

SCOTTISH BORDERS COUNCIL LICENSING BOARD

MINUTE of Meeting of the SCOTTISH BORDERS LICENSING BOARD held in the Council Chamber, Council HQ, Newtown St Boswells and via Microsoft Teams on 26 August 2022 at 10.00 am

Present:- Councillors M. Douglas (Convener), P. Brown, D. Parker, N. Richards, E. Small, F. Sinclair, J. PatonDay, T. Weatherston,

Apologies:- Councillor P. Brown

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officers (M. Wynne. J. Scott), Sergeant R. Stark, PC S. Lackenby – Police Scotland, Democratic Services Officers (D. Hall).

1.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 22 June 2022.

DECISION

APPROVED the minute for signature by the Convener.

2.0 LICENCES 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 June – 19 July 2022 and 20 July – 17 August.

DECISION

NOTED.

3.0 LICENSING (SCOTLAND) ACT 2005:

3.1 **Section 20: Application for Premises Licence.** Considered the following application for Grant/Provisional Grant of Premises Licence.

Lukas S. Jaworski

Continental Food - Galashiels
64 Channel Street
Galashiels
TD1 1BA
Provisional

Proposed business activity - The premises is a ground floor retail unit within Galashiels Town Centre consisting of a shop display area and rear office, kitchen and storage area. The proposal being to sell alcohol on an Off-Sale basis only.

Licensed hours applied for:

On Sale
N/A

Off Sale
Mon to Sun 10.00am - 10.00pm

Representations received:

Police Scotland - none.

Licensing Standards Enforcement Officer - none.

Health - none.

Other - none.

There had been circulated copies of an application for the grant of a provisional premises licence together with the proposed Operating Plan and Layout Plan. Mr Michael Wynne, Licensing Standards and Enforcement Officer advised that the application referred to the shop located on Channel Street Galashiels. The proposal was to sell alcohol on an off sale basis. The proposal sought to allow the store to offer full service to customers. The application was within policy and no objections had been received. Police Scotland had no comments.

The Convener welcomed Mr. Lukasz Jaworski, who joined the meeting via Microsoft Teams. Ms Jaworski explained that the Store wished to offer alcohol products to accompany the food products sold in store.

DECISION

AGREED TO GRANT.

3.2 Section 29: Application for a Variation of Premises Licence

Considered the following applications for Variation of Premises Licence:

3.3 (i) Verdant Leisure Limited

Pease Bay Leisure Park
Pease Bay
Cockburnspath
TD13 5YP

Amendments to the Licence and Operating/Layout Plans to include the addition of outdoor drinking as an activity during and outwith core hours.

Representations received:

Police Scotland – copy attached.

Licensing Standards Enforcement Officer – none

Health – none.

Other - none.

There had been circulated copies of an application for the variation of premises licence together with the proposed Layout Plan. Mr Wynne advised that the application was made on behalf of the applicant and was to have the outdoor drinking area included within the licensing footprint of the premises. The premises had operated under an occasional licence for the outdoor area, with no issues or complaints reported throughout the summer months. Police Scotland had no comments.

The Convener welcomed Mr Stephen McGowan of TLT Solicitors and Mr Lee Elliot, the General Manager of the premises. Mr McGowan advised that the importance of outdoor areas had been recognised during the summer, and that the applicants wished for the area to be brought into the permanent licensing footprint of the premises. Mr Elliot stressed that the area had made a positive impact on the guests staying at the Park. In response to a question, Mr Elliot confirmed that only alcohol purchased from the premises would be consumed at the outdoor area.

DECISION

AGREED TO GRANT

3.4 (i) Newtown St. Boswells Bowling Club

Newtown St Boswells
Bowling Club
Sprouston Road
Newtown St. Boswells
TD6 0QX

Amendments to the Licence and Operating Plan to include the following:-

- a change to the core On Sale Hours –

Current On Sale Hours

11.00am – 11.00pm Mon to Sat
12.30pm – 11.00pm Sun

Proposed On Sale Hours

11.00am – 12 midnight Sun to Wed
11.00am – 1.00am Thurs, Fri & Sat

- a change to the core Off Sale Hours –

Current Off Sale Hours

11.00am – 11.00pm Mon to Sat
12.30pm – 10.00pm Sun

Proposed Off Sale Hours

11.00am – 10.00pm Mon to Sun

- At Question 4 - Seasonal variations - amend wording to read - Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day open until 1.00am or within any other Licensing Board Policy;
- the addition to the permitted activities referred to in question 5 (columns 2, 3 & 4) of the Operating Plan, to include conference facilities; restaurant facilities; dance facilities; theatre and films, both within and outwith core hours;
- the addition to the permitted activities referred to in question 5 (Yes in column 4 – outwith core hours) of the Operating Plan, to include receptions (including weddings, funerals, birthdays, retirements etc); club or other group meetings; recorded music; live performance; and televised sport; and
- the amendment/addition of appropriate explanation/terms at question 5(e) of the Operating Plan relating to the list of permitted activities (as to 'Yes' in column 4) to read – 'These activities may commence prior to core hours, but will not extend beyond without the benefit of an Extended Hours Licence. Meals provided will mainly be light snacks, however there may be occasions for prize giving dinners'.

Representations received:

Police Scotland – copy attached.

Licensing Standards Enforcement Officer – none

Health – none.

Other - none.

There had been circulated copies of an application for the variation of premises licence together with current and proposed Operating Plan. Mr Wynne explained that the application sought to vary the premises licence of the Newtown St. Boswells Bowling Club. The Club had not updated their licence for several years, and wished to be able to cater to increased demand for events and functions seen in the area. Mr Wynne confirmed that the application was within policy and that there were no objections. Police Scotland had no objections.

The Convenor welcomed Ms Karen Brown as a representative of the Club. Ms Brown explained that following Covid-19 there was a desire for the Club to host an increased number of private functions in order to increase the income generation of the Club. Members expressed their support.

**DECISION
AGREED TO GRANT**

**PRIVATE BUSINESS
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

4.0 MINUTE

The Board considered the Private Minute of the Meeting held on 24 June 2022.

The meeting concluded at 10.15 a.m.