

EAST LOTHIAN

Meeting 27 November 2014 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Occasional(s)	Premises	Applicant	Date Received	Comments
1	OLD PRIMARY SCHOOL KINGSTON NORTH BERWICK EH39 5JF	LISA MARIA JOHNSON	24 October 2014	Start date of event: 04/12/2014 End Date of Event: 04/12/2014 Canape Making Demonstration And 1 Glass Of Sparkling Wine - Max 16 People Children and young persons will not be permitted entry to the function.
2	OLD PRIMARY SCHOOL KINGSTON NORTH BERWICK EH39 5JF	LISA MARIA JOHNSON	24 October 2014	Start date of event: 11/12/2014 End Date of Event: 11/12/2014 Canape Making Demonstration And 1 Glass Of Sparkling Wine - 16 People Max. Children and young persons will not be permitted entry to the function.

Our Ref: KMacN/mjw/EN/L/L1
Your Ref:

Date: 10th November 2014

Richard Dalglish
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

2(i)
2(ii)

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR OCCASIONAL LICENCE(S) – 20/11/2014, 4/12/2014 & 11/12/2014
LISA MARIA JOHNSON, [REDACTED]
PREMISES: COOK SCHOOL, DUKE STREET, OLD PRIMARY SCHOOL, NORTH BERWICK**

I refer to your letter of objection/representation received on the 30th October 2014, and my subsequent letter of the 3rd November 2014, in respect of the above applications. In accordance with Section 22 of the Licensing (Scotland) Act 2005,

As previously advised the applications for the 4th & 11th December will be considered by the Licensing Board at its meeting taking place on Thursday 27th November 2014. The meeting is to be held in the Council Chambers, Town House, Haddington at 10.00 a.m. should you wish to speak to your objection you may be in attendance at this time.

If you are unable to attend in person you may appoint another person to speak on your behalf, you must however provide this person with written authorisation which sanctions them to do so and this must be produced at the meeting.

With regard to the event for the 20th November, 2014, the event is for a wine tasting evening and the applicant has advised us that there is no sale of wine at the event and it is for the purpose of wine tasting only, there therefore is no requirement for a licence.

An agenda for the meeting of 27th November, 2014 will follow in due course.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

Enc.

Direct Line: 01620 827867/820114 (Maree Winter/Gillian Herkes)
Direct Fax: 01620 827253 email: licensing@eastlothian.gov.uk

I would like to raise an objection to the applications for Occasional Licenses numbered 11, 12 and 13 in the East Lothian Licensing Board List of Applications advertised on 24th October 2014. Applicant is Lisa Maria Johnson. Application for event at Old Primary School, Kingston, North Berwick, EH39 5JF. The application states that each application is for a maximum of 16 people.

I note that there was a previous application but have been informed by Licensing that there was an administration error on their part and so the event was never publicised. This allowed no opportunity to present an objection to the Licensing Board.

The reasons for objection are as follows:-

1. The premises are unsuitable for the sale of alcohol.
2. The application is inconsistent with securing public safety.
3. The application is inconsistent with preventing public nuisance.

I will explain these points below:-

- (i) The venue is a council owned property rented to the applicant. It forms part of a larger property. It is located in Kingston which is a small village consisting of a predominantly residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. To the North and East of the property where the events would be held is farm land. To the South is the B1347 classified road and running from the junction of the B1347 is an unclassified road that leads to Fenton Barns and the B1345. Kingston consists of some 18 houses spread over a wide area from the crossroad at Station Road to the Schoolhouse and onto the B1347 up to Fenton Tower. Even a small event has potential to attract many more people than live in the local community and so potential impact in terms of noise, disturbance and increased traffic can be considerable.
- (ii) The venue is located 2.5 miles from North Berwick, 2.5 miles from Dirleton and 7.5 miles from Haddington. Customers tend to use private vehicles to visit the venue. This creates problems with parking and creates the potential for drink driving.
- (iii) The venue has 10 parking spaces. Available parking at the venue is insufficient to cater for the size of events planned and to allow for both customers and staff to park. At events in the past, many customer vehicles were parked on the street. Previous events had a negative impact to village residents in terms of disturbance and in terms of safety. It is also worth noting that at previous events, vehicles were sometimes abandoned for days after an event which causes disruption to life within the village well beyond the scheduled end of an event. There is very limited opportunity for any on street parking within the village and any obstruction causes safety concerns due to volume of traffic which uses the road through the village which is located immediately outside the venue. It is also worth noting that although there are 10 parking spaces, the council tenants have trailers on site and there is often a van parked up on site too. Bring in a few staff and suddenly parking is extremely limited.

Winter, Maree

From: Herkes, Gillian on behalf of Licensing
Sent: 13 November 2014 13:17
To: Winter, Maree; Elworthy, Debbie; MacNeill, Kirstie; Fruzynski, Rudi
Subject: FW: Ref KMacN/mjw/EN/L/L1

Importance: High

From: Richard Dalglish [REDACTED]
Sent: 13 November 2014 13:12
To: Licensing
Subject: Re: Ref KMacN/mjw/EN/L/L1
Importance: High

Dear Kirstie,

Many thanks for your kind reply. I do appreciate that this is time consuming so wanted to let you know I do appreciate you taking the time to explain differences between the wine tasting event last year and this current year. I can't say am looking forwards to event on 20th November and hope we do not need urgent access that day.

Interesting that you mention Transportation as I understand my son's taxi firm which is paid for by the council and which takes him to and from school has raised a complaint over tenants not respecting access.

As I have said, the ongoing issues here are being looked into and we are searching for a way forwards. I have to tell you that this situation has been ongoing now for several years. I will monitor situation on 20th which in itself might generate ill feeling but little else I can do.

Once again many thanks for your time.

Regards,

Richard Dalglish

On 13 Nov 2014, at 12:53, Licensing wrote:

Dear Mr Dalglish

Wine Tasting Event Duke Street Primary School Kingston 20 November

I refer to your email of 12 November and note all you say. I think that there is a distinction to be made between the current situation and the event in 2013. On receipt of your letter of objection to the application for an occasional licence, the applicant contacted us by email to withdraw his application. He advised us that there would be no payment for any wine consumed, that there would be no alcohol sold at the event and that the entire ticket price related to the wine merchant's time and expertise and the promotion of some glassware that would be available to purchase. By contrast I believe that wine was available for purchase at the previous event.

We do not disagree with Mr Fruzynski's view that a licence was required for the event last year and he was also consulted in relation to the event of 20 November. He is of the view that if the event proceeds as now described by

the Duke Street Cook School then a licence is not required on this occasion. We have no alternative but to rely on what we are told by the Cook School when dealing with Licence applications.

Holding an event that ought to have a licence but where one has not been obtained is a criminal offence and a matter for the police. I have copied this email to the police so that they are aware of the situation.

I appreciate what you say in relation to the potential disruption such an event might cause in a small community but where there is no Licence, the Licensing Board has no power to take any action but the other enforcement agencies to the Council such as Environmental Health (noise) and Transportation may be able to assist and I have copied this email to them so that they are alert to the potential problems. I will also alert the local Councillors.

It remains our view that licences are required for the 2 wine and canapé events later in the year although the applicant no longer agrees that is the case. The applications together with your objection will be considered at the meeting of the Licensing Board on 27th November.

Yours sincerely

Kirstie MacNeill
Service Manager - Licensing, Administration and Democratic Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

01620 827164

kmacneill@eastlothian.gov.uk

From: Richard Dalgleish [REDACTED]
Sent: 12 November 2014 14:44
To: 'licensing@eastlothian.gov.uk'
Subject: Ref KMacN/mjw/EN/L/L1
Importance: High

Dear Sir/Madam,

I received a letter today concerning an objection I wrote concerning an occasional drinks application. This was related to an event on 20th November and subsequent events on 4th and 11th December at Kingston Old Primary School.

I am very concerned that the letter today states that the applicant does not require a license for the wine tasting event. The reason given for this is that the event is for the purpose of wine tasting and no wine sales take place at the event.

Please note a previous wine tasting event in 2013 was looked into by Rudi Fruzynski in Licensing who also conducted a site visit. His opinion was that the event did require an alcohol license as the event was not free and was for the express purpose of consumption of alcohol. I also note that despite this advice from Mr Fruzynski, the tenant went ahead with the event and subsequently had a visit from the Police who visited the site and had a conversation with the tenant and made them aware that such an event required a license and any future breaches would be treated very seriously. I also note that the Estates department who own this property also state that licensing is required. Lastly, I note that although the application is for 16 people on the applicant's website they are selling 20 tickets. As alcohol is being sold and consumed on the premises, I don't understand why a drinks license would not be required. Clearly Mr Fruzynski, the Police and Estates share this viewpoint.

When such events take place in very small village the disturbance is huge. The noise is very great and parking is a massive problem. I am very disturbed that after a telephone conversation with applicant, you seem prepared to allow event to proceed without a license and to do so without proper scrutiny. There was an event at this site just a week or so ago for 10 people. The disturbance for this was great with access being blocked. No parking on street and my daughter's carer having nowhere to park and needing to bump up on kerb. I am very surprised you are prepared to grant free access for a much bigger event where alcohol will be served until late and despite my objection in terms of my access issues made especially pertinent as we have disabled children onsite including one who is undergoing treatment for cancer and needs free unrestricted ambulance access to our property. There is also an ongoing issue about aggressive behaviour of this council tenant including many occurrences of shouting and swearing at visitors including medical professionals who visit for the purpose of care of my disabled children. All of these matters are currently being dealt with in discussion with Estates, Capability Scotland, relevant ELC Councillors and SACRO mediation service. I strongly request that the timing of this application is very poor and this request needs much more public scrutiny than seems to be the case.

I would kindly request that you reconsider this point. I hope I have made my points clearly. If you require further information then please let me know.

I can be contacted by telephone on 01620 890186.

Yours faithfully,

Richard Dalgleish

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Our Ref: KMacN/mjw/EN/L/L1
Your Ref:

Date: 31st October 2014

Lisa M. Johnson
Duke Street
Old Primary School
Kingston
North Berwick, EH39 5JF

Dear Madam

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR OCCASIONAL LICENCE(S) – 20/11/2014, 4/12/2014 & 11/12/2014
LISA MARIA JOHNSON, DUKE STREET, OLD PRIMARY SCHOOL, NORTH BERWICK
PREMISES: COOK SCHOOL, DUKE STREET, OLD PRIMARY SCHOOL, NORTH BERWICK**

I refer to the above occasional licence applications lodged with this office on the 23rd October 2014. Due to the Licensing Board receiving a letter of objection from a member of the public (copy enclosed), the applications for the 4th & 11th December 2014, will be required to be heard at the next meeting of the Board, the Council Chambers, Town House, 56 High Street, Haddington on Thursday 27th November 2014 at 10.00 a.m.

In the circumstances, I hereby cite you to attend the meeting in order to address the Board on the terms of the application. If you are unable to attend in person you may appoint another person to speak on your behalf, you must however provide this person with written authorisation which sanctions them to do so and this must be produced at the meeting.

Where there are no objections and/or adverse representations, it is anticipated that applications will be processed and issued within 28 days. Unfortunately when an objection to an application is received the Board is obliged to consider the application and objection at its next hearing.

Therefore as the occasional licence application for the event to be held on the 20th November is to take place before the next meeting of the Licensing Board, we will be unable to process this application.

An agenda for the meeting of 27th November, 2014 will follow in due course.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

Enc.

Direct Line: 01620 827867/820114 (Maree Winter/Gillian Herkes)
Direct Fax: 01620 827253 email: licensing@eastlothian.gov.uk

Winter, Maree

From: Winter, Maree on behalf of Licensing
Sent: 10 November 2014 08:47
To: 'Neil Johnson'
Cc: [REDACTED]; Fruzynski, Rudi; Herkes, Gillian; Elworthy, Debbie
Subject: RE: Ref KmacN/mjw/EN/L/L1

Tracking:	Recipient	Delivery	Read
	'Neil Johnson'		
	'LothianScotBordersLicensingEastMi		
	Fruzynski, Rudi	Delivered: 10/11/2014 08:47	
	Herkes, Gillian	Delivered: 10/11/2014 08:47	Read: 10/11/2014 08:48
	Elworthy, Debbie	Delivered: 10/11/2014 08:47	Read: 10/11/2014 09:23

Dear Mr Johnson,

I refer to your application(s), and advise that the event to be held on the 20th November, does not require a licence, as it is for the purpose of wine tasting. However for the events being held on the 4th and 11th December these events would require a licence, and the objection submitted would require to be heard by the licensing board at its meeting on the 27th November 2014. If you wish to continue with the applications you will require to attend or be represented at the meeting.

Regards
Maree
Licensing, Administration & Democratic Services
East Lothian Council

From: [REDACTED] On Behalf Of Neil Johnson
Sent: 05 November 2014 16:03
To: Licensing
Subject: Ref KmacN/mjw/EN/L/L1

Dear Sir/Madam,

We refer to the Dalgeish objection to our licensing applications.

We would now like to withdraw our applications on the following grounds-

1. Having liaised with our wine merchant regarding the tasting on the 20th, there will be no payment for wine consumed nor will any wine be sold on the evening. The payment by our guests will be for our wine merchants time and expertise and the promotion of Riedle glasses which will be available to purchase.
2. The events on the 4th and 11th December are about teaching our guests to make canapes. The glass of sparkling wine on arrival is largely irrelevant (maybe only 2 bottles consumed in total) and we have decided that we will offer this as complimentary to our guests.

As such, given the above, we understand that no licence is required.

We have copied the above to the Estates department who are aware of the

long standing unfounded campaign Dagleish has waged against our business.

Neil Johnson
Managing Director

Please note that we have now changed company name. Formerly Humble Pie Food Ltd, we are now Duke Street Events Ltd. No accounting information has changed. Please save this email to your address book.

EAST LOTHIAN

Meeting 27 November 2014 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

3	THE MERCAT GRILL (FORMERLY DOLPHIN INN) 10 WHITECRAIG ROAD WHITECRAIG MUSSELBURGH EAST LOTHIAN	STUART ALEXANDER BLAIKIE C/O L-POS ALTA VISTA 24 MOORFIELD ROAD GOURROCK INVERCLYDE	20 October 2014	See attached application
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EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

3 (i)

SECTION 1: TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary-
(Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

EAST LoTHIAN COUNCIL
LICENSING

20 OCT 2014

RECEIVED

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0110

2(b) Name and Address of Premises

The Mercat Grill
10 Whitecraig Road
Whitecraig
MUSSELBURGH
East Lothian

Post Code	EH21 8PG	Phone No.	0131 665 3354
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2(c) Full Name and Address of Current Licence Holder

Stuart Alexander Blaikie
69 Carlops Road
PENICUIK
Midlothian

Post Code	EH26 9HR	Phone No.	0131 665 3354
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3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

1. Amend core opening time for On Sales to 10am Monday to Sunday inclusive. Should the Licensing Board members be minded, we would be agreeable to a local condition stating that the supply of alcohol between 10am and 11am would be ancillary to consuming a meal or customers attending a pre-booked funeral purvey.
2. Amend core terminal hour Monday to Wednesday inclusive to Midnight. This allows the dart league to complete matches without finishing early.
3. Amend core terminal hour on Thursday to 1am.
4. Amend Seasonal Variations to add Riding of the Marches Musselburgh festival. The annual event is held on a Saturday at end of July, with previous applications granted without incident. The additional licensed hours, to commence at 08.30 hours, will only be traded for private bookings, usually for East Lothian council entertaining their councillors & guests for the Ride Out. The premises would not open to the general public until 11am.
5. Amend Bar Meals so that the activity is available prior to core hours from 6am for the service of breakfast to accommodate a breakfast networking group, and breakfast to customers as and when required. Alcohol would not be available until the commencement of core hours.
6. Add Conference Facilities as an activity during and prior to core hours, but no earlier than 6am.
7. Add Live Performances as an activity during and outwith core hours so that it is available to accompany other permitted activities.
8. Amend Televised Sport wording in Column 4 as it makes reference to alcohol not being served until 11am yet the core opening time on Sunday is 11am. Can we suggest the wording is removed as currently stated and replaced by "Televised Sport will be available as an activity during and outwith core hours"
9. Amend Any Other Activities to also specify we may provide a range of activities during core hours such as Fireworks night, Family day which may include bouncy castle/face painting & other child friendly activities, Charity nights, Race nights, Open microphone nights, or similar social activities appropriate to the target market.
10. Amend Children & Young Persons Terms so that Children will be admitted entry to the premises when accompanied by an adult. Young Persons can be un-accompanied if for the purpose of consuming a meal prior to 7pm, otherwise they need to be accompanied by an adult.
11. Amend Children & Young Persons Ages so that it specifies Children 0 to 15 years, and Young Persons 16 & 17 years
12. Amend Children & Young Persons Times so that Children & Young Persons will be permitted access prior to core hours and until 7pm, or until 10pm for the purposes of consuming a meal in the Public Bar, or until 11pm for Children and terminal hour for Young Persons for the purposes of consuming a meal in the Conservatory, or until the terminal hour when attending a pre-booked event or private family function.
13. Amend Children & Young Persons Parts so that Children & Young Persons will be permitted access to all areas, including the Public Bar dining area but not to remain in the bar area. Access/egress will be allowed through the Public Bar to get to the dining area and the baby changing room. Access to the whole of the Public Bar will be allowed when pre-booked for an event or private family function.

3(c) Variation to the Layout Plan of the Premises Licence

7 Copies of the proposed Layout Plan **must** accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.

- 1. Amend matrix of permitted activities to show where on the premises they are allowed.

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence
(e.g. Alteration to the description of the premises contained within the Premises Licence)

Amend the Description of Premises as follows:

Childrens play area gone – now a beer garden.

SECTION 4: LICENCE TO BE AMENDED

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

- YES** **NO**

If the answer is **NO**, please provide an explanation.

I am unable to produce the Premises Licence because...

- The licence has not yet been issued by the Board
- The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- Other (provide details)
.....

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

If submitted with an application for transfer, please specify the order in which the applications are to be considered-

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of **£150** is enclosed.

Signature

.......... (See note 5 below)

Date16 October 2014.....

Capacity: ~~APPLICANT~~ / AGENT (delete as appropriate)

**If agent, please provide name, address,
phone number and (if applicable) email address**

Email: adrianhowlett@btinternet.com
Tel. 07795 177026

Contact mailing address: L-POS Ltd, 24 Moorfield Road, Gourrock PA19 1DD

Note 1:

Please note that the proposed Operating Plan **must** contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:

Data Protection Act 1998

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:

East Lothian Licensing Board
Licensing Office
John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114

Fax: 01620 827253

Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY

<i>Received & Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Name, address and postcode of premises to be licensed.

The Mercat Grill 10 Whitecraig Road Whitecraig MUSSELBURGH East Lothian EH21 8PG

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>YES/NO*</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>YES/NO*</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10:00	Midnight
<i>Tuesday</i>	10:00	Midnight
<i>Wednesday</i>	10:00	Midnight
<i>Thursday</i>	10:00	01:00
<i>Friday</i>	10:00	01:00
<i>Saturday</i>	10:00	01:00
<i>Sunday</i>	10:00	Midnight

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	22:00
<i>Tuesday</i>	11:00	22:00
<i>Wednesday</i>	11:00	22:00
<i>Thursday</i>	11:00	22:00
<i>Friday</i>	11:00	22:00
<i>Saturday</i>	11:00	22:00
<i>Sunday</i>	11:00	22:00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES/NO*</i>
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**If YES – provide details*

We would like to take advantage of extensions granted by the Board over the Christmas and New Year period.

We would like additional licensed hours, to commence at 08.30 hours, for the Riding of the Marches Musselburgh festival. The annual event is held on a Saturday at end of July. The additional hours will only be traded for private bookings and the premises would not open to the general public until 11am.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	YES	YES	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	NO
<i>Televised sport</i>	YES	YES	YES
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO

<i>Outdoor drinking facilities</i>	YES	YES	NO
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Conference Facilities may be available, but no earlier than 6am

Bar Meals may be available from 6am for the service of breakfast to accommodate a breakfast networking group, or to customers as and when required. Alcohol would not be available until the commencement of core hours.

Receptions, Club/Group Meetings may commence before core hours, particularly funerals, which may commence at 10am.

Recorded Music may be played to accompany permitted activities.

Live Performances may take place to accompany other permitted activities.

Televised Sport may be available outwith core hours.

Any additional activities taking place after core hours (with or without the provision of alcohol) would only be under the authority of an extended hours application.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

Karaoke, Jukebox, Live DJ's, Quiz Nights, Poker Nights, Discos, Competitions (eg Pool, Darts etc), BBQ equipment, Hog Roast machine, Fireworks night, Family day which may include bouncy castle/face painting & other child friendly activities, Charity nights, Race nights, Open microphone nights, or similar social activities appropriate to the target market.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the N/A

decibel level exceed 85dB?	
----------------------------	--

When fully occupied, are there likely to be more customers standing than seated?	N/A
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children will be admitted entry to the premises when accompanied by an adult. Young Persons can be un-accompanied if for the purpose of consuming a meal prior to 7pm, otherwise they need to be accompanied by an adult.

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Children 0 to 15 years, and Young Persons 16 & 17 years

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

Children & Young Persons will be permitted access prior to core hours and until 7pm, or until 10pm for the purposes of consuming a meal in the Public Bar, or until 11pm for Children and terminal hour for Young Persons for the purposes of consuming a meal in the Conservatory, or until the terminal hour when attending a pre-booked event or private family function.

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

Children & Young Persons will be permitted access to all areas, including the Public Bar dining area but not to remain in the bar area. Access/egress will be allowed through the Public Bar to get to the dining area and the baby changing room. Access to the whole of the Public Bar will be allowed when pre-booked for an event or private family function.

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

On Sales – 226

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

8(a) *Name*

Ann Ferguson

8(b) *Date of birth*

30 January 1947

8(c) *Contact address*

5 The Stables
Newbattle Road
Dalkeith
EH22 3LJ

8(d) *Email address and telephone number*

N/A


8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
21 April 2014	Midlothian Council	MID0803

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  * (see note below)

Date16 October 2014.....

Capacity ...Adrian Howlett, Special Projects.... ~~APPLICANT~~/AGENT (delete as appropriate).

Telephone number and email address of signatory

Email: adrianhowlett@btinternet.com
Tel. 07795 177026

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

Winter, Maree

From: Grant, Shona
Sent: 17 November 2014 16:09
To: Winter, Maree
Subject: FW: Application - Major Variation - Mercat Grill - layout plan
Attachments: LILAC_QXM04806_0188_001.pdf; layout plan - November 2014.pdf

Maree

I have no objections to this application.

We have not had any noise issues relating to this premise. The only comment I would make for consideration is that with later closing times than normal (ie midnight, Monday - Wednesday and Sunday) and especially on Thursday till 0100 hours there is the possibility of disruption being caused to those living nearby as customers leave etc.

Regards

Shona

Shona Grant | Principal Environmental Protection Officer | East Lothian Council | John Muir House | Haddington | EH41 3HA | Tel. 01620 827336 | Email. sgrant@eastlothian.gov.uk | Visit our website at www.eastlothian.gov.uk

-----Original Message-----

From: Winter, Maree
Sent: 29 October 2014 10:07
To: 'LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk'; Fruzynski, Rudi; brian.devine@firescotland.gov.uk; Environmental Health/Trading Standards; Environment Reception; Martin, Shona; Sherval, Jim
Subject: FW: Application - Major Variation - Mercat Grill - layout plan

Hi Sorry

Forgot to add layout plan.

Regards
Maree.

-----Original Message-----

From: Winter, Maree
Sent: 29 October 2014 09:39
To: 'LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk'; Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Martin, Shona; McIvor, Colin; 'Sherval, Jim'
Subject: Application - Major Variation - Mercat Grill

Hi

Please find attached application for major variation, could I please have your comments/representations by the 14th November, so this can be held at the November 27th board meeting, as there is not a December meeting.

Regards
Maree.

Licensing, administration & democratic services East Lothian Council
01620 827867

EAST LoTHIAN COUNCIL
LICENSING

10 NOV 2014

RECEIVED



**POLICE
SCOTLAND**

Keeping people safe

Date: 8th November 2014

Your Ref:

Our Ref: J/LIC/3705/HB

The Clerk of the Licensing Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith EH22 3AX

Tel: +44 (0)131 663 2855
Fax: +44 (0)131 654 5507
Textphone: +44 (0)131 311 3944

Email: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk
Web: www.scotland.police.uk

Dear Madam

**LICENSING (SCOTLAND) ACT 2005 - OBJECTION
APPLICATION FOR VARIATION – SECTION 29
APPLICANT: STUART BLAIKIE
PREMISES: THE MERCAT GRILL, 10 WHITECRAIG ROAD, WHITECRAIG,
MUSSELBURGH**

I refer to the above application and in terms of Section 22(1)(a) of the Licensing (Scotland) Act 2005, I make the following objection in relation to the application, with reference to the proposed variation.

I note that the applicant is requesting to vary (increase) core times when alcohol will be sold for consumption on the premises. They currently have:

Monday – Wednesday – 1100 – 2300
Thursday & Sunday – 1100 – midnight
Friday & Saturday 1100 – 0100

The applicant is requesting that these hours be increased to:

Monday – Wednesday – 1000 – midnight
Thursday - Saturday – 1000 – 0100
Sunday – 1000 - midnight

Midnight on a Monday, Tuesday and Wednesday is outwith Board Policy and as such I would request that the terminal hour remain at 2300 hours. 1000 hours commencement of hours is also outwith Board Policy and again, as such would request that this remains at 1100.

There are a number of licensed establishments within East Lothian and the Musselburgh area. They all trade within the Boards Policy hours and it is felt that any increase in these hours are unnecessary and would result in overprovision of alcohol in East Lothian.

I also note that the applicant is looking to amend the operating plan to include the annual event for the 'Riding of the Marches Musselburgh Festival' for licensed hours to commence at 0830 hours. This is unnecessary and can be applied for as they have done previously by way of an occasional extension of hours as and when required.

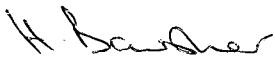
An occasional extension of hours would also cater for the 'darts league' and funerals as referred to by the applicant.

Whilst it is appreciated that this is a 'well run' establishment, under the current ownership, serious consideration has to be given to the fact that a premises licence can be transferred and any permanent change to licensed hours would then be passed on to the 'new owner'.

I would request that points 1, 2 and 4 be refused on the grounds of overprovision and the 'preventing crime and disorder' licensing objective.

Submitted for your attention in consideration of this application.

Yours faithfully



Inspector Harborow

EAST LoTHIAN COUNCIL

LICENSING, ADMINISTRATION and DEMOCRATIC SERVICES

From: Rudi Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

per:

per

ref:

ref:

Date: 10 November 2014

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE APPLICATION (MAJOR VARIATION) – OCTOBER 2014

The Mercat Grill, 10 Whitecraig Road, Whitecraig, Musselburgh,
East Lothian EH21 8PG

I refer to the above subject and can confirm that the premises have been visited and inspected in relation to application for a Premises Licence variation.

I make the following observations in relation to the changes applied for in Section 3(a) of this application:

- Point 1 – *Amend core opening time for on sales to 10am Monday to Sunday*. This is out with the Board's statement of licensing policy and if granted could lead to a precedent being set that requires to be followed in respect of the many other on consumption premises across East Lothian. In this case, the Board would require to be satisfied that there is a definite need to depart from its policy to cater for the sale and supply of alcohol with breakfasts on a daily basis. Do people really need to have a drink with their breakfast? Is this not going against the objective of protecting and improving health? It is appreciated that each case should be considered on its own merits.

On average, funeral purveys occur on the premises approximately once every six weeks. This could be catered for quite satisfactorily via an occasional extension to licensing hours which can be obtained within 24 hours at a cost of £10 per application.

- Point 2 – *Amend core terminal hour Monday to Wednesday inclusive to Midnight to allow the darts league to complete matches without finishing early*. This is out with the Boards statement of licensing policy and again if granted could lead to a precedent being set to be followed by many other premises that seek an extra hour opening on weekday evenings.
- Point 4 – *Amend Seasonal Variations to add Riding of Marches Musselburgh Festival. additional licensed hours, to commence at 08.30 hours.....*. This would be acceptable if it was confirmed that the amendment was to be used for only one event per year, but not left open ended so that numerous events could be held under the banner of the festival banner, all extending licensed hours to 08.30 hours, which is out with policy.
- I have no objection to the facilities applied for in relation to points 3 and 5 to 13 inclusive.

I acknowledge that these a very well run premises.

R. Fruzynski
Licensing Standards Officer

EAST LOTHIAN

Meeting 27 November 2014 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Premises Licence Review(s)

Premises	Applicant	Date Received	Comments
4 GOLDEN CHOPSTICKS 102 NEW STREET FISHERROW MUSSELBURGH EAST LOTHIAN EH21 6JQ	EAST LOTHIAN LICENSING BOARD	13 November 2014	
5 HADDINGTON CONSERVATIVE CLUB 7 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JL	EAST LOTHIAN LICENSING BOARD	23 October 2014	
6 WAY INN 1 CUTHILL INCHVIEW NORTH CUTHILL PRESTONPANS EAST LOTHIAN	EAST LOTHIAN LICENSING BOARD	13 November 2014	
7 WHISPERS 95 HIGH STREET TRANENT EAST LOTHIAN EH33 1LW	EAST LOTHIAN LICENSING BOARD	13 November 2014	

Our Reference: KMacN/mjw/EN/L/AF – EL149

Date: 13th November 2014

Golden Chopsticks
102 New Street
Fisherrow
Musselburgh
East Lothian

4 (i)

Dear Sir/Madam

REVIEW OF PREMISES LICENCE

GOLDEN CHOPSTICKS, 102 NEW STREET, FISHERROW, MUSSELBURGH– EL149

I refer to my letter of 27th October 2014.

The Licensing Board has resolved to hold a review hearing, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing the next meeting of the Licensing Board to be held in Council Chamber, Town House, Haddington at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

c.c Partnership of Hai Yang Sun and Fangchao Wang, 6 Castlevue Grove, Edinburgh

Direct Dial : 01620 827867/827217
Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

Our Reference: KMacN/mjw/EN/L/AF – EL149

Date: 27th October 2014

Golden Chopsticks
102 New Street
Fisherrow
Musselburgh
East Lothian

Dear Sir/Madam

REVIEW OF PREMISES LICENCE

GOLDEN CHOPSTICKS, 102 NEW STREET, FISHERROW, MUSSELBURGH– EL149

I refer to your Premises Licence, for the above premises, and the reminder letter of **4th August 2014** advising that the Annual Fee in respect of this licence was due on 1st October 2014, and a subsequent reminder letter and emails from the Licensing Standards Officer.

As you do not appear to have made payment of the Annual Fee you are now in breach of one of the Mandatory Conditions attached to your Premises Licence.

The Licensing Board has resolved to hold a review hearing in respect of this matter, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing which will be held at the next meeting of the Licensing Board at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Should you pay the outstanding sum in advance of the Review Hearing, it will still be necessary to attend the Board meeting on the **27th November 2014**.

For your convenience, I would remind you that your Annual Fee for 2014 is **£280**.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

Partnership of Hai Yang Sun and Fangchao Wang, 6 Castleview Grove, Edinburgh

Direct Dial : 01620 827867/827217
Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Licensing, Administration and Democratic Services

From: Rudi Fruzynski,
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 12th November 2014

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE REVIEW – NON PAYMENT OF ANNUAL FEES
GOLDEN CHOPSTICKS, 102 NEW STREET, MUSSELBURGH, EAST LoTHIAN
EH21 6JQ**

On Thursday 23rd October 2014, I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

In terms of Section 38(4) of the Act, I have prepared this report outlining the basis of the request for the review, which is submitted for the consideration of Licensing Board Members.

R. Fruzynski
Licensing Standards Officer

Premises Licence Review

Golden Chopsticks

Golden Chopsticks, 102 New Street, Musselburgh, East Lothian EH21 6JQ

November 2014

Content

1. Licensing Standards Officer's Report – page 3

Licensing Standards Officer's Report

In 2013 the premises known as Fisherrow Bar and Bistro closed due to financial problems. Thereafter, on 22nd July 2014 the Premises Licence was transferred to the partnership of Hai Yang Sun and Fangchao Wang. Since then the premises have remained closed for refurbishment.

On 4th August 2014 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2014. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence.

On 2nd October 2014 the LSO hand delivered a further letter of reminder to the Golden Chopsticks restaurant. This letter was put through the letterbox since the restaurant was not open at the time of visit.

On 6th October 2014, in view of the premises continuing to be closed and not open to trade, the Clerk to the Board sent an additional letter of reminder to Mr Sun's home address. No response was received.

By the time of the Licensing Board meeting, on 23rd October, 2014, payment of the mandatory annual fee had still not been made. As a consequence, the Licensing Board instructed that a review of the Premises Licence would take place.

On 27th October 2014, the Clerk to the Board sent a letter to the licensee with a further reminder that the they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 27th November 2014 to explain the reason for the stated breach of licence.

On 31st October 2014, Mr Sun made contact with the Licensing Board Office and offered to pay the outstanding fee of £280. The LSO subsequently uplifted this payment later that day.

Licensing Board's Powers On Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

(2) Those steps are—

- (a) to issue a written warning to the licence holder,
- (b) to make a variation of the licence,
- (c) to suspend the licence for such period as the Board may determine,
- (d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

Our Reference: KMacN/mjw/EN/L/AF – EL235

Date: 13th November 2014

Haddington Conservative Club
7 Market Street
Haddington
East Lothian

4 (ii)

Dear Sir/Madam

REVIEW OF PREMISES LICENCE

HADDINGTON CONSERVATIVE CLUB, 7 MARKET STREET, HADDINGTON– EL235

I refer to my letter of 27th October 2014.

The Licensing Board has resolved to hold a review hearing, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing the next meeting of the Licensing Board to be held in Council Chamber, Town House, Haddington at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

**Direct Dial : 01620 827867/827217
Direct Fax : 01620 827253**

E-mail : licensing@eastlothian.gov.uk

Our Reference: KMacN/mjw/EN/L/AF – EL235

Date: 27th October 2014

Haddington Conservative Club
7 Market Street
Haddington
East Lothian

Dear Sir/Madam

REVIEW OF PREMISES LICENCE

HADDINGTON CONSERVATIVE CLUB, 7 MARKET STREET, HADDINGTON– EL235

I refer to your Premises Licence, for the above premises, and the reminder letter of **4th August 2014** advising that the Annual Fee in respect of this licence was due on 1st October 2014, and a subsequent reminder letter and emails from the Licensing Standards Officer.

As you do not appear to have made payment of the Annual Fee you are now in breach of one of the Mandatory Conditions attached to your Premises Licence.

The Licensing Board has resolved to hold a review hearing in respect of this matter, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing which will be held at the next meeting of the Licensing Board at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Should you pay the outstanding sum in advance of the Review Hearing, it will still be necessary to attend the Board meeting on the **27th November 2014**.

For your convenience, I would remind you that your Annual Fee for 2014 is **£220**.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

Direct Dial : 01620 827867/827217

Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Licensing, Administration and Democratic Services

**From: Rudi Fruzynski,
Licensing Standards Officer**

**To: K. MacNeill
Clerk to the Licensing Board**

Date: 12th November 2014

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE REVIEW – NON PAYMENT OF ANNUAL FEES
CONSERVATIVE CLUB, MARKET STREET, HADDINGTON, EAST LoTHIAN
EH413JL**

On Thursday 23rd October 2014 I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

In terms of Section 38(4) of the Act, I have prepared this report outlining the basis of the request for the review, which is submitted for the consideration of Licensing Board Members.

R. Fruzynski
Licensing Standards Officer

Premises Licence Review

**Conservative Club
Market Street, Haddington, East Lothian EH413JL**

November 2014

Content

1. Licensing Standards Officer's Report – page 3

Licensing Standards Officer's Report

On 4th August 2014 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2014. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence.

On 30th September 2014 the LSO left a voicemail for Morag Gavins, Conservative Club Secretary to urgently make contact with the Licensing Board Office, regarding non payment of the annual fee.

The following day, Morag Gavins telephoned the LSO and confirmed that the Club wished to pay the annual licence fee and requested details of how payment could be made. This information was provided. At this time it was stated that the Club had been closed for several months due to financial difficulties and that a special general meeting had been set for September 2014. The stated meeting of members had taken place, but failed to reach a resolution to the situation. A further meeting was to be held in late October. Until then, the Club was to remain closed.

By the time of the Licensing Board meeting, on 23rd October, 2014, payment of the mandatory annual fee had still not been made. As a consequence, the Licensing Board instructed that a review of the Premises Licence would take place.

On 23rd October 2014 the LSO emailed Morag Gavins stating that no payment of the annual fee had as yet been received. She responded on 31st October by stating that she had forwarded the email onto Campbell Kelly, Club Treasurer, for payment.

On 27th October 2014, the Clerk to the Board sent a letter to the licensee with a further reminder that the they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 27th November 2014 to explain the reason for the stated breach of licence.

On 4th November 2014, the outstanding fee of £220 was paid.

Licensing Board's Powers On Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

(2) Those steps are—

- (a) to issue a written warning to the licence holder,
- (b) to make a variation of the licence,
- (c) to suspend the licence for such period as the Board may determine,
- (d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

Our Reference: KMacN/mjw/EN/L/AF – EL095

Date: 13th November 2014

Munchies Box Limited
9 Ainslie Place
Edinburgh
EH3 6AT

Dear Sir/Madam

4 (iii)

REVIEW OF PREMISES LICENCE

WAY INN, I CUTHILL, INCHVIEW NORTH, CUTHILL, PRESTONPANS, EH32 9SB – EL095

I refer to my letter of 27th October 2014.

The Licensing Board has resolved to hold a review hearing, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing the next meeting of the Licensing Board to be held in Council Chamber, Town House, Haddington at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

c.c. Way Inn, I Cuthill, Inchview North, Cuthill, Prestonpans EH32 9SB

Direct Dial : 01620 827867/827217

Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

Our Reference: KMacN/mjw/EN/L/AF – EL095

Date: 27th October 2014

Munchies Box Limited
9 Ainslie Place
Edinburgh
EH3 6AT

Dear Sir/Madam

REVIEW OF PREMISES LICENCE

WAY INN, I CUTHILL, INCHVIEW NORTH, CUTHILL, PRESTONPANS, EH32 9SB – EL095

I refer to your Premises Licence, for the above premises, and the reminder letter of **4th August 2014** advising that the Annual Fee in respect of this licence was due on 1st October 2014, and a subsequent reminder letter and email from the Licensing Standards Officer on the 3rd and 9th October 2014.

As you do not appear to have made payment of the Annual Fee you are now in breach of one of the Mandatory Conditions attached to your Premises Licence.

The Licensing Board has resolved to hold a review hearing in respect of this matter, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing which will be held at the next meeting of the Licensing Board at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Should you pay the outstanding sum in advance of the Review Hearing, it will still be necessary to attend the Board meeting on the 27th **November 2014**.

For your convenience, I would remind you that your Annual Fee for 2014 is **£280**.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

c.c. Way Inn, I Cuthill, Inchview North, Cuthill, Prestonpans EH32 9SB

Direct Dial : 01620 827867/827217

Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Licensing, Administration and Democratic Services

From: Rudi Fruzynski,
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 12th November 2014

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE REVIEW – NON PAYMENT OF ANNUAL FEES
THE WAY INN (DRAGON WAY), 1 CUTHILL, HIGH STREET, PRESTONPANS,
EAST LoTHIAN EH32 9SB**

On Thursday 23rd October 2014, I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

In terms of Section 38(4) of the Act, I have prepared this report outlining the basis of the request for the review, which is submitted for the consideration of Licensing Board Members.

R. Fruzynski
Licensing Standards Officer

Premises Licence Review

**The Way Inn (Dragon Way)
1 Cuthill, High Street, Prestonpans, East Lothian EH32 9SB**

November 2014

Content

1. Licensing Standards Officer's Report – page 3

Licensing Standards Officer's Report

On 4th August 2014 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2014. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence.

On 1st October 2014 the LSO emailed Mr Michael Yip, who has been the business manager for the family Chinese restaurant chain, to urgently make contact with the Licensing Board Office, regarding non payment of the annual fee.

On 3rd October 2014 the LSO hand delivered a further letter of reminder to the Way Inn, Prestonpans. This letter was put through the letterbox since the restaurant was not open at the time of visit.

On 9th October 2014, the LSO sent an email to MacDonald Licensing, the business's licensing agent, identifying that there was a problem with non payment of the annual fee and requested they assist in advising their client of the breach of licence condition. A response was received on 15th October to the effect that Mr Yip had been contacted and advised of the nature of the problem.

By the time of the Licensing Board meeting, on 23rd October, 2014, payment of the mandatory annual fee had still not been made. As a consequence, the Licensing Board instructed that a review of the Premises Licence would take place.

On 27th October 2014, the Clerk to the Board sent a letter to the licensee with a further reminder that they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 27th November 2014 to explain the reason for the stated breach of licence.

On 10th November 2014, the outstanding fee of £280 was paid.

In 2011, the payment of the annual fee in respect of the Way Inn was similarly late and was paid just before the November Licensing Board.

Licensing Board's Powers On Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.


(2) Those steps are—

- (a) to issue a written warning to the licence holder,
- (b) to make a variation of the licence,
- (c) to suspend the licence for such period as the Board may determine,
- (d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

Our Reference: KMacN/mjw/EN/L/AF – EL097

Date: 13th November 2014


Whispers
95 High Street
Tranent
East Lothian

Dear Sir/Madam

4 (iv)

REVIEW OF PREMISES LICENCE

WHISPERS, 95 HIGH STREET, TRANENT– EL097


I refer to my letter of 27th October 2014.

The Licensing Board has resolved to hold a review hearing, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing the next meeting of the Licensing Board to be held in Council Chamber, Town House, Haddington at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board


Direct Dial : 01620 827867/827217
Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

Our Reference: KMacN/mjw/EN/L/AF – EL097

Date: 27th October 2014

William Elliot Morgan
Whispers
95 High Street
Tranent
East Lothian

Dear Sir/Madam

REVIEW OF PREMISES LICENCE

WHISPERS, 95 HIGH STREET, TRANENT– EL097

I refer to your Premises Licence, for the above premises, and the reminder letter of **4th August 2014** advising that the Annual Fee in respect of this licence was due on 1st October 2014, and a subsequent reminder letter and emails from the Licensing Standards Officer.

As you do not appear to have made payment of the Annual Fee you are now in breach of one of the Mandatory Conditions attached to your Premises Licence.

The Licensing Board has resolved to hold a review hearing in respect of this matter, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing which will be held at the next meeting of the Licensing Board at 10.00am on **Thursday 27th November 2014**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Should you pay the outstanding sum in advance of the Review Hearing, it will still be necessary to attend the Board meeting on the **27th November 2014**.

For your convenience, I would remind you that your Annual Fee for 2014 is **£280**.

Yours sincerely

Kirstie MacNeill
Clerk to the Licensing Board

c.c. Elliot Morgan, 10 Ormiston Road, Tranent, EH33 2DR

Direct Dial : 01620 827867/827217

Direct Fax : 01620 827253

E-mail : licensing@eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Licensing, Administration and Democratic Services

**From: Rudi Fruzynski,
Licensing Standards Officer**

**To: K. MacNeill
Clerk to the Licensing Board**

Date: 12th November 2014

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE REVIEW – NON PAYMENT OF ANNUAL FEES
WHISPERS, 95 HIGH STREET, TRANENT, EAST LoTHIAN EH33 1LW**

On Thursday 23rd October 2014, I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

In terms of Section 38(4) of the Act, I have prepared this report outlining the basis of the request for the review, which is submitted for the consideration of Licensing Board Members.

R. Fruzynski
Licensing Standards Officer

Premises Licence Review

Whispers

95 High Street, Tranent, East Lothian EH33 1LW

November 2014

Content

1. Licensing Standards Officer's Report – page 3

Licensing Standards Officer's Report

On 4th August 2014 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2014. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence.

On 2nd October 2014 the LSO emailed Mr Elliot Morgan, Licensee, to urgently make contact with the Licensing Board Office, regarding non payment of the annual fee.

On 8th October 2014 the LSO hand delivered a further letter of reminder to Mr Morgan who stated he did not recall having received a letter from the Clerk to the Board, but he would ensure that payment was made by the following Monday.

On 20th October 2014, the LSO sent another email reminder to Mr Morgan, but received no response.

By the time of the Licensing Board meeting, on 23rd October, 2014, payment of the mandatory annual fee had still not been made. As a consequence, the Licensing Board instructed that a review of the Premises Licence would take place.

On 27th October 2014, the Clerk to the Board sent a letter to the licensee with a further reminder that the they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 27th November 2014 to explain the reason for the stated breach of licence.

On 31st October 2014, the outstanding fee of £280 was paid.

In 2013, the payment of the annual fee in respect Whispers was similarly late and was paid just before the November Licensing Board.

Licensing Board's Powers On Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

(2) Those steps are—

(a) to issue a written warning to the licence holder,

(b) to make a variation of the licence,

(c) to suspend the licence for such period as the Board may determine,

(d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

EAST LoTHIAN

Meeting 27 November 2014 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Personal Licence(s)

Applicant

Date Received

Comments

8 GRANT DOUGLAS DOWIE
C/O MACDONALD LICENSING
LIMITED
21A RUTLAND SQUARE
EDINBURGH
EH1 2BB

4 November 2014

Report from Chief Constable -
to be tabled.

9 BARRY JAMES MARNELL
C/O LICENSING DEPARTMENT, THE
CO-OPERATIVE GROUP LTD
DEPARTMENT 10227 LICENSING
THE CO-OPERATIVE FOOD
1 ANGEL SQUARE

6 November 2014

Report from Chief Constable -
to be tabled.

Our Reference: KMacN/dr/EN/L/PL
Your Reference:

Date: 13th November 2014

PRIVATE & CONFIDENTIAL

Grant Dowie
[REDACTED]
[REDACTED]
[REDACTED]

Dear Sir

5 (i)

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I have to inform you that your application in respect of the above will be considered by the East Lothian Licensing Board at its meeting to be held in the Council Chambers, Town House, 56 High Street, Haddington on Thursday 27th November 2014 at 10 am.

The Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s). I have attached the notice for your information.

You are hereby cited to attend the above meeting, however please note that failure to attend this meeting may result in the Licensing Board declining to consider your application.

Yours faithfully

Kirstie MacNeill
Clerk of the Licensing Board

c.c. MacDonald Licensing – 21a Rutland Square, Edinburgh, EH1 2BB

Direct Dial: 01620 827217 / 827867
Direct Fax: 01620 827253
Email: licensing@eastlothian.gov.uk



**POLICE
SCOTLAND**

Keeping people safe

Date: 10th November 2014

Your Ref:

Our Ref: J/LIC/3705/HB

The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith EH22 3AX

The Clerk of the Licensing Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

Tel: +44 (0)131 663 2855
Fax: +44 (0)131 654 5507
Textphone: +44 (0)131 311 3944

Email: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk
Web: www.scotland.police.uk

Dear Madam

**LICENSING (SCOTLAND) ACT 2005 – OBJECTION
APPLICATION FOR THE GRANT OF A PERSONAL LICENCE
APPLICANT: GRANT DOWIE, [REDACTED]**

I refer to the above application and in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, I have to confirm that the applicant has not been convicted of any relevant offence but has a pending case for a relevant offence, details of which are contained within the appendix to this letter.

As a result of the nature of the pending case, the Chief Constable recommends that the application for a personal licence be refused on the grounds of the following licensing objectives.

- Preventing crime and disorder
- Securing public safety and
- Preventing public nuisance

I am unable to confirm the existence of any foreign offence in respect of the applicant.

Yours faithfully

PP H. Harborow

Inspector Harborow

scotland.police.uk



[@PoliceScotland](https://twitter.com/PoliceScotland)



[PoliceScotland](https://www.facebook.com/PoliceScotland)

East Lothian Council
Licensing

13 NOV 2014

Received

EL1120
PC 411/4

East Lothian Licensing Board

Application for a personal licence

FIRST APPLICATION/RENEWAL APPLICATION (delete as appropriate)

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary. You may wish to keep a copy of the completed form for your records.

1. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	Dowie
Forenames	Grant Douglas
Date and Place of Birth	[REDACTED]
NI Number	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town [REDACTED]	Post code [REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	
E-mail address (if you would prefer us to correspond with you by e-mail) Grant.dowie1@btinternet.com	
Address for correspondence associated with this application (if different to the address above)	
Macdonald Licensing, 21a Rutland Square	
Post town Edinburgh	Post code EH1 2BB

2. Your licensing qualification		
Read note 2	Please tick	
I hold an accredited qualification	Yes ✓	No
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time		Please tick
Do you currently hold a personal licence?	Yes	No ✓
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	Yes	No ✓
Has any personal licence held by you been forfeited in the last 5 years?	Yes	No ✓
Licensing Board		
Licence number		
Date of issue		
Date of expiry		
Any further details		


4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	

Other personal licence		
Note: You may only hold one personal licence at a time		Please tick
I confirm that I do not hold any other personal licences other than the one submitted for renewal	Yes	No
	✓	

5. CHECKLIST	
I have	Please tick yes
<ul style="list-style-type: none"> Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3. 	✓
<ul style="list-style-type: none"> Enclosed a copy of any licensing qualification I hold 	✓
<ul style="list-style-type: none"> Enclosed my current personal licence (renewal only) 	
<ul style="list-style-type: none"> Made or enclosed payment of the fee for the application 	✓

6. Previous Convictions
You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

Offence	Court	Date	Penalty
NONE			

7. Declaration			
The contents of this application are true to the best of my knowledge and belief			
SIGNATURE – read note 5		DATE	022/09/14.

Our Reference: KMacN/dr/EN/L/PL
Your Reference:

Date: 13th November 2014

PRIVATE & CONFIDENTIAL

James Marnell
[REDACTED]
[REDACTED]
[REDACTED]

Dear Sir

5 (ii)

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I have to inform you that your application in respect of the above will be considered by the East Lothian Licensing Board at its meeting to be held in the Council Chambers, Town House, 56 High Street, Haddington on Thursday 27th November 2014 at 10 am.

The Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s). I have attached the notice for your information.

You are hereby cited to attend the above meeting, however please note that failure to attend this meeting may result in the Licensing Board declining to consider your application.

~~An agenda is enclosed.~~

Yours faithfully

Kirstie MacNeill
Clerk of the Licensing Board

c.c. The Co-operative Food, Licensing Department, Department 10227 Licensing,
1 Angel Square, Manchester, M60 0AG

Direct Dial: 01620 827217 / 827867
Direct Fax: 01620 827253
Email: licensing@eastlothian.gov.uk



**POLICE
SCOTLAND**

Keeping people safe

Date: 11th November 2014

Your Ref:

Our Ref: J/LIC/3705/HB

The Clerk of the Licensing Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

East Lothian Council
Licensing

13 NOV 2014

Received

The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith EH22 3AX

Tel: +44 (0)131 663 2855

Fax: +44 (0)131 654 5507

Textphone: +44 (0)131 311 3944

Email: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk

Web: www.scotland.police.uk

Dear Madam

**LICENSING (SCOTLAND) ACT 2005 – OBJECTION
APPLICATION FOR THE GRANT OF A PERSONAL LICENCE
APPLICANT: BARRY JAMES MARNELL, [REDACTED]**

I refer to the above application and in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, I have to confirm that the applicant has been convicted of a relevant offence, details of which are contained within the appendix to this letter.

The applicant also has a number of relevant 'spent' convictions which I feel is necessary and pertinent to inform the Board of, as this shows a course of conduct and history of violent offending. Again details of these are contained in the appendix to this letter.

I am unable to confirm the existence of any foreign offence in respect of the applicant.

As a result of these previous convictions, the Chief Constable recommends that the application for a personal licence be refused on the grounds of the following licensing objectives.

Preventing crime and disorder
Securing public safety and
Preventing public nuisance

Yours faithfully

P.P. H. Hogarth

Inspector Hogarth

FL1121
PC 7/11/14

SCHEDULE 2

[Insert name and address of relevant Licensing Board]

Application for a personal licence

FIRST APPLICATION/RENEWAL APPLICATION (delete as appropriate)

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary. You may wish to keep a copy of the completed form for your records.

1. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Mr Miss Ms Other (please state)	
Surname	MARNELL
Forenames	BARRY JAMES
Date and Place of Birth	[REDACTED]
NI Number	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	
Mobile	
FAX NUMBER	
E-mail address (if you would prefer us to correspond with you by e-mail)	
Address for correspondence associated with this application (if different to the address above)	
LICENSING DEPT, 10 227, 1 ANGEL SQUARE	
Post town	MANCHESTER
Post code	M60 0AG

2. Your licensing qualification		
Read note 2		Please tick
I hold an accredited qualification	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time		Please tick
Do you currently hold a personal licence?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Licensing Board		
Licence number		
Date of issue		
Date of expiry		
Any further details		

4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	
Other personal licence	

Note: You may only hold one personal licence at a time		Please tick	
I confirm that I do not hold any other personal licences other than the one submitted for renewal		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

5. CHECKLIST		Please tick yes	
I have			
<ul style="list-style-type: none"> Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3. 		<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> Enclosed a copy of any licensing qualification I hold 		<input type="checkbox"/>	
<ul style="list-style-type: none"> Enclosed my current personal licence (renewal only) 		<input type="checkbox"/>	
<ul style="list-style-type: none"> Made or enclosed payment of the fee for the application 		<input type="checkbox"/>	

6. Previous Convictions

You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

Offence	Court	Date	Penalty
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

7. Declaration

The contents of this application are true to the best of my knowledge and belief

SIGNATURE – read note 5	[REDACTED]	DATE	
		04 NOV 2014	

NOTES

Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

1. Change of name or address

Section 88 of the Licensing (Scotland) Act 2005 requires that a personal licence holder must, no later than one month after any change in the licence holder's name or address, give the Licensing Board which issued the licence notice of the change. It is an offence not to do so.

2. Licensing qualifications

Licensing qualifications are dealt with in section 91 of the Licensing (Scotland) Act 2005. In summary, to be eligible for a personal licence, an applicant must be aged 18 or over and possess a licensing qualification, and no personal licence previously held by the applicant must have been revoked within the period of 5 years ending with the day on which the application was received by the Licensing Board.