

**SCOTTISH BORDERS COUNCIL
LICENSING BOARD**

MINUTE of Meeting of the SCOTTISH
BORDERS LICENSING BOARD held in the
COUNCIL, CHAMBER, COUNCIL
HEADQUARTERS, NEWTOWN ST
BOSWELLS and via Microsoft Teams on 15
December 2023 at 10.00 a.m.

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

Apologies:- Councillor D. Parker.

In Attendance: - Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officers (M. Wynne, J. Scott and Hannah Wood), Licensing Officers – (S. Lackenby and T. Thomson), PC S Dishington, Sergeant G. Wood (Police Scotland), Democratic Services Officer (F. Henderson).

1.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 24 November 2023.

DECISION

APPROVED the minute for signature by the Convener.

2.0 LICENSES ISSUED UNDER DELEGATED POWERS

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the period 14 November 2023 – 4 December 2023.

DECISION

NOTED.

3.0 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 2022/23. 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 must include a statement of the amount of relevant income received by the Board during the financial year together with 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 about reviewing the fees paid for occasional licences, which were considered disproportionate, Mr Wynne advised that the fees were set by the Scottish Government and had been out for consultation when COVID 19 began, and the consultation was put on hold. Members expressed a desire to have input into the consultation, should it

re-commence. Members noted the small deficit in income, as businesses continued to recover from the pandemic.

DECISION

(a) APPROVED:-

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

4.0 LICENSING POLICY STATEMENT

With reference to paragraph 5 of the Minute of 24 November 2023, there had been circulated copies of the final Policy Statement 2023-2028 for approval which included additional wording to paragraph 7.3 proposed by Councillor Weatherston and approved at the previous meeting on 24 November 2023.

DECISION

APPROVED the Policy Statement 2023 – 2028 as detailed in Appendix to the Minute in the Minute Book and authorised the Clerk to proceed with the publication of the Policy Statement.

The meeting concluded at 10.15 a.m.