

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

ELO16

2(b) Name and Address of Premises

Craig House Carberry Road Inveresk Edinburgh			
Post Code	EH21 8PT	Phone No.	0871 527 8358

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

Whitbread Group Plc Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable			
Post Code	LUS 5XE	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

None

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)

To amend question 7 as follows:

Capacity Breakdown – Residential – 246

On sales – 260

Off Sales 8.8m²

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.

To provide for construction of additional 22 bedrooms

1. Ground Floor and First Floor existing and additional bedroom 1780LIC(00)007C
2. Restaurant and external areas plan plus location plan 1562/100

No change to existing bedroom layout, nor to restaurant area known as Craig House however the area to the rear of Craig House coloured blue and marked on the plan for use as an external drinking area has been reduced in size due to the new footprint of the Premier Inn extension.

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 £ is enclosed.

Signature

[Redacted Signature]

(See note 5 below)

Date

20/7/16

Capacity: APPLICANT / AGENT (delete as appropriate)

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

John Gaunt & Partners
Omega Court,
372 Cemetery Road
Sheffield. S11 8FT
mhazlewood@john-gaunt.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

FOR OFFICE USE ONLY		
<i>Received & Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

Date 1st August 2016



**POLICE
SCOTLAND**

Keeping people safe

Your Ref:

Our Ref: J/LIC/3705/HB

Philip Gormley QPM
Chief Constable

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

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
Craig House Inveresk, Carberry Road, Musselburgh
Whitbread Group Plc**

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 extension to the existing premier Inn (additional 22 bedrooms) and opening hours to begin at 0630 hours (currently 0700 hours).

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 capacity 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: 9th August

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Craig House, Carberry Road, Inveresk

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 January 2016, planning permission (15/00462/P) was granted for the extension to the building and associated works at the Premier Travel Inn, Whitecraig. However, I can confirm that planning permission 15/00462/P does not include the external areas of the premise to be used as outdoor drinking areas/beer gardens as is applied for them in the licensing application forms for this variation to the premise.

Please note that it is the responsibility of the licensee to confirm what planning permission is in place for this use or demonstrate that planning permission is not required for it. Otherwise I would advise that a planning application is sought for the change of use of the areas of land to form beer gardens/external drinking areas as is shown for them on the submitted drawings.

Winter, Maree

From: Sue McCourt [smccourt@john-gaunt.co.uk] on behalf of Michelle Hazlewood [MHazlewood@john-gaunt.co.uk]
Sent: 25 August 2016 13:13
To: Winter, Maree
Subject: Internal Memorandum received re: Craig House, Inveresk Variation

Dear Maree

I have spoken with my clients who have confirmed that the area to the rear of the premises has historically been used as an external area but not as an extension of the restaurant which used the seating to the property. The area has been used to facilitate wedding functions where the bride and groom wish their guests to be able to circulate outside, for wedding photographs and as a garden. The "garden area" has now been significantly reduced by the extension plus new planting and fencing to the north east the existing masonry wall boundaries to the north-west and south-east will remain.

Our clients consider that access to the area will in fact reduce and that it will become less attractive to customer by virtue of the size of the extension building.

I hope this helps. I note that the internal memorandum states that this is not a formal objection.

I would be grateful if you could confirm if any additional queries or objections have been received during the consultation period.

I am currently contacting my client to send to me the Confirmation of Site Notice documentation which I will then forward to you.

Yours sincerely

Michelle Hazlewood

Partner
Sent by Sue McCourt

MHazlewood@john-gaunt.co.uk | www.john-gaunt.co.uk
T: 0114 266 8664 | M: 07801 924 301 | F: 0114 267 9613



Omega Court | 372-374 Cemetery Road | Sheffield | S11 8FT

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Partners: John Gaunt (569711) Katharine Redford (569712) Tim Shield (569713)
Michelle Hazlewood (569714) Christopher Grunert
Practice Manager: Jonathan Pupius

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