

**EAST LOTHIAN**

**Meeting 27 October 2016 at 10:00am in Council Chambers, Town House, Haddington**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1 LONGNIDDRY INN LONGNIDDRY INN MAIN STREET LONGNIDDRY EAST LOTHIAN EH32 0NF	PUNCH PARTNERSHIP LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	7 September 2016	Amend On & Off Sales on Sunday from 12.30pm to 11.00am Amend terminal hour on a Thursday from 11pm to 1am Allow bar meals outwith core hours. Add outdoor drinking area during core hours Premises may open prior to core licensed hours for the provision of teas, coffees, breakfasts etc. No alcohol will be sold outwith core hours.
2 THE CRAIG HOUSE CARBERRY ROAD INVERESK EDINBURGH EH21 8PT	WHITBREAD GROUP PLC. C/O JOHN GAUNT & PARTNERS OMEGA COURT 372-374 CEMETERY ROAD SHEFFIELD S11 8FT	21 July 2016	Variation to operating plan to increase residential capacity from 180 to 246. Vary serving breakfast from 7am to 6.30am. Amendment to layout plan to extend premier inn by 22 bedrooms. Decrease the outside drinking area to allow for extension.

# **EAST LOTHIAN COUNCIL**

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

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

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

**Date: 14 Oct. 16**

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

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 order and, therefore, have no objections to the granting of the variation of licence.

Premises Inspected:

**Craig House, Carberry Road, Inveresk, Musselburgh, East Lothian EH21 8PT**

R. Fruzynski  
Licensing Standards Officer

Date 1<sup>st</sup> 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.

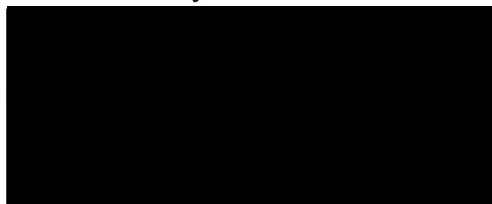
The variation requested consists of an extension to the existing premier Inn (additional 22 bedrooms) and opening hours to begin at 0630 hours (currently 0700 hours).

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 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

<b>Post Code</b>	<b>EH21 8PT</b>	<b>Phone No.</b>	0871 527 8358
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**2(c) Full Name and Address of Current Licence Holder**

Whitbread Group Plc  
Whitbread Court  
Houghton Hall Business Park  
Porz Avenue  
Dunstable

<b>Post Code</b>	<b>LU5 5XE</b>	<b>Phone No.</b>	
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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

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 8.8m<sup>2</sup>

#### 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.

**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)

To permit earlier opening for the provision of breakfasts from 06:30 hours (currently 07:00 hours)

**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-

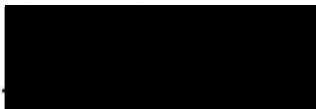
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

**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 £        is enclosed.

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

**FOR OFFICE USE ONLY**

***Received & Receipt No.***

***System Updated***

***Licence Issued***





the octagon  
6 new road  
L1 01292 611777  
L1 01292 61515  
m@im-arch.co.uk  
www.im-arch.co.uk

Do not scale from this drawing.  
Use figured dimensions only.  
Dimensions to be rounded to 1/4" U/A.

Prepared  
PREPARED BY: IM ARCHITECTS  
UNIVERSITY OF SHEFFIELD  
ARCHITECTURAL  
DEPARTMENT

Drawn  
SITE PLAN  
AS PROPOSED

17504142-2011 C  
LICENSING

# EAST LoTHIAN LICENSING BOARD

## OPERATING PLAN

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

*Name, address and postcode of premises to be licensed.*

Craig House Carberry Road Inveresk East Lothian EH21 8PT
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### 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>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	00:00
<i>Friday</i>	11:00	00:00
<i>Saturday</i>	11:00	00:00
<i>Sunday</i>	11:00	00:00

**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>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	22:00
<i>Friday</i>	10:00	22:00
<i>Saturday</i>	10:00	22:00
<i>Sunday</i>	10:00	22:00

**Question 4**

*SEASONAL VARIATIONS*

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

<p>The premises are entitled to and have the benefit of extended hours for all other dates and times identified in the Licensing Board Policy from time to time in respect of the seasonal period and any other occasion specified by the Board.</p>
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**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

<b>COL. 1</b> <b>5(a)</b> <b>Activity</b>	<b>COL. 2</b> <b>Please confirm</b> <b>YES/NO</b>	<b>COL. 3</b> <b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>COL. 4</b> <b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<i>Accommodation</i>	Yes	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
<b>5(b) Activity</b> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<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
<b>5(c)</b> <b>Activity</b> <b>Entertainment</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<i>Recorded music – see</i> <b>5(g)</b>	Yes	Yes	Yes
<i>Live performances –</i> <b>see 5(g)</b>	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>	Yes	Yes	Yes
<i>Indoor/outdoor sports</i>	No	No	Yes

<i>Televised sport</i>	Yes	Yes	Yes
<b>5(d)</b> <i>Activity</i>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Outdoor drinking facilities</i>	Yes	Yes	Yes
<b>5(e)</b> <i>Activity</i>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<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 and bar will be open from 06:30hrs to accommodate breakfasts, early lunches, reception parties (e.g. funerals), small conferences / meetings, all without the sale of alcohol outwith core licensing hours.

Gaming to be available throughout opening hours.

Major TV sporting events will be shown. Sometimes this will be outwith core licensing hours without the sale of alcohol.

New Years Eve and Christmas Eve – the provision of live or recorded music and dancing until 2 a.m. – alcohol will be sold.

Outdoor drinking facilities will be provided prior to on consumption hours for patrons partaking in breakfast, early lunches. Only non alcoholic beverages shall be provided outwith on consumption hours.

Accommodation is available 24 hours a day.

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.

Quiz Nights.
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5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

**Question 6 (On-sales only)**

*CHILDREN AND YOUNG PERSONS*

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

6(b) *Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

Children – entry will be allowed to the restaurant area only for consumption of food and soft drinks up to the termination of operating hours and must be accompanied by an adult.

Young persons - entry will be allowed to the restaurant area until 22:00hrs for the consumption of food and soft drinks at the discretion of the Manager without adult supervision. After 22:00hrs young persons will be allowed access if accompanied by an adult.

On New Years Eve, Christmas Eve and other special occasions, children and young persons will be allowed in the restaurant under adult supervision until 02:00 hours.

Children and young persons will be allowed in the bar when accompanied by an adult and partaking in meals from the start of operating hours until 23:00hrs.

Children and young persons will be permitted in the hotel at all times.

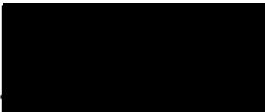
6(c) *Provide statement regarding the **AGES** of children or young persons to be allowed entry*

0-17 years

**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 .....  ..... \* (see note below)

Date ..... 20/7/16 .....

Capacity . SOLICITOR + AGENT TO ..... ~~APPLICANT/AGENT~~ (delete as appropriate).  
WHITBREAD GROUP PLC

Telephone number and email address of signatory 0114 266 8664 mhazlewood@john-gaunt.co.uk  
.....

**\* Data Protection Act 1998**

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





John Gaunt  
& Partners

## Licensing Solicitors

Our Ref: MH/BREW-S/CRA60  
Contact: Michelle Hazlewood

East Lothian Licensing Board  
Clerk to the Licensing Board  
East Lothian District Council  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

East Lothian Council  
Licensing

21 JUL 2016

Received

20 July 2016

Dear Sirs

### **CRAIG HOUSE, CARBERRY ROAD, INVERESK, EAST LOTHIAN, EH21 8PT Section 29 (Alterations) - Premier Inn Extension**

We act for Whitbread Plc who are the Premises Licence Holders in respect of the above mentioned premises. Adjacent to the Craig House Restaurant is situated a Premier Inn which is also operated by Whitbread Group Plc and forms part of the licensed area.

Our clients experience significant demand for the provision of bedroom accommodation and have therefore looked at sites where a potential extension of the Premier Inn could be secured. At this location it is proposed to construct an extension to the Premier Inn which will cover both first and second floors and will provide a further 22 bedrooms.

Having liaised with the Clerk to the Board we understand, you require an application pursuant to Section 29 to incorporate those bedrooms within the licensed area and amend the occupancy figures arising from it.

In addition our clients have requested that we seek to bring forward the opening time to members of the public as breakfasts are now provided from 06:30 hours.

We therefore enclose by way of service upon you the following documents:

1. Application for variation of the Premises Licence pursuant to Section 29A (Scotland) Licensing Act 2005.
2. Amended Operating Plan to accompany the application and in particular revised response to the point of provision for opening to accommodate breakfasts and question 7.
3. Original Premises Licence, Operating Plan and plans.
4. Seven copies of the following:
  - The plan currently attached to the Licence and illustrating the layout of Craig House – updated version 1562/100
  - Plan illustrating existing Ground Floor and First Floor and new additional bedroom 1780LIC(00)007C

Tel: 0114 266 8664  
Helpline: 0114 266 3400  
Fax: 0114 267 9613  
Email: [info@john-gaunt.co.uk](mailto:info@john-gaunt.co.uk)  
[www.john-gaunt.co.uk](http://www.john-gaunt.co.uk)

Partners:

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

Practice Manager:

John Gaunt & Partners  
Omega Court  
372 - 374 Cemetery Road  
Sheffield  
S11 8FT

- By way of information only site layout plan numbered 1780LIC(2)001C providing further detail as to the overall layout of the site.
5. We enclose our cheque in the sum of £150.00 being the fee payable.

In respect of the licensed areas we can confirm:

1. The restaurant is wholly unaffected by the works.
2. The only change to drawing 1562/100 is the reduction in size of the external licensed area to the rear of the premises and updating of the location plan.
3. On completion of all the works the Premier Inn will have the benefit of 82 bedrooms.
4. The Premier Inn already provides breakfast to residents from 06:30 and would seek to do so for general members of the public, application is therefore made to bring forward the opening time to members of the public for this purpose from 06:30 hours.

We should be obliged if you would kindly acknowledge safe receipt of all the documentation.

We can confirm in relation to the plans these can be provided digitally should you wish this to be the case.

We can confirm the variation seeks to amend the Premises Licence in respect of the plans attached to it and the Operating Plan so as to licence in total the additional 22 bedrooms, the overall occupancy for residential purposes being enhanced 246 persons, the occupancy of the on sales area remaining at 260.

We would be grateful if you would advise us as to any issues and potential date for the matter to be scheduled before the Board in this regard. We are aware the premises falls within an area of over provision however the enhanced access to alcohol is very limited as not all persons frequenting the bedroom accommodation will desire alcoholic beverages and the Premier Inn will continue to operate primarily as bedroom accommodation with no increase to the facilities provided within the restaurant containing the bar area.

Should the Board require further clarification in relation to the potential impact upon the enhancement of the Licence and the Over Provision Policy we would be pleased to provide additional details.

We await from you Notice of Display in respect of the application so that this may be forwarded to site for display.

In the interim should you have any queries or concerns please do not hesitate to contact our Miss Hazlewood.

Yours faithfully



**Michelle Hazlewood**  
**John Gaunt & Partners**  
**Email: mhazlewood@john-gaunt.co.uk**