.00am – 12 midnight Mon to Thurs 11.00am – 1.00am Fri & Sat	<u>Proposed On Sale Hours</u> 11.00am – 12 midnight Sun to Wed 11.00am – 1.00am Thurs, Fri & Sat
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- a change to the core Off Sale Hours –

<u>Current Off Sale Hours</u> 12.30pm – 10.00pm Sun 11.00am – 10.00pm Mon to Sat	<u>Proposed Off Sale Hours</u> 10.00am – 10.00pm Sun to Sat
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- the addition of a seasonal variation at question 4 to read "In accordance with Board Policy, Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day until 1.00am. Also to include any other extensions as provided by the 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 and theatre, 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

	<p>performance; dance facilities; indoor/outdoor sports and televised sport, outwith core hours;</p> <ul style="list-style-type: none"> • 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); and • amend the wording of the children and young persons access at question 6. <p><u>Representations received:</u> Police Scotland - none Licensing Standards Officer - none Health - none Other – none</p>
7.	Any other items previously circulated
8.	Any other items which the Convener decides are Urgent
9.	<p>Items likely to be Taken in Private Before proceeding with the private business, the following motion should be approved:</p> <p>“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”</p>
10.	<p>Section 84A - Review of Personal Licence (Pages 45 - 50) Consideration of an application for review of Personal Licence following reports of conduct inconsistent with licensing objectives received from Police Scotland :-</p> <ul style="list-style-type: none"> (i) letter from Police Scotland dated 19/01/2023; and (ii) letter from Police Scotland dated 17/03/2023. <p>(Licenceholder cited to attend.) (Copies attached.)</p>
11.	<p>Minute (Pages 51 - 52) Private Section of Minute of meeting of 24 February 2023 for approval (Copy attached.)</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 M.Douglas (Chair), P. Brown, J Cox, D. Parker, J. Paton-Day, N Richards, F. Sinclair, E. Small, T Weatherston.

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