

MINUTE of MEETING of the SCOTTISH BORDERS LICENSING BOARD held in Committee Rooms 2/3, Council Headquarters, Newtown St Boswells on Friday, 18 March 2016 at 10.00 a.m.

Present:- Councillors W. Archibald (Convener), J. Campbell, J. Greenwell, B. Herd, G. Logan, D. Paterson, J. Torrance, T. Weatherston, B. White.
Apology:- Councillor R. Stewart.
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader, Licensing Standards and Enforcement Officers (Mr I. Tunnah and Mr M. Wynne), Democratic Services Officer (K. Mason), P.C. P. Robertson, Inspector M. Bennett - Police Scotland.

1. **MINUTE**

The Minute of Meeting of 19 February 2016 had been circulated.

DECISION

APPROVED and signed by the Convener.

2. **LICENCES DEALT WITH UNDER DELEGATED POWERS**

For Members' information there had been circulated copies of a list of licences dealt with under delegated powers for the period 11 February to 9 March 2016.

DECISION

NOTED.

3. **LICENSING (SCOTLAND) ACT 2005:**

(a) **Section 20: Application for Premises Licence.** The Board considered the following application for Provisional Grant of Premises Licence:-

- (i) Nigel Hobbs
- Tushielaw Inn
Ettrick Valley
Selkirk
TD7 5HT
Provisional Grant

Operating Plan includes provision of on and off sale facility.

No representations had been received.

Mr Hobbs was present. He advised that he planned to open up the premises as a country inn around Easter and that members of the community were pleased that the premises was re-opening.

DECISION

GRANTED.

(b) **Section 29: Application for Variation of Premises Licence.** The Board considered the following applications for Variation of Premises Licence:-

- (i) Lees Property Management Ltd
- Cross Keys Inn
Ettrickbridge
Selkirk
TD7 5JN

Amendments to operating plan:

- Change to existing core on sale hours

Current On Sale Hours

11.00am - 12midnight Fri & Sat

12.00noon - 12.00midnight Sun

Proposed On Sale Hours

11.00am - 1.00am Fri & Sat

11.00am - 10.00pm Sun

- Change to existing off sale hours on Sunday

Current Off Sale Hours

12.00noon - 10.00pm

Proposed Off Sale Hours

11.00am - 10.00pm Sun

- Change terms of the seasonal variation to cover Christmas Eve, Christmas Day, Boxing Day and New Year's Day until 1.00am
- Amend the listed activities to include indoor/outdoor sports to be provided both during and outwith core licensed hours
- Extend existing listed activities namely, club or other group meetings and outdoor drinking facilities to be provided outwith core licensed hours
- Amend the explanation of activities to be provided outwith core licensed hours
- Amend the supporting statement in relation to additional activities
- Amend the terms, times and parts of the premises permitted within the existing children and young persons statement

No representations had been received.

Mr Lees was present. He advised that the additional hours were requested to be in line with his other businesses. His premises manager had requested later hours because the general public and locals were looking for additional hours similar to what was enjoyed by other premises in the area.

**DECISION
GRANTED.**

(ii) Scottish Borders Brewery Limited

Born in the Borders

Lanton Mill, Lanton

Jedburgh

TD8 6ST

Amendments to Operating Plan and Layout Plan:

- To incorporate a change to the current licensed general retail unit to accommodate the introduction of specific Brewery Shop and Sample/Tasting Room - capacity 52m²

No representations had been received.

Mr Henderson was present. He advised of the growing interest in craft alcohol and explained the premises would be a dedicated retail unit for the sale of craft beer.

**DECISION
GRANTED.**

(iii) Hawick Golf Club

Hawick Golf Club

Vertish Hill

Hawick

TD9 0NY

Amendments to Licence and Operating plan:

- Change to core on sale hours:

Current On Sale Hours
 11.00am - 11.00pm (Sun to Thurs)
 11.00am - 1.00am (Fri & Sat)

Proposed On Sale Hours
 11.00am - 12.00midnight (Sun to Wed)
 11.00am - 1.00am (Thurs, Fri & Sat)

- Addition to permitted activities referred to in question 5 (column 4 – outwith core hours) of the operating plan, to include receptions including weddings, funerals, birthdays, retirements etc; Club or other group meetings etc; recorded music; dance facilities; indoor/outdoor sports; televised sport and outdoor drinking facilities;
- Addition of films to the permitted activities referred to in question 5 (columns 2, 3 and 4);
- Change to explanation as to ‘Yes’ in column 4;
- Change to explanation at question 5 (f) – any other activities and the removal of the full explanation relating to the Members Club;
- Removal of reference to Members Club in question 6 of the Operating Plan relating to the Children and Young Persons access and change to the terms of their access; and
- Removal of the Members Club status afforded under the terms of the Licensing (Scotland) Act 2005.

No representations had been received.

Mr Monaghan was present. He advised that the Club wished to provide food for members of the Club and wanted members of the public to be allowed access to improve the business. Members recognised that Golf Clubs were struggling and were supportive of the application.

**DECISION
 GRANTED.**

(iv) Daniel Norris

Cross Inn
 Paxton
 TD15 1TE

Amendments to operating plan:

- Change to existing core on sale hours

Current On Sale Hours
 12.00noon - 11.00 (Sun)
 11.00am - 11.00pm (Mon to Thurs)
 12.00noon - 12.30am (Fri & Sat)

Proposed On Sale Hours
 11.00am - 12.00midnight (Sun)
 11.00am - 12.00midnight (Mon to Thurs)
 11.00am - 1.00am (Fri & Sat)

- Change to existing off sale hours on Sunday

Current Off Sale Hours
 12.00noon - 10.00pm

Proposed Off Sale Hours
 11.00am - 10.00pm Sun

- Addition of activities within core hours:
 conference facilities, live performances, gaming, indoor/outdoor sports, televised sports, outdoor drinking and adult entertainment
- Addition of activities outwith core hours:
 restaurant facilities, bar meals, club or other group meetings, televised sport and outdoor drinking facilities
- Update explanation of additional and other activities
- Change terms and conditions regarding children and young persons access
- Increase capacity from 120 to 160

No representations had been received.

Mr Norris was present. He advised that the premises had been closed for one and a half years. The premises was being refurbished and brought up to date. Councillor Campbell advised that prior to the previous business closing the premises had another function where milk, bread etc. were sold and she asked Mr Norris if he intended to carry on with this. Mr Norris advised this suggestion was being discussed with a Community Councillor.

**DECISION
GRANTED.**

(c) **Section 33: Application for Transfer and Variation of Premises Licence.** The Board considered the following application for Transfer and Variation of Premises Licence

- | | |
|---|---|
| (i) Transfer - Meiklejohn Hospitality Ltd to Rossmuir Ltd | The Cobbles Inn
7 Bowmont Street
KELSO
TD5 7JH |
| (ii) Variation - Rossmuir Ltd | The Cobbles Inn
7 Bowmont Street
KELSO
TD5 7JH |

Amendments to Licence and Operating plan:

- Change to core on sale hours:

Current On Sale Hours

11.00am - 11.00pm (Mon to Thurs)
11.00am - 1.00am (Fri & Sat)
12.30pm - 11.00pm (Sun)

Proposed On Sale Hours

11.00am - 12.00midnight (Sun to Wed)
11.00am - 1.00am (Thurs, Fri & Sat)

- Change to core off sale hours:

Current Off Sale Hours

11.00am - 10.00pm (Mon to Sat)
12.30pm - 10.00pm (Sun)

Proposed Off Sale Hours

11.00am - 10.00pm (Sun to Sat)

- Addition to permitted activities referred to in question 5 (column 4 – outwith core hours) of the Operating Plan, to include restaurant facilities; bar meals; receptions including weddings, funerals, birthdays, retirements etc; recorded music; live performances; dance facilities and televised sport;
- Addition of indoor/outdoor sports to the permitted activities referred to in question 5 (columns 2, 3 and 4);
- Change explanation to 'Yes' in column 4.

No representations had been received.

Mr Becattelli was present. He advised that he had taken over the business and wished to bring the operating plan more in line with his business plan. The intention was to open the business earlier for the provision of teas and coffees.

**DECISION
GRANTED.**

4. **DATE OF NEXT MEETING**

The next meeting would be held on 22 April 2016.

**DECISION
NOTED.**

PRIVATE BUSINESS

5. **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

LICENSING (SCOTLAND) ACT 2005

6. **Section 84A (amended to 83(7)):** The Board continued the hearing in relation to Mr Alan Turnbull's Personal Licence.

The meeting concluded at 10.35 a.m.