

SCOTTISH BORDERS COUNCIL SCOTTISH BORDERS LICENSING BOARD

MINUTE of Meeting of the SCOTTISH BORDERS LICENSING BOARD held in Committee Rooms 2 and 3, Council Headquarters, Newtown St Boswells on Friday 19 April 2019 at 10.00 am

Present:- Councillors J. Greenwell (Convener), J. Brown, D. Paterson, N. Richards, S. Scott, R. Tatler, E. Thornton-Nicol, G. Turnbull, T. Weatherston

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Officer, Licensing Standards and Enforcement Officers (I. Tunnah and M. Wynne), Inspector J. McGuigan and PC T. Rae - Police Scotland, Democratic Services Officer (F. Henderson), Trainee Democratic Services Officer

1. **MINUTE**

The Minute of Meeting of 22 March 2019 had been circulated.

**DECISION
APPROVED.**

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 13 March 2019 to 9 April 2019.

**DECISION
NOTED.**

3. **EQUALITY OUTCOMES AND MAINSTREAMING UPDATE REPORT 2017-19**

There had been circulated copies of a report by the Clerk to the Licensing Board seeking approval of the Equality Outcomes and Mainstreaming Update Report 2017-19. The Public Sector Equality Duty (known as the "General Equality Duty") was divided into three parts and required public authorities including Scottish Borders Council's Licensing Board ("the Board") in exercise of its functions to have due regard to the following three needs:-

- (i) Eliminate unlawful discrimination, harassment and victimisation and other conduct that was prohibited by the Equality Act 2010 ("the 2010 Act")
- (ii) Advance equality of opportunity between people who share a relevant protected characteristic and those who did not
- (iii) Foster good relations between people who share a protected characteristic and those who did not

The protected characteristics listed in the legislation are: Age, Disability, Gender, Gender Reassignment, Pregnancy and maternity, Race, Religion or belief and Sexual orientation. The Managing Solicitor, Mr Ron Kirk reported that the Board must publish Equality Mainstreaming Reports every four years with update reports every intervening two years. The Board had approved such a report in 2017 for the four year period to 2021. The update report as set out in Appendix 1 contained details of the Board's agreed Equality Outcomes as approved in 2017 and summarised the progress made during the last two years against each of these outcomes. Mr Kirk referred to each of the Equality Outcomes as approved in 2017 and provided an overview of the progress achieved against each of

these outcomes since 2017 as outlined in Appendix 1. After a discussion, Members agreed to endorse the report and authorised the report to be published. Councillor Thornton-Nicol highlighted that the list of consultees referred to in the 2017 report required to be updated. Mr Kirk advised that only Appendix 1 would be published but he would ensure that the list of consultees would be updated. The Chairman thanked Mr Kirk for the comprehensive report and it was unanimously agreed that the report be updated and published.

DECISION

AGREED to:-

- (a) endorse the Equality Outcomes and Mainstreaming Update Report 2017-2019 set out in Appendix 1 to this report; and**
- (b) authorise the Clerk to proceed with the publication of the Update Report 2017-2019**

4. LICENSING (SCOTLAND) ACT 2005:

Section 20: Application for Variation of Premises Licence

4.1 The Board considered the following application for a Variation of Premises Licence:-

Gary Steenvorden

Ship Hotel
Harbour Road
Eyemouth

Amendments to Operating Plan:

- Change Core Hours
ON SALE:
Sunday 11.00am – 12.00midnight (currently 12.00noon – 12.00midnight)
Thursday 11.00am – 1.00am (currently 11.00am – 12.00midnight)
OFF SALE:
Sunday 11.00am – 10.00pm (currently 12.00noon – 10.00pm)
- Change terms of Seasonal Variation
- Addition of Activities both within and outwith core hours for Films
- Addition of Activities outwith core hours for Restaurant Facilities, Bar Meals, Receptions, Club or Other Group Meetings, Recorded Music, Live Performance, Indoor Outdoor Sports, Televised Sport and Outdoor Drinking Facilities
- Change explanation as to column 4 for activities outwith core hours
- Change explanation as to other activities at 5(f)
- Change terms and conditions relating to children and young person access

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

- 4.2** There had been circulated copies of an application for variation of Premises Licence, together with proposed amendments to the Operating Plan. Mr Tunnah, Licensing Standards and Enforcement Officer advised that the application was to update the operating plan due to the evolved use of the premises and he had no objections to the application. Mr Steenvorden was unable to attend but Mr Tunnah advised that Mr Steenvorden had confirmed that he was happy for the application to be considered in his absence. Mr Tunnah reported that Mr Steenvorden had taken over the business and proposed to widen the use of the restaurant. This would bring the operating plan up to date. There were no objections from the Police and Members welcomed the hotel being brought back into full use.

**DECISION
GRANTED.**

The meeting concluded at 10.15am