

EAST LOTHIAN

Meeting 22 June 2017 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
5	COCKENZIE & PORT SETON BOWLING & RECREATION CLUB KING GEORGE V PARK NORTH SETON PARK PORT SETON PRESTONPANS	COCKENZIE & PORT SETON BOWLING & RECREATION CLUB	9 May 2017	
6	CO-OPERATIVE GROUP FOOD LTD. 118-120 HIGH STREET DUNBAR EAST LOTHIAN EH42 1JJ	THE CO-OPERATIVE GROUP FOOD LTD	17 March 2017	
7	COUNTY HOTEL 15-17 HIGH STREET NORTH BERWICK EAST LOTHIAN EH39 4HH	C/O HILL BROWN LICENSING HILL BROWN LICENSING RWF HOUSE, 5 RENFIELD STREET KILLERNAN INNS LIMITED	3 May 2017	
8	JO'S KITCHEN 73 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JJ	C/O FLINT BISHOP SOLICITORS ST MICHAELS COURT ST MICHAELS LANE DERBY DE1 3HQ JOANNA MARGO LAWRENCE	11 April 2017	

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

EL0220

2(b) Name and Address of Premises

COCKENZIE AND PORT SETON BOWLING AND RECREATION CLUB
KING GEORGE V PARK
PORT SETON
EAST LoTHIAN

East Lothian Council
Licensing

- 9 MAY 2017

Post Code	EH32 0BH	Phone No.	01875 810481	Received
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2(c) Full Name and Address of Current Licence Holder

COCKENZIE AND PORT SETON BOWLING AND RECREATION CLUB
KING GEORGE V PARK
PORT SETON
EAST LoTHIAN

Post Code	EH32 0BH	Phone No.	01875 810481
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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

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)

Amend our Opening time on a Sunday from 12:30 to 11:00 as there is demand for and this is in line with other clubs and licensed premises in the area.

Under Question 6B – we would like to add Bowling Events to this list.

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.

We wish to add the Bowling Green area to the Licence in this application. We currently apply for Occasional Licences for several events held within the Bowling Area throughout the season. We would like the option of adding the Bowling Green to the Licence in order that we could serve alcohol at these events and other bigger events throughout the season. We cannot see this numbering any more than 20 events from April to September.

We can assure the board that if this is accepted we will always have bar staff and Committee on duty at both venues in charge of that area and ensuring that there is no transfer of alcohol from either location.

We have never had any issues when we have run these events or busy functions in the clubhouse in the past

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)

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

[Redacted Signature]

..... (See note 5 below)

Date

9TH MAY 2017

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

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

[Redacted Agent Information]

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>

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

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

COCKENZIE AND PORT SETON BOWLING AND RECREATION CLUB KING GEORGE V PARK PORT SETON EAST LoTHIAN EH32 0BH

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>NO</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES</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	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	24:00

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</i>
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**If YES – provide details*

<p>WE WISH TO TAKE ADVANTAGE OF ADDITIONAL HOURS GRANTED BY THE BOARD.</p>

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
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	YES	YES	No
Bar meals	NO	NO	NO
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
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	NO 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
Recorded music – see 5(g)	YES	YES	NO
Live performances – see 5(g)	YES	YES	NO
Dance facilities	YES	YES	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	YES	YES	NO
Indoor/outdoor sports	YES	YES	NO YES
Televised sport	YES	YES	NO

X

X

5(d) Activity	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
Outdoor drinking facilities	YES	YES	NO
5(e) Activity	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
Adult entertainment	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

FUNERALS MAY COMMENCE NOT EARLIER THAN 10AM

CLUB MEETINGS MAY COMMENCE BEFORE CORE HOURS

BOWLING MAY COMMENCE " " " "

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.

NONE

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?	N/A
When fully occupied, are there likely to be more customers standing than seated?	N/A
*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>	YES
	<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*

BOWLING EVENTS
FUNDRAISING/CHARITY EVENTS
PRIZE GIVINGS
BIRTHDAY PARTIES / ANNIVERSARIES / WEDDINGS / FUNERALS
AT ALL OF THE ABOVE ADULT SUPERVISION WILL BE MANDATORY

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

0-17 YEARS OLD

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

MEMBERS 0-17 DURING CORE HOURS
NON-MEMBERS UNTIL 10.30PM

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

ALL PUBLIC AREAS EXCLUDING THE 2 METRE PROXIMITY TO BAR AND BEHIND BAR.

Question 7

CAPACITY OF PREMISES

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

ON SALES - 190 (BAR 120 ; LOUNGE 70) OUTSIDE AREA 100 MAY INCLUDING SPECTATORS

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

ALL PUBLIC AREAS EXCLUDING THE 2 METRE PROXIMITY TO BAR AND BEHIND BAR.

Question 7

CAPACITY OF PREMISES

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

ON SALES - 290 (BAR 120 ; LOUNGE 70) OUTSIDE AREA 100 MAY INCLUDING SPECTATORS

Question 8

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

Personal details

8(a) Name

DAVID BUCHANAN

8(b) Date of birth

[REDACTED]

8(c) Contact address

[Redacted contact address]

8(d) Email address and telephone number

[Redacted email address and telephone number]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
1 SEPTEMBER 2009	EAST LOTHIAN LICENSING BOARD	EL538

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)

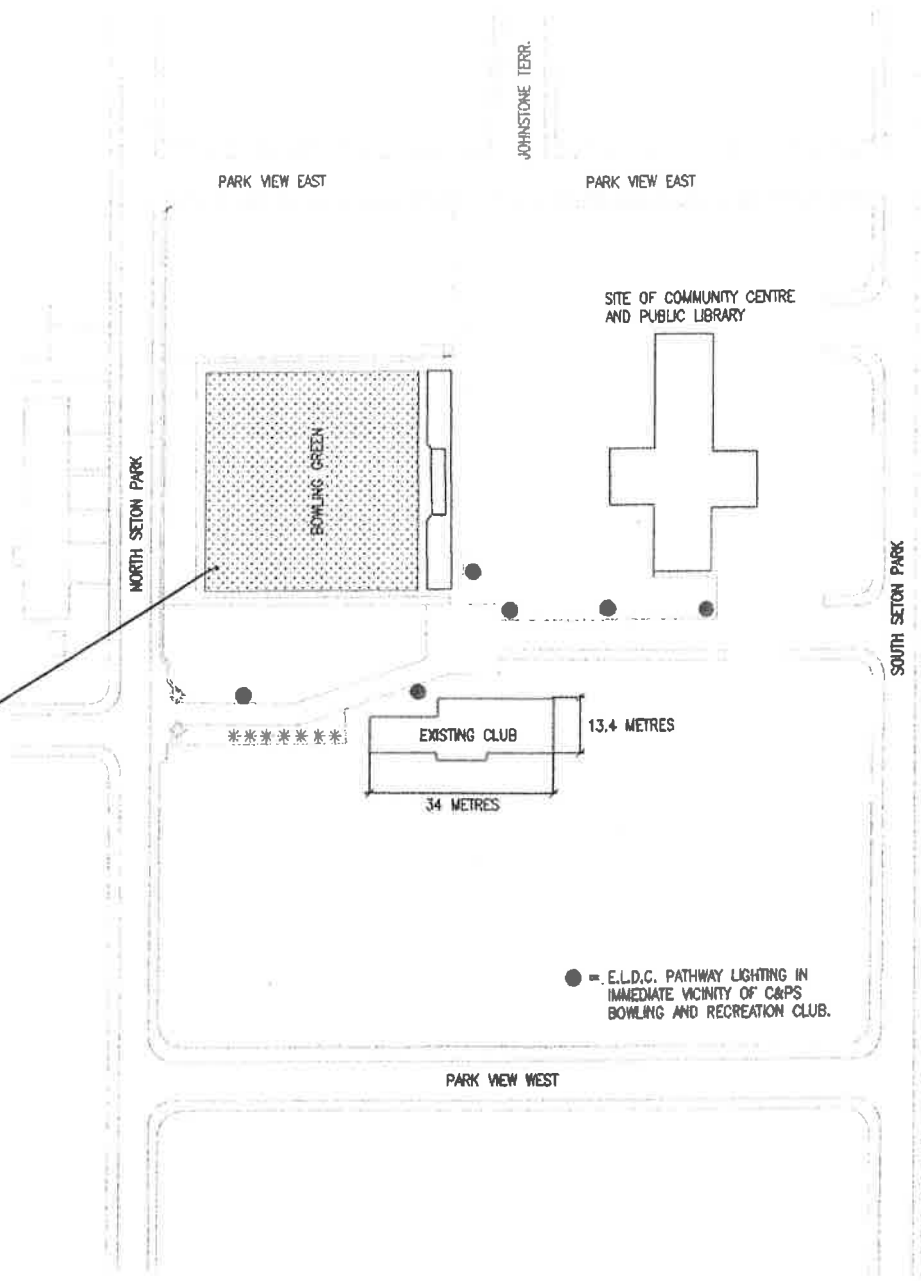
Date 9th MAY 2017

Capacity Secretary APPLICANT/AGENT (delete as appropriate).

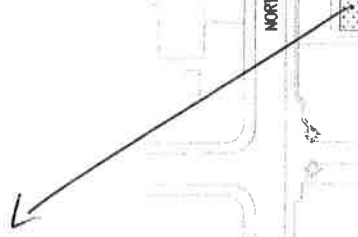
Telephone number and email address of signatory [Redacted]

*** Data Protection Act 1998**

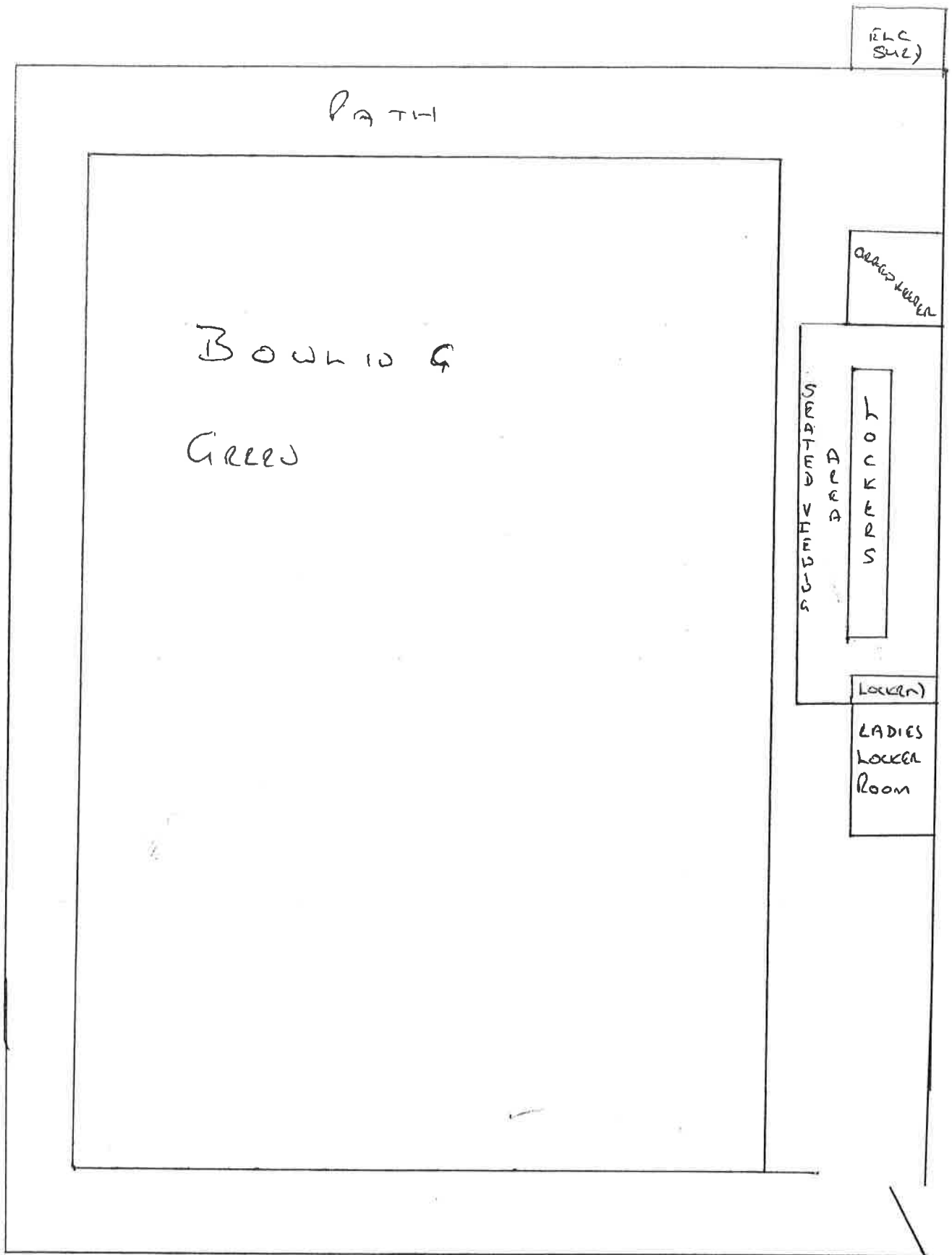
The information on this form may be held on an electronic public register which may be available to members of the public on request.



SEE
SCAPE
DRAWING



CHILDREN ARE ALLOWED INTO ALL PUBLIC AREAS



DRINKS WOULD BE SECURED IN AND SOLD FROM THE GREENS ROOM WITH A COMMITTEE MEMBER ASSIGNED TO DO SO. LEFT THE ABOVE AREA WITH A CAP OR BOTTLE.

Date 15th May 2017



**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:

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
Cockenzie & Port Seton Bowling & Recreation Club
King George V Park, North Seton, Port Seton, East Lothian, EH32 0BH.
Committee**

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

The variation requested consists of an increase in licensed hours, to change the opening time on a Sunday from 12.30 to 11am. It also includes a request to licence the adjacent bowling green.

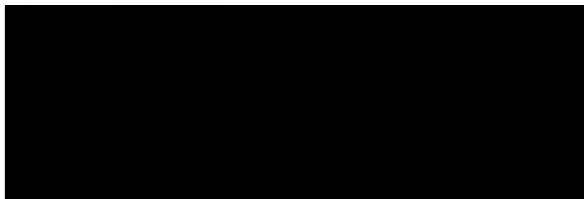
In terms of Section 29(5) this request can be considered a variation.

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.

Whilst the police have no objection to the grant of this variation, it is pertinent to point out that any increase in hours as well as 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 826147

EAST LoTHIAN COUNCIL

LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

From: Rudi Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 15 May 2017

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE APPLICATION (MAJOR VARIATION)

**Cockenzie and Port Seton Bowling & Recreation Club, Port Seton,
East Lothian EH32 0BH**

I refer to the above subject and can confirm that the above premises have been visited and inspected in relation to application for a Premises Licence variation.

I have no objection to the proposed change to core hours on a Sunday, which is in line with Board policy.

It is unfortunate that the layout of the bowling club premises sees it detached from the bowling green via the wide public footpath which runs from North Seton Park to South Seton Park. Unlike most bowling clubs in East Lothian the bowlers have not had the convenience of having the perimeter of their bowling green licensed. This has meant that they have had to apply for an occasional licence every time they have had an important bowling fixture. The grant of these licences has not resulted in any complaints or operational problems over the years.

If the Board is minded to grant this application, Licensing Standards requests that a condition be placed on the licence that no alcoholic drinks are permitted to be taken from the clubhouse to the bowling green and conversely no alcoholic drinks are to be transferred from the bowling green area to the clubhouse. This would protect the public using the public footpath segregating the two areas and be in line with the licensing objectives.

It is also recommended that use of the outside licensed area to be limited to 2200 hours due to the close proximity of residential properties.

If the above conditions were accepted, then I would have no objections to the granting of a variation to include the bowling green area within the footprint of the premises licence.

Rudi Fruzynski
Licensing Standards Officer

Winter, Maree

From: Kennedy, Scott
Sent: 16 May 2017 11:43
To: Licensing
Subject: RE: LSO Report Cockenzie and Port Seton Bowling Club Major Variation

Yes Maree, happy to accept the conditions.

These are what I would be putting in my Overprovision letter in any case.

Scott

From: Winter, Maree **On Behalf Of** Licensing
Sent: 16 May 2017 09:29
To: Kennedy, Scott
Subject: RE: LSO Report Cockenzie and Port Seton Bowling Club Major Variation

Hi Scott,

Are you happy to accept Rudi's conditions.

Regards
Maree.

Maree Winter
Licensing Officer
Democratic & Licensing Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

mwinter@eastlothian.gov.uk

From: Kennedy, Scott
Sent: 16 May 2017 09:11
To: Licensing
Subject: RE: LSO Report Cockenzie and Port Seton Bowling Club Major Variation

No comments on this Maree.

Thanks.

From: Winter, Maree **On Behalf Of** Licensing
Sent: 16 May 2017 08:42
To: Kennedy, Scott
Subject: FW: LSO Report Cockenzie and Port Seton Bowling Club Major Variation

Hi Scott,

Please see attached report received from our LSO. Have you any comments you may care to make on this.

Regards

Maree.

Maree Winter
Licensing Officer
Democratic & Licensing Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

mwinter@eastlothian.gov.uk

From: Fruzynski, Rudi
Sent: 16 May 2017 08:39
To: Licensing
Subject: LSO Report Cockenzie and Port Seton Bowling Club Major Variation

Please see attached report in respect of the above premises.

Rudi Fruzynski
Licensing Standards Officer
East Lothian Council



01620827363

COCKENZIE & PORT SETON BOWLING & RECREATION CLUB



King George V Park
Port Seton
East Lothian
EH32 OBH

01875 810481

18th May 2017

OVERPROVISION STATEMENT

In relation to our Major variation requesting an increase in licensed hours, to change the opening time on a Sunday from 12.30 to 11am which also includes a request to licence the adjacent Bowling Green I now provide you as requested with the following Overprovision Statement.

The club can advise Police Scotland and the board that the Committee of the Club will ensure that there is always a member of the Committee on duty at both the Bowling Green area and the Club itself when both premises are selling alcohol. These persons, along with the bar staff on duty, will ensure that no glasses, cans or alcohol are allowed to leave either premises and be transferred to the other or into a public area. These conditions are currently in place whilst the bar is open in the club and when we have had an Occasional Licence for the sale of alcohol in the Bowling Green area and we have never had any problems with this. As I have said previously on average we apply for 10 Occasional licences throughout the bowling season and always have committee present and have had no issues arising from these events which are well attended by bowlers and members of the community.

The increase in our licensed hours on a Sunday from 12.30pm to 11am is in line with other establishments in the area and allows us to cover bowling events and functions requested on Sundays.

We can also assure the Police and the Board that if we feel the noise/music is too loud from any events we hold that we would monitor this ourselves and measure the level before dealing with this appropriately.

In summarising, as a Club and Committee we feel that the proposed changes and the controls put in place will prevent any potential crime and disorder, or nuisance and will ensure that both our members and public safety will be protected through positive stewarding measures by those committee members on duty at all times.

Yours sincerely,

Scott Kennedy
Secretary