

# 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 23 August 2019 at 10.00 am

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

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Services Team Leader, Licensing Standards and Enforcement Officer (M. Wynne), Inspector J. McGuigan, Sergeant J. Fortune - Police Scotland, Democratic Services Officer (F. Henderson), Trainee Democratic Services Officer

1. **MINUTE**

The Minute of Meeting of 19 July 2019 had been circulated.

**DECISION  
APPROVED.**

2. **Licensing (Scotland) Act 2005:**

(i) **Section 20: Application for Premises Licence.** Considered the following application for Provisional Grant of Premises Licence

**T. J. Morris (Scot) Ltd**

Home Bargains  
(Former Home Base Store)  
Galalaw Business Park  
Hawick  
(Provisional)

Licensed hours applied for:

On Sale

None

Off Sale

Sunday to Saturday 10.00am –  
10.00pm

Representations received:

Police Scotland - none.

Licensing Standards Officer - none.

Health - none.

Other - none.

There had been circulated copies of an application for provisional premises licence, together with supporting operating and layout plans. Mr Wynne, Licensing Standards and Enforcement Officer advised that the application was to accommodate the applicant's general retail business including the provision of an alcohol sales aisle forming a small percentage of the overall floor area of the premises. Mr Richard Taylor, Gosschalks was present as the legal representative for TJ Morris (Scot) Ltd along with the Area Manager for the Hawick based Home Bargains Store. Mr Taylor explained that the new store would be open on 24 August 2019 with the creation of 60 new jobs within the store. Occasional licences had been granted to allow the store to operate until all outstanding matters had been finalised. He estimated there

were over 600 retail bays available and there would be a limited range of beer, wine and cider with only 13 bays being used for alcohol sales. He advised that a range of measures would be in place to address the licensing objectives including CCTV systems, electronic till control prompts and a refusals system, Challenge 25, in house test purchasing exercises. Staff training had been carried out on 5 August 2019 and any staff under the age of 18 would not be on the checkouts. Five staff members held Personal Licences and in house refresher training would be carried out every 6 months. Members welcomed the opening of this new store and approved the application.

**DECISION  
GRANTED.**

3. **PRIVATE BUSINESS**

**Before proceeding with the private business, the following motion should be approved:**

**“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.”**

**DECLARATION OF INTEREST**

Councillor Weatherston declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

4. **LICENSING SCOTLAND ACT 2005: PERSONAL LICENCE HEARING**

**Section 72: Hearing to consider application for Grant of Personal Licence following confirmation from Police Scotland of the applicant’s conviction for a relevant offence.**

After hearing from Police Scotland and the applicant, the Board refused an application for Grant of a Personal Licence on the grounds that having regard to the licensing objectives, the applicant was not a fit and proper person to hold a licence.

5. **MINUTE**

The private Minute of Meeting of 19 July 2019 had been circulated.

**DECISION  
APPROVED.**

***The meeting concluded at 10:20 am***