

Date: 22/03/2016

Your Ref:

Our Ref:

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



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

Local Area Commander  
The Lothians and Scottish Borders Division  
Haddington Police Station  
39-41 Court Street  
Haddington  
EH41 3AE

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
ALDI STORES LIMITED, WHITTINGHAME DRIVE, HADDINGTON**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

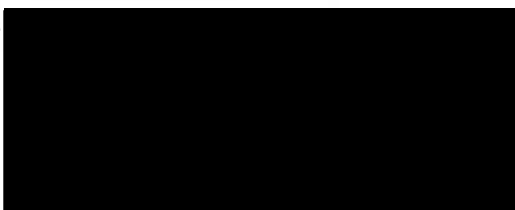
The variation requested consists of a request to increase the alcohol display area.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation on behalf of the Chief Constable.

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 considering this application.

Yours faithfully



Philip Gormley QPM

# **EAST LoTHIAN COUNCIL**

## **LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES**

**From: R. Fruzynski**  
**Licensing Standards Officer**

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

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**Date: 06 April 2016**

**Subject: LICENSING SCOTLAND ACT 2005**  
**PREMISES LICENCE APPLICATION (MAJOR VARIATION) – MARCH 2016**

**Aldi, Whittinghame Drive, Haddington, East Lothian EH41 4AQ**

I refer to the above subject and can confirm that I am satisfied that the Operating and Layout Plans are in order and, therefore, have no objections to the granting of the variation of licence.

R. Fruzynski  
Licensing Standards Officer

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.

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

EL012

2(b) Name and Address of Premises

Aldi  
Whittinghame Drive  
Haddington  
East Lothian

Post Code	EH41 4AQ	Phone No.	c/o Agent : 0131 656 5675
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2(c) Full Name and Address of Current Licence Holder

Aldi Stores Ltd  
Holly Lane  
Atherstone  
Warwickshire

Post Code	CV9 2SQ	Phone No.	
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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

N/A

#### 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)

Q7 Remove existing wording and replace with :-

Total Alcohol Display : 28.125sqm

Permanent Alcohol Display Area (show in block red on attached plan) 23.625sqm

Additional Seasonal Display Area (shown hatched in red on attached plan) 4.500sqm (the seasonal area will only be used between 24 November and 9 January annually).

#### 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.

Amended layout plan to reflect slight increase in display capacity; internal reconfiguration and introduction of tandem till(s). Drawing Number 0114#6 AL(76)002 Rev B dated 07.07.2015.

### 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)

N/A

#### 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)

**Date**

.....

Capacity: APPLICANT-/ AGENT (delete as appropriate)

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

Michael McDougall, Lindsays,  
Caledonian Exchange,  
19a Canning Street,  
Edinburgh, EH3 8HE  
Tel: 0131 656 5675  
Email: jackiepaterson@lindsays.co.uk

**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](mailto:licensing@eastlothian.gov.uk)

**FOR OFFICE USE ONLY**

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