



Clerk to the Licensing Board  
Licensing Unit  
Legal and Democratic Services  
Scottish Borders Council  
Council Headquarters  
Newtown St Boswells  
TD6 0SA

*Please ask for:*

Ian Tunnah  
01835 825462

*Our Ref:*

*Your Ref:*

*E-Mail:*

itunnah@scotborders.gov.uk

*Date:*

8<sup>th</sup> October 2020

Dear Madam

### **LICENSING (SCOTLAND) ACT 2005**

#### **Application for Occasional Licences**

**9 - 22 October 2020: Monday to Sunday 11.00am – 10.00pm**

**23 October - 5 November 2020: Monday to Sunday 11.00am – 10.00pm**

**Applicant – JD Weatherspoon (Scot) Ltd, The Bourtree, 22 Bourtree Place, Hawick**

The applications referred to are made by the applicant to licence an outdoor area within the car park at the Bourtree Place premises in Hawick. The Scottish Government currently have temporary restrictions in place regarding the on-sale and consumption of alcohol - the temporary restrictions limit the sale and consumption to outdoor areas only at licensed premises with a terminal hour of 10.00pm. The regulations currently have this restriction in place until 26 October 2020.

The premises currently have an extensive external area forming part of the current licensed footprint adjoining their premises close to the remote area within the car park, detailed in the applications.

The surrounding area has a mix of residential and commercial properties in the vicinity and there have been noise complaints linked to the premises in the past. The licensee has used an area in the car park recently without the benefit of an occasional licence and presumably by way of the off-sale facility in the current premises licence which use led to complaints regarding noise nuisance and disturbance.

There are very few licensed premises operating in the Hawick area during the period that the temporary restrictions are in place, as such it is likely that the current external area would be in high demand with this extra area if granted adding to that footfall with the likelihood that noise nuisance and disturbance could result in the vicinity.

If the Board are minded to grant the applications then I would ask that they apply the following condition to the licence, this would hopefully lessen the risk of any disturbance or disorder in the vicinity:



**Suggested Condition:**

**Adequate and appropriate SIA stewarding should be in place at the external areas throughout the licensed hours with a view to lessening the risk of noise nuisance and disturbance and to assist with an orderly dispersal prior to the terminal hour of 10.00pm and to ensure compliance with any terms and conditions set out in the temporary regulations connected to Covid 19.**

This representation is made in connection to the Licensing Objectives: Preventing Public Nuisance.

Yours faithfully

A black rectangular box redacting the signature of the Licensing Standards Officer.

Licensing Standards Officer

Enc