

A MEETING of the SCOTTISH BORDERS LICENSING BOARD will be held in the COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS - BLENDED on FRIDAY, 28 APRIL 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,

18 April 2023

BUSINESS	
1.	Apologies for Absence
2.	Order of Business
3.	Declarations of Interest
4.	Minute (Pages 7 - 10) Minute of Meeting of 31 March 2023 for approval. (Copy attached.)
5.	Licences dealt with under Delegated Powers (Pages 11 - 16) (Copy attached.)
6.	Licensing (Scotland) Act 2005:
	<p>(a) Section 20: Application for Premises Licence (Pages 17 - 46) Consider the following applications for Grant/Provisional Grant of Premises Licence (applicants cited to attend.)(Copies attached.)</p> <p style="text-align: center;">(i) Motor Fuel Ltd</p> <p style="text-align: right;">Tweedbank Service Station Tweedbank Industrial Estate Tweedbank Drive Tweedbank TD1 3RS (Provisional)</p>

Proposed business activity - The premises are proposed to be located within the extended Tweedbank Industrial Estate, off Tweedbank Drive and the A6091. The premises will trade on a 24 hour basis as a general convenience store adjacent to petrol/derv filling station forecourt. The site will have car parking separate from the fuel pumps. The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from and supplementary to, the offer of petrol/derv. The premises will offer a service to the local and wider area. The proposal is to sell alcohol on an Off Sale basis only.

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.

(ii) Durty Brewing Limited

Durty Brewing
4 Traquair Road
Innerleithen
EH44 6PD
(Provisional)

Proposed business activity - 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

OFF SALE

Sun to Sat 10.00am to 10.00pm

Representations received:

Police Scotland - none.

Licensing Standards Enforcement Officer - none.

Health - none.

Other - none.

(b) Section 29: Application for Variation of Premises Licence

(Pages 47 - 64)

Consider applications for Variation of Premises Licence (applicants cited to attend.)
(Copies attached.)

Mrs Dawn Bird

The Exchange Inn (Cannon)
8 Exchange Street
Jedburgh
TD8 6BH

	<p>Amendments to licence and operating plan, which include the following :-</p> <ul style="list-style-type: none"> • the addition of the wording of the seasonal variation at question 4 to include – ‘Thursday prior to Jethart Callants Festival until 1.00am’; • an addition to the permitted activities referred to in question 5 (columns 2 & 3) of the Operating Plan, to include bar meals within core hours; • the removal of adult entertainment from the permitted activities referred to in question 5 (columns 2 & 3) of the Operating Plan; • a change to the terms/explanation at question 6 of the Operating Plan relating to children and young persons access to include :- at section (b) add – Young Persons when being provided with a meal; at section (d) add – for the duration of a meal up to 10.00pm; at section (e) add – remove reference to first floor; • amend the capacity of the premises at question 7 to read 83 (following the removal of the first floor meeting room from the licensed footprint). <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 65 - 72) 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; (ii) letter from Police Scotland dated 17/03/2023; and (iii) Letter from Police Scotland dated 04/04/2023 <p>(Licenceholder cited to attend.) (Copies 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 (Convener), N. Richards, T. Weatherston, P. Brown, D. Parker, F. Sinclair, J. PatonDay, E. Small, and J. Cox.

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