

**MINUTES OF THE MEETING OF
EAST LoTHIAN LICENSING BOARD**

**THURSDAY 26 NOVEMBER 2015
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON**

Board Members Present:

Councillor J Goodfellow (Convenor)
Councillor S Currie
Councillor D Grant
Councillor W Innes
Councillor F McAllister

Clerk of the Licensing Board:

Mrs K MacNeill

Attending:

Mrs M Ferguson, Service Manager, Legal and Procurement
Mr R Fruzynski, Licensing Standards Officer
Ms M Winter, Licensing Administration Assistant
PC H Bowsher, Police Scotland
Insp A Hogarth, Police Scotland

Committee Clerk:

Ms J Totney, Team Manager – Democratic Services

Apologies:

Councillor S Akhtar
Councillor T Trotter

Declarations of Interest:

Councillor Goodfellow advised that he is working with the premises manager of The Old Clubhouse, Gullane on another issue and that he has personal knowledge of a number of The North Berwick Masonic Social Club committee members. Councillor Goodfellow would therefore withdraw from the meeting for these two items.

As proposed by Councillor Innes, it was agreed that Councillor Grant would take the Chair in the absence of Councillor Goodfellow.

1. MINUTES FOR APPROVAL

The minutes of the Licensing Board meeting of 29 October 2015 were agreed to be a true record.

2. VARIATION TO PREMISES LICENCE

(i) Dunbar Golf Club, East Links Road, Dunbar

Mr J Hughes, designated premises manager, was present.

The Clerk advised that the application seeks to vary the licence to an open licence; to include two outdoor seating areas; to vary opening core times Monday to Sunday from 11 am to 10 am; to vary Thursday evening from 11 pm to 1 am and Sunday from 11 pm to 12 midnight; add off-sales Monday to Sunday 10 am to 10 pm; include restaurant facilities, club meetings, recorded music, televised sport and outdoor drinking outwith core hours; and films within core hours. No public objections have been received.

Mr Hughes stated that the he was happy to answer any questions from the Board.

Police Scotland and the Licensing Standards Officer (LSO) advised that they had nothing to add to their written reports. However, PC Bowsher referred Board members to the Police Scotland comments in respect of the commencement time for the on sales of alcohol.

The LSO reported that this is a well run club and that he supports the application.

Councillor Currie commented on the fact that the golf course is an Open qualifying championship course and that he too would be supporting the application.

Councillor Innes stated that he supported the application in its entirety.

In response to Councillor Goodfellow, Mr Hughes advised the Board that he is agreeable to a specific condition in the licence stating that any off sales of alcohol would be at the same price as on sales of alcohol. Mr Hughes also confirmed that he was in agreement with a terminal hour of 22.00 hours for the outside drinking/seating area.

Decision

East Lothian Licensing Board agreed to grant the variations to the premises licence subject to the price of off sales of alcohol being the same as the on sales price; and a terminal hour of 22.00 hours for the outside drinking/seating area.

Sederunt: Councillor Goodfellow left the meeting. Councillor Grant took over as Chair of the meeting.

(ii) The Old Clubhouse, East Links Road, Gullane

Ms B Patterson, designated premises manager, was present.

The Clerk advised that the application seeks to vary the terminal hour for on sales on Saturdays from midnight to 1 am; vary the commencement hour for on sales of

alcohol on Sundays from 12.30 pm to 11 am; to add televised sport outwith core hours; and children and young people to be permitted on the premises until 10 pm unless consuming a meal or attending a private function, in which case they would be allowed to stay for the duration (previously 0 -9 year olds were permitted until 8 pm and 10 – 17 year olds permitted at all times).

Ms Patterson confirmed that these variations differ from the original application and are the variations that are now being sought.

The LSO and Police Scotland had nothing to add to their reports.

Decision

East Lothian Licensing Board agreed to grant the variations to the premises licence.

Sederunt: Councillor Goodfellow rejoined the meeting in his role as Convenor of East Lothian Licensing Board.

3. PREMISES LICENCE REVIEWS

(i) Ormiston Post Office, 18A Main Street, Ormiston

The Clerk advised that the review is in relation to the non-payment of the annual premises licence fee.

No one was present to represent Ormiston Post Office.

Councillor Goodfellow expressed his disappointment that, for the last few years, Ormiston Post Office had been late in paying the annual fee.

The LSO highlighted the attempts that had been made to secure payment. He advised that the premises licence holder had indicated that he would surrender the licence but, to date, that has not happened. He recommended that the licence be revoked.

Councillor Grant, local Ward member, requested that the licence be suspended and not revoked.

However, Councillor Currie remarked that the Board needs to strongly signal that late payment of fees will not be tolerated. This view was shared by Councillor McAllister.

The LSO and PC Bowsher informed that Board that they had visited the shop recently and found it closed. The majority of the stock had been removed from the shelves.

Councillor Innes commented on the time and effort involved in chasing up late payments and supported the revocation of the licence.

Decision

East Lothian Licensing Board agreed to revoke the premises licence.

(ii) Madisons, Olivebank, Newhailes Road, Musselburgh

Mr C Innes, Ennova Law, was present. He advised that he was representing the previous owners and the current premises licence holder.

Mr Innes provided background information regarding the recent change of ownership of the premises. He advised that the new owners will be leasing the premises to T J Morris trading as Home Bargains and that the new owners have requested that the premises remain licensed for the off sales of alcohol at this retail outlet. Mr Innes advised that an application for a licence variation would be submitted to the Board in due course. He apologised for the late payment of the annual fee, which had now been paid.

The LSO outlined the efforts and time involved in attempting to secure payment. As the annual fee had also been received late in 2013 and 2014, his report to the Board recommended that the licence be revoked. However, he noted that the new owners are now requesting that the premises licence be transferred to them.

Councillor McAllister stressed the need for licensed traders to behave in a responsible manner regarding their licensing obligations.

Councillor Innes pointed out that it is important to acknowledge the impact that the change of ownership has had on the situation and suggested therefore that no action should be taken against the new owners. Councillor Grant concurred with the views expressed by Councillor Innes.

Councillor Currie also highlighted that the premises are to become a new business with a new operator.

Councillor Goodfellow acknowledged the Board's desire to take no action but nonetheless made it clear that late payment of fees is unacceptable.

Decision

East Lothian Licensing Board agreed to take no action.

Sederunt: Councillor Goodfellow left the meeting. Councillor Grant took over as Chair of the meeting.

(iii) North Berwick Masonic Social Club, 8 Forth Street, North Berwick

Mr N Farrell, Club Treasurer, was present.

The Clerk informed members that the annual fee had now been paid.

The LSO commented that North Berwick Masonic Social Club is well run. However, the club was also late in paying the annual fee the previous three years.

Mr Farrell advised the Board that it was only as a result of attending this Board meeting, that he had fully realised the time and cost involved to East Lothian Council in collecting overdue fees. He accepted full responsibility for the fee not having been paid on time and assured the Board that in future the payment of the annual fee would be brought to the attention of the management committee at a much earlier stage.

Councillor Grant thanked Mr Farrell for his honesty and for the contrition he had shown, a view echoed by Councillor Innes. However, Councillor Innes stressed that late payment in future years would not be tolerated.

Councillor Currie made it clear that the Board is delivering a strong message regarding any future late payment of fees, a view which was re-iterated by Councillor McAllister.

Decision

East Lothian Licensing Board agreed to issue a written warning to the premises licence holder.

Sederunt: Councillor Goodfellow rejoined the meeting in his role as Convenor of East Lothian Licensing Board.

4. EAST Lothian LOCAL LICENSING FORUM WORKING GROUP VIEWS ON ALCOHOL DELIVERIES

The Clerk presented the report which detailed the views on alcohol deliveries from a working group formed by members of East Lothian Local Licensing Forum. She reminded members that it had been agreed at the joint meeting of the Board and the Forum in September 2015, that the working group should present this information. The Clerk explained that the feedback from the working group would inform the Licensing Board's Policy when it is reviewed in 2016. She stated that the working group had provided their views on the home delivery of alcohol, and in particular, the home delivery of alcohol by Gullane Mini Market where there is a condition that all deliveries of alcohol must be made by the licence holder.

No one was present from the East Lothian Local Licensing Forum.

Members debated the working group view that, regardless of the size of the retail premises, all alcohol home deliveries must be made by the personal licence holder. The LSO pointed out that large commercial organisations do not have this condition attached to home deliveries of alcohol.

Board Members discussed several issues in relation to the home delivery of alcohol including the importance of recording the identity of the person receiving the delivery; protecting underage drinkers and vulnerable people and the hours when alcohol can be delivered to homes.

Councillor Grant suggested that the Board note the findings of the working group and include the issue of home delivery of alcohol when reviewing the Statement of Licensing Policy. Councillor Currie stated that views should be taken from a range of stakeholders and that the policy needs to be capable of being delivered and enforced.

Decision

East Lothian Licensing Board agreed to note the contents of the report and take the views of the working group into account when the Statement of Licensing Policy is reviewed

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

New Grant(s)	Premises	Applicant	Date Received	Comments
1	DUNBAR GARDEN CENTRE SPOTT ROAD DUNBAR EAST LOTHIAN EH42 1BF	DUNBAR GARDEN CENTRE	21 December 2015	

Date: 13th January 2016

Your Ref:

Our Ref: J/LIC/4462/JL

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 the Grant of Premises Licence
Premises: Dunbar Garden Centre, Spott Road, Dunbar

I refer to the above application made by Berwick Garden Centre Limited. I have to advise you that none of the connected persons have been convicted of any relevant offence. I am unable to confirm the existence of any foreign offence, committed outwith the United Kingdom, in respect of these connected persons.

It is pertinent to point out that this application 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 licence would outweigh the presumption against grant in terms of the overprovision statement.

Its noted that the applicant is requesting outdoor drinking facilities and its is requested that, should the application be granted, a terminal hour of 10pm be placed on outdoor drinking due to the close proximity of residential areas.

This is reported for your information..

Yours faithfully

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: 23 December 2015

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE APPLICATION – DECEMBER 2015

Dunbar Garden Centre, Spott Road, Dunbar, East Lothian EH42 1BF

I refer to the above subject and can confirm that the premises licence application has been assessed and I am satisfied that the Operating and Layout Plans are in accordance with the terms of the Licensing (Scotland) Act 2005.

I can also confirm that considerable liaison has been conducted with the owner and management of the premises over the past two years concerning the prospect of applying for a Premises Licence.

I support the grant of this licence.

R. Fruzynski
Licensing Standards Officer

Elworthy, Debbie

From: Elworthy, Debbie
Sent: 11 January 2016 10:52
To: [REDACTED]
Subject: FW: Premises licence response - Dunbar Garden Centre

Good Morning

Please see below comments received from Dunbar Community Council regarding the application for Premises Licence for the above premises. Your application is due to be heard at the 28th January Board Meeting to be held at 10am in the Town House, Haddington.

An agenda will follow in due course.

Kind Regards

Debbie

Debbie Elworthy (Richardson)
Licensing Administration Officer
Licensing, Administration and Democratic Services
John Muir House
Haddington
T. 01620 827217
E. delworthy@eastlothian.gov.uk or licensing@eastlothian.gov.uk

From: [REDACTED]
Sent: 10 January 2016 16:56
To: Winter, Maree
Subject: Premises licence response - Dunbar Garden Centre

Hi Maree
Dunbar Community Council have considered the application.

There re no concerns about provision of a drink with a meal in the cafe.

However, there are mixed responses to the sale of alcohol in the farm shop. Some members are concerned about the duplication of sales on the High Street with the effect of footfall and sales in the town centre e.g. The Food Hamper

[REDACTED]
Secretary/Vice Chair

Dunbar Garden Centre

Introduction

As 'Scotland's newest Garden Centre', Dunbar Garden Centre provides East Lothian residents with convenient and easy access to a large garden centre & restaurant. Our garden centre offers a range of products to suit a variety of tastes all under one roof, with easy parking and access. Over the two years since opening we have seen a significant increase in footfall; through our reward card system we are able to monitor where customers come from and can see a definite increase of customers from all areas of the Lothians, Borders and beyond, and in particular from our local community. Many tourists also come to the garden centre – due to easy access from the A1 – therefore we have a lot of passing traffic who would not normally stop at Dunbar or even elsewhere in East Lothian. We promote the garden centre as being 'Scotland's newest Garden Centre' and encourage customers to come for a trip to East Lothian, rather than heading into the city.

As a garden centre you may expect our core customers to be of the older age bracket however in reality we are seeing a much more varied age group. Our customers include many local individuals and community groups; mothers and toddler groups, family/friend get-togethers, work/business meetings, charity groups, local schools/nurseries trips, old people's homes as well as national coach trips and tourists.

Farm Shop & Restaurant

Having a premise license to sell alcohol would allow a better dining experience for our restaurant guests – particularly for birthday lunches and special events. As you can imagine the type of business we are we will not be selling huge quantities of alcohol, however we would like to be able to offer alcohol for on-site consumption for customers to have with their restaurant meals, for example our festive Christmas lunch menu could include a glass of wine, or when we have carol singers we can offer mulled wine.

A premise license would also allow our farm shop to offer a greater amount of local produce. The type of alcohol we would offer would be at the higher end of the market, the more specialist local produce. We would be assisting the supplier by marketing their produce to a wider national audience who wouldn't usually buy from smaller outlets. Although there are other retailers in Dunbar & East Lothian who sell alcohol for off-site consumption, the types of products we would have on offer are not sold in many supermarkets, (as mentioned above we are looking at the more specialist locally-made products such as Scotts Cheer, North Berwick Gin etc).

Many customers looking to book in the restaurant would like a glass of wine with their meal, at present we are unable to offer this, and so those customers are not 100% satisfied. The same is the case in the farm shop, when customers are purchasing gifts or souvenirs they would often like a 'local produce' hamper, to include a bottle. We have also received queries from local alcoholic beverage suppliers asking us to stock their products as they can see they would benefit.

Licensing Objectives

We work hard to attract customers to the garden centre, restaurant and East Lothian countryside; as soon as our customers enter the building we try to ensure that each customer has the best experience we can offer and will return. Therefore we obviously ensure that public safety is at the forefront of everything we do, in particular young persons and children. As a garden centre our ethos is to encourage an active enjoyment & education outside, either in the customer's own gardens & allotments or family outings.

Below is a list of how we as a garden centre and restaurant address the five licensing laws:

- **Preventing crime & disorder**– We already have staff training on this in place, if a premise license is granted this training would be developed in house and with guidance from the council.

We have procedures in place to deal with disturbances if they occur.

We are also in the process of setting up CCTV in the premise, this should be up and running by February 2016.

- **Public safety** - Health and safety inspections are carried out by managers on a daily basis, and staff are encouraged to highlight any issues they notice. We also have an external health & safety advisor who inspects and reports back every month. Any issues are dealt with immediately.

- **Preventing public nuisance** – Due to the remote location of the garden centre and the main opening hours of 9am-6pm (apart from occasionally opening later for special events), we have not seen any issues with noise or car park lighting.

We have external & internal bins for public waste which are emptied regularly. All waste is collected and stored on site, it is removed once a week, with as much recycled as possible.

- **Protecting & improving public health** – To protect public health we ensure that all our products, equipment and hardware are up to standard before they reach the shop floor or kitchens.

The very nature of our business encourages the improvement of public health and education both in growing nutritious food and being active outdoors. We have never sold tobacco etc and our core products promote gardening & outdoor living as much as possible. We have good links with the local schools and community groups to encourage this education from a young age, with local school trips & talks about gardening, we hold special events such as 'Wildlife Week' which focused on educating children about their garden wildlife.

- **Protecting children from harm** - We have signs up at the entrance saying 'Children & young persons must be accompanied by an adult', this supervision is required by parents/guardians at all times whilst in our garden centre and restaurant, including at any special events such as Santa's grotto.

Our tills can be controlled so that they automatically prompt the cashier that an age restricted item has been scanned (we currently have this for the kitchen knives).

Conclusion

Overall we feel it is important to highlight the fact that Dunbar Garden Centre is a community-friendly, family led premise. The license would allow some of our customers to purchase locally made alcoholic beverages and allow greater marketing for our local suppliers. If a premise license is granted, as a garden centre, alcohol will not be the reason why customers visit, merely a bonus to a few when they are here, and therefore the quantities sold will be minimal compared to other restaurants and shops.

It is perhaps also worth mentioning that we have sold alcohol in our other garden centre & restaurant in Berwick upon Tweed for the last 15 years. During this time we have never had an issue with drunken disorder or nuisance. We feel that this is due to the nature of our business & customers, staff training and the higher end products on offer. All of these items will be mirrored in our Dunbar branch if a premise license is granted.

EL 333

EAST LoTHIAN LICENSING BOARD

**APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES
LICENCE***

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

East Lothian Council
Licensing

21 DEC 2015

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Received

Question 1

Name, address and postcode of premises to be licensed.

**Dunbar Garden Centre
Spott Road
Dunbar
East Lothian
EH42 1BF**

Question 2

Particulars of applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

[Empty box for applicant details]

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

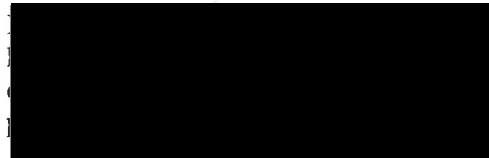
2(c) Where applicant is a company, please provide name, registered office and company registration number.

Company Name: Berwick Garden Centre Ltd
(Dunbar Garden Centre is a branch of Berwick Garden Centre Ltd)
Company Registration Number: SCO79988
Registered Office: Westerside
Coldingham
Eyemouth
Berwickshire
TD14 5QE

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

*2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. **

Connected person number 1 –

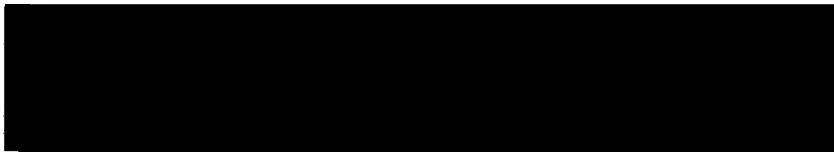


, Berwickshire TD145QE

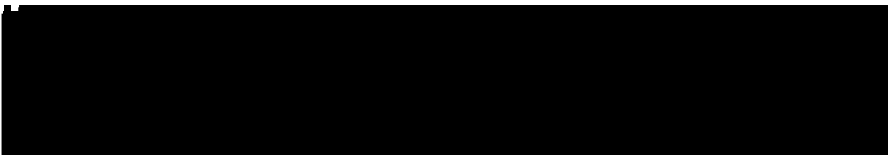
Connected person number 2 –



Connected person number 3 –



Connected person number 4 –



* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3

Previous applications

3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **YES/NO***

If YES – provide full details

Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
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**If YES – provide full details*

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

DESCRIPTION OF PREMISES *Licensing (Scotland) Act 2005, section 20(2)(a)*

Question 5

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

A purpose built garden centre and restaurant on the outskirts of Dunbar, East Lothian, which opened in July 2013. The overall 5 acre site houses it's own car park, garden centre building, glasshouse restaurant, outdoor plant area, as well as delivery area and warehouse.

On sale at the garden centre are a variety of products - gardening equipment, plants, homewares, pets & aquatics, farm shop products and country clothing.

There is also a restaurant joined onto the garden centre building, with two walls and the ceiling constructed of glass. Next to the restaurant is an outside seating area with children's play area joining this.

The trading hours for the garden centre are 7 days a week 9am – 6pm, the restaurant again is 7 days but only open until 5.30pm.

In the Operating Plan we have stated later hours than the above for occasions when there maybe a function and we would want to be open later such as a Christmas Shopping Event etc.

Question 6

6 *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	<i>YES/NO*</i>
<i>* Delete as appropriate</i>	

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 Application are true to the best of my knowledge and belief.

Signature * (see note below)

Date

Capacity APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory

.....

A purpose built garden centre and restaurant on the outskirts of Dunbar, East Lothian, which opened in July 2013. The overall 5 acre site houses it's own car park, garden centre building, glasshouse restaurant, outdoor plant area, as well as delivery area and warehouse.

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Question 6

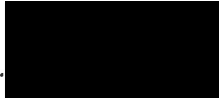

6 To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

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 Application are true to the best of my knowledge and belief.

Signature  * (see note below)
 Date 22/10/15
 Capacity MANAGER DIRECTOR APPLICANT/~~AGENT~~ (delete as appropriate)
 Telephone number and email address of signatory 018907 71203
 @ BEARWICKGARDENCENTRE.CO.UK

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Dunbar Garden Centre
Spott Road
Dunbar
East Lothian
EH42 1BF

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>	11am	11pm
<i>Tuesday</i>	11am	11pm
<i>Wednesday</i>	11am	11pm
<i>Thursday</i>	11am	1am
<i>Friday</i>	11am	1am
<i>Saturday</i>	11am	1am
<i>Sunday</i>	11am	12pm

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>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

Question 4

SEASONAL VARIATIONS

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

To take advantage of any times that allow for local or national trading hour general extensions

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	Yes
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No

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

The restaurant is open from 9am each morning therefore breakfasts, teas & coffees are on offer to the public prior to the commencement of core hours.

The same is true for group meetings, conferences and functions etc which may take place from 9am each day due to the restaurant being open from 9am.

The garden centre & restaurant are open from 9am each day therefore recorded music is played before the commencement of core hours, starting at 9am daily. The same circumstances apply for music & dance facilities as we may have performances outwith core hours, such as 'carol singers' in the run up to Christmas.

The outside seating area & children's play area will also be used outwith core hours as the garden centre & restaurant are open to the public from 9am daily.

To be clear, no alcohol will be sold or supplied outwith core hours except under grant of an occasional extension

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.

<p>Fundraising events for charities</p> <p>Seasonal garden centre events & talks.</p> <p>Community exhibitions</p>
--

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
--	----------------

<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

<i>6(a)</i>	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	<i>YES/NO*</i>
-------------	---	----------------

**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*

Signs at entrance say – children must be accompanied by an adult

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

0-17 years of age are allowed entry to garden centre & restaurant

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

All public (including children & young people) will be permitted access to all public areas of the garden centre from 9am until 6pm each day.

For 'special events' closing times may be extended until 10pm, such as a late night Christmas shopping event.*

*The only exception to this will be when public are attending an arranged function when they will be permitted to stay until the terminal hour.

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

Children & young people will be allowed entry to the same public areas as adults, which is all public areas of the garden centre and restaurant – see layout plan attached.

Question 7

CAPACITY OF PREMISES

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

Restaurant indoor public seating area = approx. 350m², (approx. 180 covers). Outside public seating area next to restaurant = approx. 140m². *Area within restaurant where alcohol will be displayed approx. 1m³

Farm Shop public area within garden centre = approx. 116m² *Area within farm shop where alcohol will be displayed in an 'open' area - approx. 10m³

*in addition to this a small display of alcohol may be on sale next to the main till area this would be no more than 1m³ in size and this would be a 'closed' area - where customers would need to ask the staff at the tills for the item they would like to purchase.

Garden Centre & restaurant (including car park) – total area as a whole = 5 acres (20235m²)

Question 8

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

Personal details

8(a) Name

Claire Cathro

8(b) Date of birth

[Redacted]

8(c) Contact address

[Redacted]

8(d) Email address and telephone number

[Redacted]@dunbargardencentre.co.uk
01368 238038

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
28 th June 2013	East Lothian Licensing Board	EL976

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 ... [Redacted]

* (see note below)

Date 22/10/15

Capacity MANAGING DIRECTOR APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory 01890971203

[Redacted]@BERWICKGARDENCENTRE.CO.UK

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

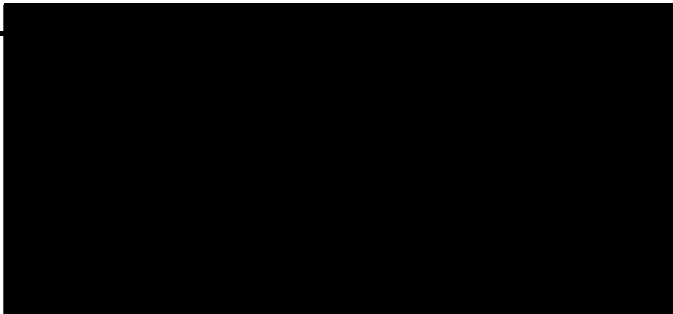
We enclose an application for major variation of the above premises licence, together with:

- 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.slip.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
------------------	-----------------	------------------	--------------------------------------

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
------------------	----------------	------------------	--------------------------------------

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

.....


..... (See note 5 below)

Date 19 November 2015

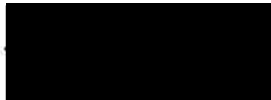
Capacity AGENT (delete as appropriate)

**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



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>

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Occasional(s)	Premises	Applicant	Date Received	Comments
3	PAN CONVENIENCE STORE 5 HAWTHORN ROAD PRESTONPANS EAST LOTHIAN EH32 9QW	ABDUL KAREEM NADEEM	21 December 2015	Start date of event: 20/01/2016 End Date of Event: 02/02/2016 Off Sale Provision Of Alcohol Children and young persons will not be permitted entry to the function.



**POLICE
SCOTLAND**

Keeping people safe

Date: 7th January 2016

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
OCCASIONAL LICENCE APPLICATION – 442 & 443
APPLICANT: ABDUL KAREEM NADEEM, 10 WALLACE AVENUE, WALLYFORD
PREMISES: PAN CONVENIENCE STORE, 5 HAWTHORN ROAD,
PRESTONPANS**

I refer to the above occasional licence applications submitted by Abdul Kareem Nadeem to cater for "off sale provision of alcohol" within the Pan Convenience Store, 5 Hawthorn Road, Prestonpans between 6th January 2016 until 2nd February 2016.

Under the terms of Section 58 (1)(a) of the Licensing Scotland Act 2005 on behalf of the Chief Constable I object to the grant of this licence on the grounds specified in Section 59 (6)(c), inconsistent with one or more of the licensing objectives namely:

- Preventing crime and disorder
- Protecting children from harm

The following information is provided in support of this objection:

The premises currently has no liquor licence, this is due to the licence being recently surrendered by the licence holder Mr Mohammed Younis on the 16th December 2015. This was done as a result of some form of dispute between the current owner Mr Younis, his business partner and a third party that had apparently leased the premises.

There has been a couple of calls to the police from the premises in recent months in relation to males within the premises having some form of civil dispute, which would confirm Mr Younis's reasons for surrendering the premises licence.

The premises itself, in the last year (2015) has failed 2 Test Purchase operations, the first one on 14th March 2015 and more recently on the 11th December 2015.

During the most recent Test Purchase which took place on the 11th December 2015, it was established that the female member of staff who had made the sale of alcohol to the Test Purchaser spoke very little English and made no challenge whatsoever at point of sale.

Following this test purchase failure the Police Licensing Officer and the Licensing Standards Officer, Rudi Fruzynski made a visit to the premises on Tuesday 15th December 2015. During this visit it was established that there was a new Designated Premises Manager, Mr Ali Raza, this minor variation had not been notified to East Lothian Licensing Board. It was also noted that the alcohol display area did not reflect the layout plan held for the premises. On closer inspection of the alcohol display, it was pointed out that there were a couple of "irresponsible drinks promotions" being advertised, this was rectified immediately by Mr Raza.

Mr Raza was spoken to about the test purchase failure and he informed us that the female member of staff who had made the sale had been trained on the 14th September 2015 by himself and he produced a training record for her. Mr Raza admitted that it was very difficult to carry out the 2 hours mandatory training, as she has a very limited understanding of the English language. It was pointed out to him that the member of staff should not be selling alcohol if they are unable to 'challenge' customers for proof of ID etc. Mr Raza accepted this and stated that she would no longer be allowed to sell alcohol unless under supervision by himself.

On 17th December 2015, following receipt of the 'surrender letter' from the premises licence holder Mr Mohammed Younis, the police licensing officer contacted Mr Younis and spoke with his wife, she confirmed that her husband had surrendered the licence due to a dispute over who was leasing the premises.

That same day the police licensing officer and the licensing standards officer made a further visit to the premises and informed Mr Raza that the shop no longer had a liquor licence and that he could no longer sell alcohol, with immediate effect.

Police Scotland have serious concerns about the manner in which the premises are being operated and managed. The fact that they have failed both Test Purchase

operations carried out in 2015 and the discrepancies uncovered with regards to the failure to notify a change of management (DPM), layout and irresponsible drinks promotions on offer, as well as serious concerns about the standard of training in relation to staff within the premises.

On the grounds aforementioned above, the Chief Constable objects to the grant of these occasional licences and requests that the applications be refused.

Yours faithfully

Inspector Harborow

000443
ADU 23/12

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

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. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	N/A
Personal licence number (if applicable)	EL1231 (GRANTED 4 NOVEMBER 2015)
Name of voluntary organisation (if applicable)	N/A

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr			
Surname	Nadeem	East Lothian Council Licensing 21 DEC 2015 Received	
Forenames	Abdul [REDACTED] Kareem		
DATE OF BIRTH	Day	Month	Year
	[REDACTED]	[REDACTED]	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
(Mr Nadeem's home address: [REDACTED])			
PLEASE CORRESPOND WITH AGENTS : YOUNG & PARTNERS LLP, BUSINESS LAWYERS, 1 GEORGE SQUARE, CASTLE BRAE, DUNFERMLINE KY11 8QF			
Post town	Post code		
TELEPHONE NUMBERS			
Daytime	Agents 01383 721 621		
Evening	[REDACTED]		
Mobile	[REDACTED]		
FAX NUMBER 01383 722 080			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
igc@businesslaw.co.uk / af@businesslaw.co.uk			

3. THE PREMISES

Description of premises

Convenience store selling groceries, newspapers, tobacco products and general merchandise

Description of activities to be carried on in the premises – (including number of persons expected to attend)

Off sale provision of alcohol

Full postal address of premises which this application refers to

Pans Convenience Store, 50 Hawthorn Road, Preston

4. DURATION OF LICENCE - (include dates and times required for event)

From: 20 January 2016

To: 2 February 2016 inclusive - SEE COVERING LETTER

5. Is alcohol to be sold on & off the premises NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises

N/A

Times for sale of alcohol for consumption off premises

10:00 – 22:00 DAILY

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

The convenience store opens daily at 6am for the sale of groceries, newspapers, tobacco products and general merchandise.

Recorded background music may be played when the premises are open for normal trading.

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry N/A	Times at which children or young persons permitted entry N/A
Parts of premises to which children or young persons permitted entry N/A	

7. CHECKLIST	
I have - Please tick for yes	
• Made or enclosed payment of the fee for the application	X

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE John Cassells, Y Lawyers, 1 George Square, Castle Brae, Dunfermline KY11 8QF - Agent	DATE 18 December 2015

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only:-

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 1998

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

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



Application for Occasional Licence

Pan Convenience Store, 5 Hawthorn Road, Prestonpans

Please note that the application in respect of the period 6 January to 19 January 2015, which is referred to in the attached covering letter, is not included in the papers as this time period has now passed.

Your ref: Debbie Elworthy
Our ref: JGC/AF/AF/NADE1/1

18 December 2015

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

East Lothian Council
Licensing
21 DEC 2015
Received

Dear Sirs

Licensing (Scotland) Act 2005
Abdul Nadeem
Pans Convenience Store, Prestonpans

We refer to the above and to the various telephone discussions we have had with your admin team.

Please find enclosed the following:

1. Application for occasional licence covering the period 6 January to 19 January 2016 inclusive.
2. Application for occasional licence covering the period 20 January to 2 February 2016 inclusive.
3. Our cheque in the sum of £20 in settlement of your fees.

We would ask that the first occasional licence be granted with effect from 6 January 2016 or the earliest possible date thereafter and that the second application run sequentially with the first.

Due to the upcoming festive holiday break, it would be our intention to contact you upon return to business on 5 January 2016 to discuss the progress of the applications.

An application for a full premises licence will be lodged in due course, the previous premises licence held in the name of Mohammed Younis having recently been surrendered. There has been a recent transfer of business [REDACTED] resulting in the surrender of the licence. Our client is the joint owner of the premises. It

1 George Square, Castle Brae, Dunfermline KY11 8QF LP1 Dunfermline 3

Phone: (01383) 721621 Fax: (01383) 722080

Email: enquiries@businesslaw.co.uk website: www.businesslaw.co.uk

Glasgow office: 126 West Regent Street, Glasgow G2 2BH LP 25 Glasgow 1 Tel: (0141) 428 3888 Fax: (0141) 248 6718

Members: Robin Millar, Stephen Lochrie, Ruth Waters, John Cassells and Alan Stalker.

Consultants: Neil Killick and Dawn Robertson. Associates: Julie Sullivan, Craig Smith and Fiona Grant.

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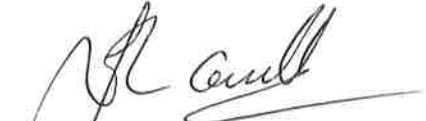
Registered Office: 1 George Square, Castle Brae, Dunfermline KY11 8QF

All correspondence signed by a named individual is signed for and on behalf of Young & Partners LLP

would be our client's intention to apply for the premises licence in his name with a new premises manager being appointed. We are currently advising him on the procedure and asking that he arrange for compliant layout plans etc to be produced. Applications for section 50 certificates will be lodged by us early next week.

Should you have any queries in the meantime, please do not hesitate to contact the writer or his licensing paralegal, Ali Fleming.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John G Cassells', with a long horizontal flourish extending to the right.

John G Cassells
Partner

Email: jgc@businesslaw.co.uk
DD: 01383 745 791

