

The Clerk to the Licensing Board  
Licensing Unit  
Legal and Democratic Services  
Council Headquarters  
Newtown St Boswells  
TD6 OSA

*Please ask for:*

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*Date:*

25<sup>th</sup> October 2018

Dear Madam

**Licensing (Scotland) Act 2005**

**Application for a Variation to Premises Licence Operating Plan and Lay Out Plan – County Hotel, 35 High Street, Peebles. SB/PREM/106**

**Applicant – Greene King Retailing Ltd, c/o Belhaven Pubs, Atrium House, 6 Back Walk, Stirling, FK8 2QA**

With regard to the above application I make the following observations and objection regarding the proposed variation to the Operating Plan and Lay Out Plan.

In the interest of clarity the County Hotel although retaining the 'Hotel' description within its name does not in fact have any residential letting accommodation, it is effectively a main street Public House with a substantial food offering.

The requested change to Core hours which would allow the premises to commence the sale of alcohol at 11 a.m. on a Sunday is within the Boards Policy and as such I have no objection.

The request to add outside drinking facilities during core hours, which would effectively give over part of a public footpath to be contained within the licensed footprint of these premises, is perhaps confused by the reference to 'Street Café Permit', no such permit exists within the Scottish Borders area as such. Any premises using public footpaths for seating areas do however require the authority of the roads department. As such I would suggest site of such written authority should be sought before consideration of this variation. If such authority is in place then I would suggest that the use of any outside area should cease at 10 p.m. and the area should be clearly defined by appropriate barriers, with policies in place ensuring staff monitoring when the area is in use with particular attention to the safe use and clearance of any glass from this busy public area.

The requested changes to the terms under which Children and Young Persons are permitted access to the premises if granted would allow Children and Young Persons access for no other reason than to accompany an adult consuming alcohol. This would be entirely contrary to Licensing Boards Policy which clearly indicates there should be reasons for Children and Young Persons being on Licensed Premises and there would be particular concerns when alcohol consumption is the primary purpose.

As such I object to the request to allow Children and Young Persons access to these premises simply to accompany an adult consuming alcohol. I would further suggest the proposed wording at Question 6 is complex and confusing and I would suggest consideration of the following as being more appropriate:-

**6(b)**

**Children and Young Persons when accompanied by an appropriate adult for the purpose of consuming a meal or to attend a pre-arranged private function in a room set aside for that purpose.**



6(d)

**Children and Young Persons when attending for the purpose of a meal allowed access until 10 p.m. and when attending a pre-arranged private function they would be allowed access for the duration of the function.**

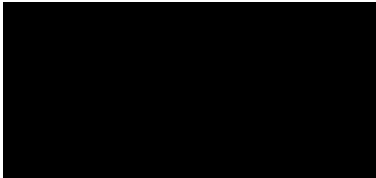
6(c)

**Children and Young Persons permitted access to all public areas but excluded from the immediate vicinity of any bar counter.**

(These suggestions are in keeping with what exists in most other similar premises in the Boards area.)

The Suggested Variation as it stands and in particular concerning Children and Young Persons access is clearly contrary to the licensing objective-

**Protecting Children and Young Persons from harm.**



Jan J. Tunnah  
Licensing Standards Officer