

EAST LOTHIAN

Meeting 28 January 2016 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
2 CO-OPERATIVE GROUP FOOD LTD. CO-OPERATIVE GROUP FOOD LTD. MAIN STREET ORMISTON TRANENT EAST LOTHIAN	THE CO-OPERATIVE GROUP FOOD LTD C/O HILL BROWN LICENSING MESSRS. R. & J. M. HILL BROWN & CO 3 NEWTON PLACE	23 November 2015	Increase in alcohol display to 27.971m2 and add recorded music as an activity



**POLICE
SCOTLAND**

Keeping people safe

Date: 9th December 2015

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
APPLICATION FOR VARIATION – SECTION 29
APPLICANT: CO OPERATIVE FOOD GROUP LIMITED
PREMISES: CO OP, MAIN STREET, ORMISTON**

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

The applicant is requesting to increase the display area for alcohol from 27.791 square metres to 27.971 square metres.

Any increase in licensed area is out with Board Policy with regards to the overprovision statement and as such the applicant will be expected to demonstrate that the grant of this variation would outweigh the presumption against grant in terms of the overprovision statement.

This representation is submitted for your attention in consideration of this application.

Yours faithfully

PC Heather Bowsher
Divisional Licensing Officer

EAST LoTHIAN COUNCIL

LICENSING ADMINISTRATION AND DEMOCRATIC SERVICES

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 21 December 15

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE APPLICATION (MAJOR VARIATION) – DECEMBER 2015

I refer to the above subject and can confirm that the undernoted premises have been visited and inspected in relation to application for a Premises Licence variation. I am satisfied that the Operating and Layout Plans are in accordance with the Licensing Board's policy, and the Act.

Premises Inspected:

The Co-operative Group Food Ltd, Main Street, Ormiston, Tranent, East Lothian EH35 5HS

This is a retrospective application. The new layout has been in place since a refit in July 2014 when there was an error in the submission of the layout plan. The refit coincided with similar refits at Co-operative premises across the county and the mistake was only picked up when the LSO and Police conducted a joint visit of the Ormiston premises in November 2015.

During the period the premises have been operating under the layout, which is now applied for retrospectively, there have been no problems encountered.

I have no objection to this application.

R. Fruzynski
Licensing Standards Officer

AAJ/IG

19 November 2015

The Clerk to the Licensing Board
East Lothian Licensing Board
Council Buildings
Haddington
EH41 3HA

Dear Sir

**LICENSING (SCOTLAND) ACT 2005
THE CO-OPERATIVE FOOD, MAIN STREET, ORMISTON, TRANENT
CO-OPERATIVE GROUP FOOD LIMITED**

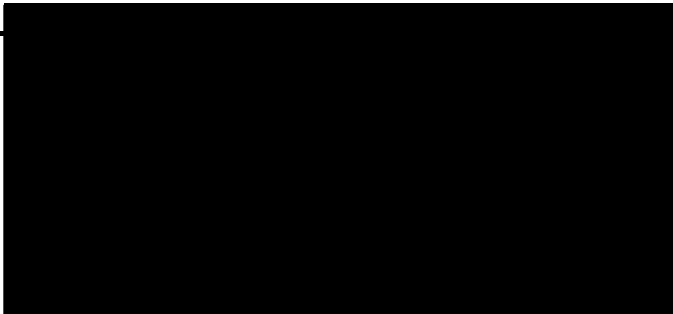
We enclose an application for major variation of the above premises licence, together with:

- The premises licence
- A new operating plan
- Seven copies of drawing numbered: Ormiston-P3-F9-M1
- Our cheque for £150.00 in payment of the dues

The variation application is lodged to rectify an error made when the incorrect layout plan of the store was lodged with an earlier variation application in July 2015. This results in an increase in the alcohol display capacity to 27.791 square metres.

Your acknowledgement of receipt will oblige.

Yours faithfully



GSPC

Licensing Director: Jack Cummins

Directors: Graham Davidson · Peter Lawson · Aileen Thomson · Audrey Junner
Associate Director: Brian Evans

Registered in Scotland under registration number SC465681 R & J M Hill Brown & Co Limited
Keep up-to-date with developments in Scottish Licensing Law: visit www.sllp.co.uk/www.hillbrown.co.uk

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION **23 NOV 2015**

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

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).

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS**2(a) Licence Number of Premises**

EL066

2(b) Name and Address of Premises

Co-operative Food Group Ltd
 Main Street
 Ormiston
 East Lothian

Post Code	EH35 5HS	Phone No.	Please refer to agent: 0141 333 0636
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2(c) Full Name and Address of Current Licence Holder

The Co-operative Group Food Ltd
 1 Angel Square
 Manchester

Post Code	M60 0AG	Phone No.	Please refer to agent: 0141 333 0636
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SECTION 3: NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought:-

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

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)

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.

The application for variation is lodged to rectify an error made when the incorrect layout plan was lodged with an earlier variation. The application results in an increase in the alcohol display capacity figure, which is now 27.971 square metres.

DRAWING NO: OPM1070N - P3 F9 M1

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)

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 £ 150.00 is enclosed.

Signature

.....
[Redacted Signature]

..... (See note 5 below)

Date 19 November 2015

Capacity AGENT (delete as appropriate)

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

Licensing, 3 Newton Place, Glasgow G3 7PU

Tel: 0141 333 0636

Email: licensing@hillbrown.co.uk

[Redacted Name]

Hill Brown

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>