

# SCOTTISH BORDERS COUNCIL LICENSING BOARD

MINUTE of Meeting of the SCOTTISH  
BORDERS LICENSING BOARD held via  
Microsoft Teams on 19 November 2021 at  
10.00 am

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Present:- Councillors J. Greenwell (Convener), J. Brown, D. Paterson, N. Richards, S. Scott, R. Tatler, E. Thornton-Nicol.  
Apologies:- Councillors G. Turnbull, T. Weatherston.  
In Attendance:- Managing Solicitor (Property and Licensing), Inspector P. Begley, PC S. Lackenby, Democratic Services Officers (D. Hall and F. Henderson).

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## CONVENER

The Convener opened the meeting and welcomed Members of the Licensing Board and members of the public to Scottish Borders Licensing Board's open on-line meeting. He explained the meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place due to the Covid-19 pandemic.

### 1. MINUTE

There had been circulated copies of the Minute of the Meeting held on 22 October 2021.

#### DECISION

**APPROVED the minute for signature by the Convener.**

### 2. LICENSES DEALT WITH UNDER DELEGATED POWERS

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the period 15 October – 10 November 2021.

#### DECISION

**NOTED**

### 3. ANNUAL FINANCIAL AND FUNCTIONS REPORT

There had been circulated copies of a report by the Clerk to the Licensing Board to seek approval from the Board of the Annual Functions Report and Annual Financial Reports for 2020/21. The Managing Solicitor (Property and Licensing), Mr Kirk advised Members that Licensing Boards were required to provide an Annual Functions Report which must include a statement explaining how the Board has had regard to the licensing objectives and its Policy Statement in the exercise of its functions in terms of Section 9A of the Licensing (Scotland) Act 2005 as well as a summary of decisions made by the Board and information on the number of licenses (including occasional licences) held in the Board's area. Mr Kirk advised that the Annual Financial Report included a statement explaining how the Board has had regard to the licensing objectives and the Board's Policy Statement in the exercise of its functions under the Act as well the amount of relevant income received by the Board; the amount of relevant expenditure incurred and an explanation on how the amounts in the statement were calculated. Covid-19 had impacted on the revenue of the Board, which was reflected in the number of Occasional licenses granted being significantly lower than previous years. In response to a question, Mr Kirk clarified that the cost of postage listed in the report was due to the requirement that physical licenses were sent out via post to License Holders. In response to a question on Members fees, Mr Kirk indicated that the cost

likely represented payments made to Members for their work on the Board, but agreed to investigate and provide clarification.

**DECISION**

**(a) APPROVED:-**

- (i) the Annual Functions Report set out in Appendix 1 to the report; and**
- (ii) the Annual Financial Report set out in Appendix 2 to the report.**

**(b) AGREED to authorise the Clerk to the Board to proceed with the publication of the Annual Functions Report and Annual Financial Report following clarification of Board Member fees.**

**4. PRIVATE BUSINESS  
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**

**5. MINUTE**

The Board considered the Private Minute of the Meeting held on 22 October 2021.

***The meeting concluded at 10.15am.***