

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)

EAST LoTHIAN COUNCIL
LICENSING

- 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).

04 AUG 2016

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(Provide Details)

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL042

2(b) Name and Address of Premises

THE PRESTOUNGRANGE CLOTHENBURG
227-229 HIGH STREET
PRESTON PANS

Post Code EH32 9BE Phone No. 01875 819922

2(c) Full Name and Address of Current Licence Holder

CAROL BLACK

Post Code Phone No.

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

TO INCLUDE THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES.
THIS IS TO ALSO INCLUDE 'ONLINE SALES' OF BOTTLED BEERS PRODUCED IN OUR MICROBREWERY AND THOSE PRODUCED BY OTHER BREWERIES.

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)

Question 1: 1(c) Will alcohol be sold for consumption ON and OFF the premises? YES
Question 2: Change to Sunday hours
Question 3: Listed times for alcohol sales OFF premises
5(f): Online sales to be included

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.

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-

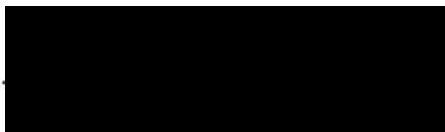
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

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 is enclosed.

Signature



..... (See note 5 below)

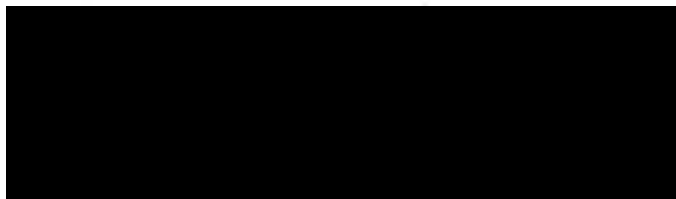
Date

3/8/16

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

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

ANNE TAYLOR



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>



Prestongrange Gothenburg (The Goth)

In relation to our application requesting a variation in our license we submit the following statement to outline our reason for the application and to hopefully balance any opposition by clearly laying out the benefits of providing us this variation.

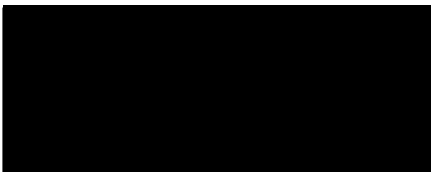
The request is firstly to extend our Sunday opening time from 12.30 to 11.00am. We would like the option to open earlier on a Sunday to cater for the many walkers and cyclists who often pass while travelling the John Muir Way and are looking for a place to rest for a while. We would additionally like to open earlier during local festivities and to host our own days of cultural and historical celebrations. In a challenging and competitive industry it is important that we have the flexibility to remain a viable business and as such we need at least the provision to extend our offerings. We will always, of course, respect our neighbours and will ensure none of our activities cause any disturbance to neighbours, whether noise or otherwise.

Secondly, we have requested the provision of off sales.

There are a couple of reasons we require this, both of which are crucial to the ongoing viability of our business, but more importantly, to improve the facility which is seeing more and more tourists visit. As our microbrewery has been fairly stagnant for a few years, we are excited to have onboard new brewers who are opening up new opportunities and have extensive online marketing experience. Brewing has been re-ignited at The Goth and our real ales brewed on site are becoming a crucial attraction point for the business. We are seeing people travel to sample our ales from surrounding areas as well as tourists. The provision of off sales would allow those visitors to take away a memento of their visit, which would be in the form of bottled beers made on the premises from East Lothian barley. We have always done our utmost to promote East Lothian's brewing history and we would like this to form a key part of our business moving forward.

In addition to off sales to visitors we also believe that an online presence is an expected aspect of any business and particularly the facility to purchase from a business online. We would therefore like to enable the purchase of ales directly from the internet for delivery. Online sales would be bottled beers in both single bottles and multi-packs. We would of course adhere to the industry practices to ensure all sales are made to those of an eligible age.

We trust the above information will permit our application to proceed. However, should there be further information required please do not hesitate to ask.



CAROL BLACK

EAST LoTHIAN COUNCIL
LICENSING

25 AUG 2016

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Date 16th August 2016



**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

Your Ref: EL042

Our Ref: J/LIC/3705/HB

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

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
GOTHENBURG, 227-229, HIGH STREET, PRESTONPANS
CAROL BLACK**

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 an increase to licensed hours on a Sunday morning (currently 12.30, new request for 11.00). 'Off sale' facility to cater for 'online' sales of bottled beers produced by their own Microbrewery and other Breweries.

In terms of Section 22 (1) (b) of the Licensing (Scotland) Act 2005, it is pertinent to point out that any increase in licensed hours 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
Chief Constable

For enquiries please contact the Licensing Department on 01620 826 147

EAST LOTHIAN COUNCIL

Internal Memorandum

From: Development Control Manager **To:** Clerk to the Licensing Board
Per: Neil Millar **Per:** Licensing Board
Cc:

Date: 26th August 2016

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: The Prestoungrange Gothenburg, 227-229 High Street,
Prestonpans

Application type: Variation other than a minor variation of premises licence

I have no objections to the variations applied for, as is detailed in the application forms for them, with regards to the above premise. Planning permission is not required for the sale of alcohol on the premises.

In December 2014, planning permission (Ref: 14/00615/P) was granted for a change of use of the courtyard area to form an outdoor dining area. Condition 1 of planning permission 14/00615/P states that, *'the outdoor dining area shall only be used by patrons and staff of the licensed premises between the hours of 1100 and 1800 any day of the week'*.

Condition 2 of planning permission 14/00615/P states that, *'there shall be no public entertainment, amplified music, amplified vocals or live music played in the outdoor dining area and no amplified music, amplified vocals or live music played inside the premises shall be audible in the outdoor dining area'*.

Please note that any changes that would affect the conditions imposed on the grant of planning permission 14/00615/P would require a variation of them through the submission of a further planning application.