

**EAST LOTHIAN**

**Meeting 22 June 2017 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

<b>New Grant(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	LANNA THAI 32 BRIDGE STREET MUSSELBURGH EH21 6AG	SURIN LLEWELLYN	21 March 2017	



EL 343

POL  
LSO  
ENV  
PLANNING  
FIRE  
NHS  
SHONA

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR PREMISES LICENCE ~~PROVISIONAL~~ PREMISES LICENCE\*

\*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION Licensing (Scotland) Act 2005; section 20(1)

ELC  
CUSTOMER SERVICES  
21 MAR 2017  
RECEIVED

Question 1


Name, address and postcode of premises to be licensed.

LANNA THAI  
32 BRIDGE STREET  
MUSSELBURGH  
EH21 6AG

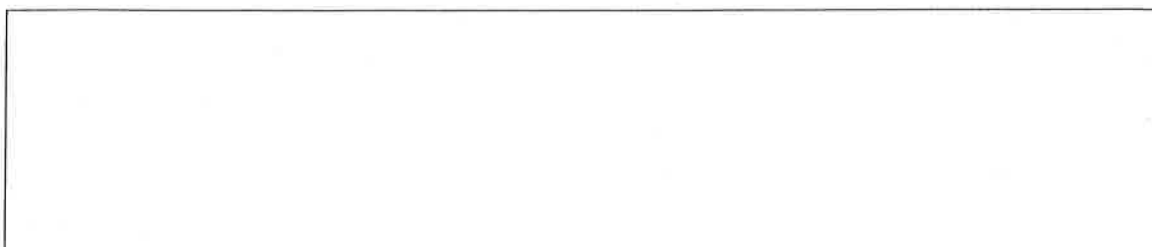
Question 2

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.

SURIN LLEWELLYN  


2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.



2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\**

**\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.**



**Question 3**

*Previous applications*

3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? ~~YES~~/NO\*

If YES – provide full details

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**Question 4**

*Previous convictions*

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	<del>YES</del> /NO*
--	---------------------

\*If YES – provide full details

*For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974*

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

**Question 5**

5 Description of premises (where application is submitted by a members' club, please also complete question 6)

RESTAURANT ON TERRACE ON MAIN STREET, ATTACHED ICE CREAM SHOP, NO RESIDENTIAL PROPERTIES.
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**Question 6**

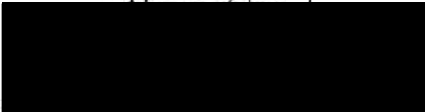
6 To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

**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 Application are true to the best of my knowledge and belief.

Signature .  (see note below)

Date ..... 20/3/2017 .....

Capacity ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory . 

# EAST LoTHIAN LICENSING BOARD

## OPERATING PLAN

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

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

LANNA THAI RESTAURANT  
 32 BRIDGE STREET  
 MUSSELBURGH EH21 6AG

**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>	YES/ <del>NO</del> *
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<del>YES</del> /NO*
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES/NO*
<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 - 30 AM	11 - 00 PM
<i>Tuesday</i>	11 - 30 AM	11 - 00 PM
<i>Wednesday</i>	11 - 30 AM	11 - 00 PM
<i>Thursday</i>	11 - 30 AM	11 - 30 PM
<i>Friday</i>	11 - 30 AM	11 - 30 PM
<i>Saturday</i>	11 - 30 AM	11 - 30 PM
<i>Sunday</i>	11 - 30 AM	11 - 00 AM

**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	N/A	
Tuesday	N/A	
Wednesday	N/A	
Thursday	N/A	
Friday	N/A	
Saturday	N/A	
Sunday	N/A	

**Question 4**

SEASONAL VARIATIONS

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

**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	NO
Club or other group meetings etc.	NO	NO	NO
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)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO

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	NO	NO	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.

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.

<p><del>NO</del> TAKE AWAY</p>
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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?	<del>YES</del> /NO*
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When fully occupied, are there likely to be more customers standing than seated?	<del>YES</del> /NO*
--	---------------------

*Delete as appropriate	
------------------------	--

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

*CHILDREN AND YOUNG PERSONS*

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

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

IN RESTAURANT AREA  
ACCOMPANIED BY ADULT

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

ANY AGE

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

NORMAL OPENING HOURS  
11-30<sub>AM</sub> - 11-30<sub>AM</sub>



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

RESTAURANT AREA AND TOILETS ONLY

**Question 7**

**CAPACITY OF PREMISES**

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

ON SALES - 38

**Question 8**

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

Personal details

8(a) Name

SURIN LEWELLYN

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>
31 <sup>st</sup> July 2016	EAST LoTHIAN	EL1318

**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 ..... 1/10/16

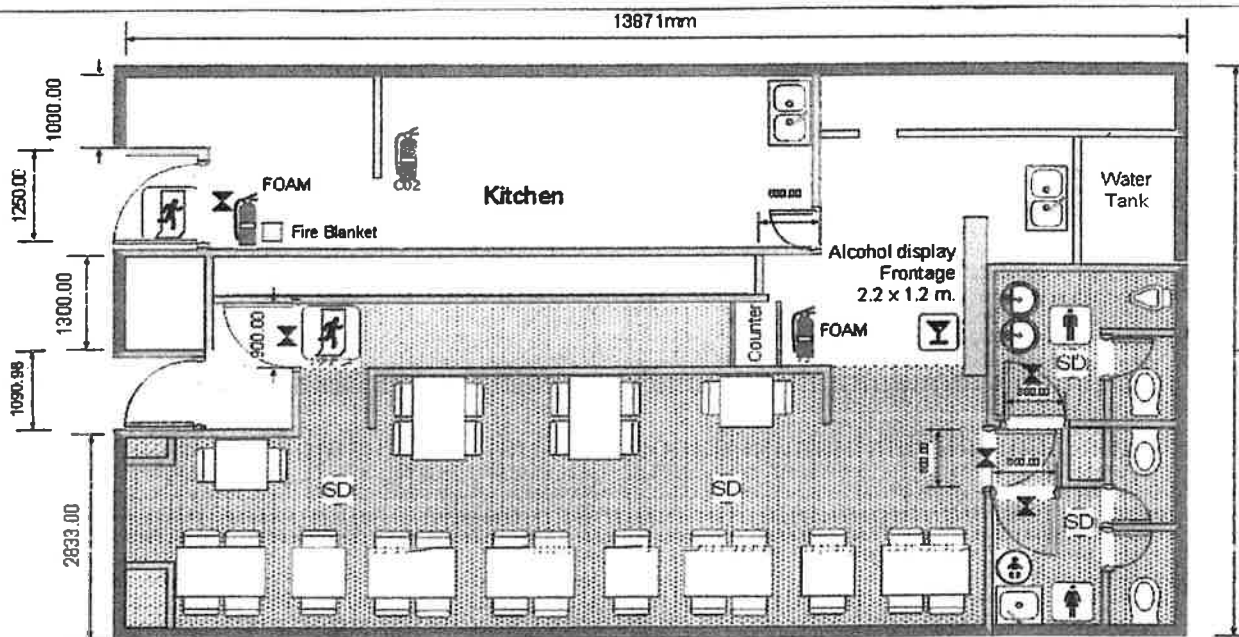
Capacity ..... APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory .....

[Redacted telephone number and email address]

**\* 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.



Scale 1 mm. = 100 mm.

**Lanna Thai Restaurant**  
**32 Bridge Street, Musselburgh EH21 6AG**

Shading = Children Permitted

-  Emergency Lighting
-  Fire Exit
-  Baby Changing
-  SD: Smoke Detector
-  Alcohol Display Frontage
-  Fire Blanket
-  Gents Lavatory
-  Ladies Lavatory
-  Table & Chairs

Date 28<sup>th</sup> March 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

Your Ref: EL343

Our Ref: J/LIC/3705/HB

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 GRANT OF A  
PREMISES LICENCE  
LANNA THAI RESTAURANT, 32 BRIDGE STREET, FISHERROW,  
MUSSELBURGH, EAST LOTHIAN, EH21 6AG.  
SURIN LLEWELLYN**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

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:** R. Fruzynski  
Licensing Standards Officer

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

**Date:** 10 Apr. 17

**Subject:** LICENSING SCOTLAND ACT 2005  
PREMISES LICENCE APPLICATION

**Lanna Thai, 32 Bridge Street, Musselburgh, East Lothian EH21 6AG**

I refer to the above subject and can confirm that the premises have been visited in relation to application for a Premises Licence. I am satisfied that the Operating and Layout Plans are in accordance with the Licensing Board's policy, and the Act and, therefore, have no objections to the granting of the licence.

It should be noted that the original Premises Licence issued in respect of these premises was lost due to an administrative error on behalf of the previous owner of the restaurant and through no fault of the applicant. As such, the premises have been permitted to trade from October 2016 to the current date using Occasional Licences. During this period the premises have been very well run and there have been no complaints received concerning the operation of the licence or the restaurant facilities provided.

R. Fruzynski  
Licensing Standards Officer



**EAST LOTHIAN**

**Meeting 22 June 2017 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

<b>Provisional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
2	91 HIGH STREET HADDINGTON EAST LOTHIAN EH41 3ET	ZEST CAPITAL MANAGEMENT	28 April 2017	
3	MRH DALRYMPLE FILLING STATION DIRLETON ROAD NORTH BERWICK EH39 5DF	MALTHURST PETROLEUM LIMITED C/O HARPER MACLEOD, LLP THE CA'D'ORO 45 GORDON STREET GLASGOW	28 April 2017	
4	NORTH BERWICK BOWLING CLUB 17 CLIFFORD ROAD NORTH BERWICK EH39 4PW	NORTH BERWICK BOWLING CLUB C/O MESSRS. J. PARIS STEELE & CO W.S. SOLICITORS CLYDESDALE BANK CHAMBERS 35 WESTGATE NORTH BERWICK, EAST LOTHIAN	31 March 2017	





ELO 346

**EAST LoTHIAN LICENSING BOARD**

**APPLICATION FOR ~~PREMISES LICENCE~~/PROVISIONAL PREMISES  
LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION Licensing (Scotland) Act 2005, section 20(1)**

**Question 1**

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

**91 High Street  
Haddington  
East Lothian  
EH41 3ET**

**Question 2**

*Particulars of applicant*

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

**N/A**

East Lothian Council  
Licensing

28 APR 2017

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

Received

**Zest Capital Management  
3 Forth Street Lane  
North Berwick  
EH39 4JB**

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

N/A

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

N/A

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\**

James Wilkie

[REDACTED]

Catriona Wilkie

[REDACTED]

Keith Murdoch

[REDACTED]

Jane Murdoch

[REDACTED]

**\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.**

**Question 3**

*Previous applications*

3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? ~~YES~~/NO\*

*If YES – provide full details*

N/A
-----

**Question 4**

*Previous convictions*

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	<del>YES</del> /NO*
--	---------------------

*\*If YES – provide full details*

*For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974*

<i>Name &amp; position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>
	N/A			

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**DESCRIPTION OF PREMISES** *Licensing (Scotland) Act 2005, section 20(2)(a)*

**Question 5**

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

Newly formed bakery and bistro on ground floor of former George Hotel. The premises will provide high quality restaurant facilities to locals and visitors and will be a valuable addition to the current offering in Haddington and we would therefore ask that this application is considered an exception to the general assumption that there is an existing overprovision of licences.

**Question 6**


6 *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	<i>YES/NO*</i>  <i>N/A</i>
<i>* Delete as appropriate</i>	

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

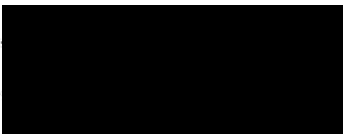
**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature ...  \* (see note below)

Date ..... 27/04/11 .....

Capacity ..... Partner ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory .....  .....

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	
<i>Layout plan</i>	
<i>Planning certificate</i>	
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

**\* 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.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	
<b>Fee amount</b>	
<b>Receipt number</b>	
<b>Received by (<i>INITIALS</i>)</b>	
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	

<b><u>For use by the Licensing Board only</u></b>	
<b>If application is for a premises licence</b>	
<b>Documents required</b>	
<b>Operating plan</b>	
<b>Layout plan</b>	
<b>Planning certificate</b>	
<b>Building standards certificate</b>	
<b>Food hygiene certificate</b>	

<b><u>For use by the Licensing Board only</u></b>	
<b>If application is for a provisional premises licence</b>	
<b>Documents required</b>	
<b>Provisional planning certificate</b>	
<b>Operating plan</b>	
<b>Layout plan</b>	

# EAST LoTHIAN LICENSING BOARD

## OPERATING PLAN

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

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

**91 High Street, Haddington, East Lothian EH41 3ET**

**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>	<del>YES</del> /NO*
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<del>YES</del> /NO*
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES/ <del>NO</del> *
<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 am	11.00 pm
<i>Tuesday</i>	11.00 am	11.00 pm
<i>Wednesday</i>	11.00 am	11.00 pm
<i>Thursday</i>	11.00 am	1.00 am
<i>Friday</i>	11.00 am	1.00 am
<i>Saturday</i>	11.00 am	1.00 am
<i>Sunday</i>	11.00 am	12.00 midnight

**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 am	10.00 pm
<i>Tuesday</i>	10.00 am	10.00 pm
<i>Wednesday</i>	10.00 am	10.00 pm
<i>Thursday</i>	10.00 am	10.00 pm
<i>Friday</i>	10.00 am	10.00 pm
<i>Saturday</i>	10.00 am	10.00 pm
<i>Sunday</i>	12.00 noon	10.00 pm

**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*

DURING THE FESTIVE PERIOD, AS DEFINED BY THE BOARD, THE ON-SALES HOURSE WILL BE EXTENDED TO MIDNIGHT TO EACH DAY TO COVER CHRISTMAS MEALS ETC.

THE LICENCE HOLDER MAY ALSO APPLY FOR EXTENDED HOURS DURING SPECIAL EVENTS AND OCCASIONS, PARTICULARLY THOSE RELATING TO THE SPORTS EVENTS FOR INSTANCE.



**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>COL. 2</b>	<b>COL. 3</b>	<b>COL. 4</b>
<b>5(a)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	NO	NO	NO
<b>5(b) Activity</b>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Social functions including:</i>			
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
<b>5(c) Activity</b>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Entertainment including:</i>			
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO

<i>5(d) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<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 PREMISES MAY OPEN FROM 7.30 AM TO PROVIDE TEAS, COFFEES, HOT SOUP, HOT ROLLS, ICE-CREAM, BREAKFASTS AND SNACKS INCLUDING BAKERY PRODUCE.

ALL ACTIVITIES ANSWERED YES IN COLUMN 4 MAY TAKE PLACE DURING SUCH PERIOD.

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.

BAKERY AND RELATED RETAIL OPERATION OUTSIDE CATERING DELIVERIES TAKEAWAYS DESPATCH OF INTERNET SALE ORDERS
--

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	N/A
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	N/A
<i>*Delete as appropriate</i>	

**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/NO*
	<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 AND YOUNG PERSONS WILL BE WELCOMED INTO THE PREMISES.  
NO RESTRICTION IN THE PUBLIC AREAS

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

NO RESTRICTION 0 – 17 YEARS

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

NO RESTRICTION SUBJECT TO MANAGEMENT DISCRETION

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

ALL PUBLIC AREAS – NOT WITHIN 1.5 METERS OF ANY BAR.

**Question 7**

**CAPACITY OF PREMISES**

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

60

**Question 8**

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

*Personal details*

8(a) Name

N/A

8(b) Date of birth

8(c) Contact address

8(d) Email address and telephone number

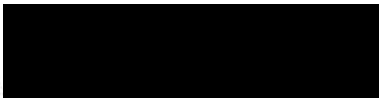
8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

**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 ..... 27/4/17 .....

Capacity ..... PARTNER ..... APPLICANT/~~AGENT~~ (delete as appropriate).

Telephone number and email address of signatory ... 

**\* 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.

## Supporting Statement

91 High Street  
Haddington

MNH (Haddington) Ltd  
3 Forth Street Lane  
North Berwick  
EH39 4JB

Dear

I am writing further to our application for a provisional premises license for 91 High Street, Haddington.

This is part of a larger project to redevelop the previously derelict George Hotel, a listed building, some of which dates back to the 17<sup>th</sup> Century.

We took control in December 2014 and have subsequently received planning permission and listed building consent to convert the ground floor into a Class 3 Cafe/Restaurant unit and a retail unit with flats above.

This licence application refers to the Class 3 restaurant unit.

The unit is primarily formed from the previous public bar of the old hotel but has been expanded taking in peripheral areas and now comprises a purpose designed 60 cover restaurant with appropriate kitchen and bathroom facilities. Our intention is to secure a high quality restaurant operator which we believe will 'lift' the slightly drab nature of the area.

Having the right restaurant operator in place will assist with the letting of our other commercial unit which is the converted ballroom and is targeted at an upmarket retailer or gallery.

Full and part time jobs will be created which will benefit the local economy.

The position under the Statement of Licensing Policy with regard to overprovision in East Lothian had been explained to us and we require to show how the granting of this Licence would not be prejudicial to the Licensing Objectives. Going through each of these in turn we would comment as follows:

### **1. Preventing Crime and Disorder**

The Premises have obtained Planning Permission to include a restaurant, and will operate as such. We would like the opportunity of providing alcohol refreshments in conjunction with the food and snacks that they will serve. The off sales permission is to facilitate patrons being able to take any unfinished bottles of wine home.

It is considered that the granting of the Licence under these circumstances would not prejudice this objective.

It would also be contrary to our interests for the premises to encourage any inappropriate behaviour or activity. This will be a family friendly facility, for use during the day and the earlier part of the evening in particular. We would suggest that the chances of unruly behaviour would be relatively slim.

Notwithstanding this, we accept the fact that we have an obligation to create a suitable environment. That means an environment that is pleasant for the consumer and is therefore conducive to people behaving in a civilised manner. Standards of behaviour will be set and people not prepared to accept these, or contravening in any way, will be asked to leave.

That includes overconsumption of alcohol and unruly or unsocial behaviour.

## **2. Securing Public Safety**

These will be newly fitted premises and therefore there should be no possibility of danger or inconvenience to the public.

We would also wish the staff to work in a pleasant and safe environment.

## **3. Preventing Public Nuisance**

It would be expected of patrons to behave as they are leaving. If patrons are waiting for taxis outside, or indeed people smoking outside, they will be asked to take into account the interests of the neighbours and to keep their voices down, including when they are on the telephone.

Music will be played, but it is not envisaged that there should be any noise escape that would cause inconvenience.

## **4. Protecting and Improving Public Health**

These will be food orientated premises, as will be appreciated, with the consumption of drink ancillary, but people in certain circumstances can consume too much, particularly perhaps if they have already consumed alcohol earlier. The behaviour of clients will be monitored to ensure overconsumption, which could be a danger to their safety as well, is minimised.

Staff will be trained as to the signs of people being drunk. It can sometimes be more difficult in a restaurant than in a bar because people are generally seated and it is perhaps only when they are leaving, or possibly visiting the toilet, that this is noticed.

Overconsumption of alcohol in Scotland is an issue and East Lothian Licensing Board have recognised this by their overprovision policy.

Our potential tenants are experienced operators and in all their existing operations, drink is ancillary, but is seen as a pleasant addition to their operation. This would be no different. As you can imagine, the last thing they want are any drunks or people behaving inappropriately. Nor do they want customers who would upset other customers, including families. The place would be operated with this in mind.

## **5. Protecting Children from Harm**

It is hoped that families, including families with young children, will use these premises. The premises will be operated accordingly.

It is not envisaged as the type of place that children or young persons would attempt to purchase alcohol, but staff will be trained in this respect and be vigilant.

We and our potential clients will of course operate a Challenge 25 Policy, and indeed a Refusals/ Incidents Book.



Elworthy, Debbie

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From: [REDACTED]  
Sent: 30 May 2017 10:56  
To: Licensing  
Subject: Licensing Application for 91 High Street, Haddington

Dear Ms MacNeill,

I called in to John Muir House to find out a bit more about this application recently, and have been given some more information. My family and I live at [REDACTED]

I understand that the application is a usual step in the development process, and that we don't actually know yet what businesses will be operating from The George. I welcome the idea that The George will soon be in use and bringing benefit to the community, both economic and social. I think that the 'Hardgate end' of the town is a bit down-trodden, and that the commercial enterprises at the George have great potential to bring a bit more quality to this rather shabby area. I imagine The George facilities when complete, to be a cross between our lovely Loft Cafe and Jo's Kitchen, both of which are succeeding in raising Haddington up a bit!

What I would not want, is:

- 1 A type of pub scenario, with a lot of noise after the usual shops close at 5.00, late into the evening. ([REDACTED] the hairdresser below us does not close at 5.00pm, but he is very quiet!) The terminal hours for consumption ON the premises in the application, are **not** acceptable. I am afraid. I have lived opposite a pub before, and people gather outside, some time after closing time which is typically 11.00pm, waiting for taxis, dropping litter, smoking cigarettes, continuing their drunken conversations and generally continuing the party for a good 30 minutes or more. Along Hardgate, where the noise would clearly be audible as people spill onto the streets, we have school children and working people living and sleeping, rising early in the morning for work. Being kept awake until 1.30am potentially, on some evenings, is not going to be fun at all. Also, in old properties such as ours which is 18th Century, the windows are original (Georgian) and there is no sound insulation. Even if there were, on a warm evening the windows may be open. So I object to the hours, most strongly. Even 11.00pm won't actually BE 11.00pm.
- 2 Noise from music, live or recorded. Amplification can be very loud, indeed we can hear the music from the Corn Exchange at our end of the street quite late after we have retired to bed. Not very often, but I am making the point that sound carries. It is the base volume particularly which vibrates through the air for a long distance. I don't understand the part of the application about decibels, because I don't know how loud '85DB' is, and I am not clear why the applicant has put N/A. It looks too vague and needs to be clarified, please. On the other hand, I do love the idea of live music, it's just the amplification and time restrictions that are needed to be clarified.
3. Additionally, I see no reason to extend the hours as at Q4, during periods of seasonal demand. Christmas parties and celebrations following sports events are NOT quiet, by definition, either during or after. People come outside to smoke, and carry on conversations which are more audible than they think, as again, sound carries and is amplified by surrounding buildings..
- (4. I am not sure what is proposed for the 1st floor, as it isn't included in the plans that I have.)

The **licensing** of this premises holds the key to whether the George is a quality venture that brings the area **UP**, or a just a seedy venue that lowers the tone of this part of town further and seriously annoys residents at night!

I would ask that the Licensing Board are conservative in their assessment of the application. There should be no doubt to the developer what he can do. However, I welcome a revival of quality businesses and music within the building.

Thank you for your consideration of these comments.

Yours sincerely,

[REDACTED]

Lothian NHS Board

Public Health & Health Policy  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh  
EH1 3EG  
Telephone 0131 536 9000  
Fax 0131 536 9088



www.nhsllothian.scot.nhs.uk

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

Date 2<sup>nd</sup> June 2017  
Your Ref  
Our Ref EO/JS/fb

Enquiries to Jim Sherval  
Extension 35436  
Direct Line 0131 465 5436  
Email: jim.sherval@nhsllothian.scot.nhs.uk

Dear Ms Winter

### APPLICATION FOR PROVISIONAL PREMISES – 91 HIGH STREET, HADDINGTON

On behalf of Lothian Health Board, we would like to make a representation concerning the despatch of internet sales orders aspect of this application.

NHS Lothian is increasingly concerned about the availability of alcohol via on-line sales. In particular, there are concerns nationally about the impact of on-line sales to children and young people, due to effective implementation of age verification and the appropriate training of delivery staff. In addition on-line sales increase the ease and hours when it is possible to purchase alcohol.

Although this application would increase availability in an area that has already been declared overprovided, and therefore is likely to have a detrimental effect on the population of East Lothian, on this occasion the Health Board would like to request that a condition is placed on this license that internet sales for alcohol can only accompany orders for food, in order to uphold the licensing principles of protecting children from harm and protecting and improving public health.

Yours sincerely

A black rectangular redaction box covering the signature of Jim Sherval.

**Jim Sherval FFPH**  
Consultant in Public Health

A black rectangular redaction box covering the signature of Elizabeth Oldcorn.

**Elizabeth Oldcorn**  
Senior Specialist in Health Promotion



Headquarters  
Waverley Gate, 2-4 Waterloo Place, Edinburgh EH1 3EG

Chair Brian Houston  
Chief Executive Tim Davison

*Lothian NHS Board is the common name of Lothian Health Board*

Date 22<sup>nd</sup> 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 GRANT OF A  
PROVISIONAL PREMISES LICENCE - REPRESENTATION  
91 HIGH STREET, HADDINGTON, EAST LOTHIAN, EH41 3ET.  
ZEST CAPITAL MANAGEMENT**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

In terms of Section 22(1)(b)(i) and (ii) of the same Act, I make the following representation.

**Question 4 - Seasonal Variations**

Consideration should be given in altering the wording here to:

*“The premises would like to be able take advantage of any extended hours offered by the Board.”*

As opposed to limiting themselves to festive hours only.

**Question 5(f) – Any Other Activities**

Could the applicant please clarify what they mean by "Deliveries"?  
Is this deliveries of food or alcohol or both?

If it is deliveries of alcohol, the applicant should be fully aware of the requirements under Section 119 of the Act.

### **Question 6 – Children and Young Persons**

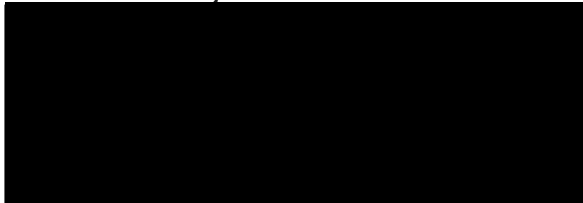
I would request that the wording in this section be changed to reflect that:

*"Children and Young Persons can remain for the duration but only if accompanied by a responsible parent or guardian and having a meal or attending a private function. Otherwise they should vacate the premises before 2200 hours."*

*"All subject to management discretion."*

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: R. Fruzynski  
Licensing Standards Officer

To: K. MacNeill  
Clerk to the Licensing Board

---

Date: 17 May 2017

Subject: LICENSING (SCOTLAND) ACT 2005  
PROVISIONAL PREMISES LICENCE APPLICATION

91 High Street, Haddington, East Lothian EH41 3ET

I can confirm that the premises have been visited in relation to this application and that the mandatory site notice was displayed in a prominent place visible to the public.

These premises formerly held a hotel licence, which was converted over to a Premises Licence on 01/09/2009 under the new licensing regime. However, the premises, which were under conversion and renovation at the time never actually re-opened and the licence was only maintained on payment of the annual fee year on year until 16/11/2015 when it was formally surrendered.

It is pertinent to point out that this application now comes into the category of being 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.

An extract from Part 4 of the Board's Policy is as follows:

19.2 *The Board, having considered data regarding rates of alcohol related police incidents, alcohol related hospital admissions and information regarding the number, type and capacity of licensed premises in all areas of East Lothian, and having regard to the evidence of a correlation between the density of outlets and alcohol related problems, has concerns about the level of provision across East Lothian as a whole.*

19.3 *Whilst particular localities have particularly high rates of alcohol related hospital admissions per 10,000 population and of alcohol related police incidents when compared to other areas within East Lothian and Scotland*

as a whole, the Board considers that people living throughout East Lothian have sufficient access to licensed premises (a combination of on sales and off sales premises) in the Board's area. The Board considers that it is not reasonable to assume that residents of particular localities are purchasing alcohol only in that locality or that alcohol related incidents recorded by the Police in one area are solely as a result of alcohol purchased or consumed in that locality. Taking these factors into account, the Board considers that there should be a rebuttable presumption against the grant of an application for a new premises licence or the increase in capacity of an existing premises licence within the Board's area as a whole.

19.4 Each application still requires to be determined on its own merits and there may be exceptional cases where an applicant can demonstrate that the grant of an application or the variation of an existing licence to increase capacity within one of these localities would not undermine the licensing objectives. The Board will expect applicants to provide robust and reliable evidence to support their application sufficient to demonstrate that the grant of their application would outweigh the presumption against grant in terms of this Overprovision Statement. The Board would expect to be addressed on each of the Licensing Objectives.

19.5 If an existing licence in any of the relevant localities ceases to be in force, this will not necessarily mean that there is capacity for a new licence in that locality. The localities identified are currently subject to overprovision and this may continue to be the case should a number of existing licences cease to be in force. Each application will be considered in the context of the statistics available to the Board at the time of the application.

Haddington currently has 25 licensed premises of which 8 are predominantly off-sales.

This report is submitted for the information and consideration of Board members.

R. Fruzynski  
Licensing Standards Officer

EAST LOTHIAN

Meeting 22 June 2017 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
2	91 HIGH STREET HADDINGTON EAST LOTHIAN EH41 3ET	ZEST CAPITAL MANAGEMENT	28 April 2017	
3	MRH DALRYMPLE FILLING STATION DIRLETON ROAD NORTH BERWICK EH39 5DF	MALTHURST PETROLEUM LIMITED C/O HARPER MACLEOD, LLP THE CA'D'ORO 45 GORDON STREET GLASGOW	28 April 2017	
4	NORTH BERWICK BOWLING CLUB 17 CLIFFORD ROAD NORTH BERWICK EH39 4PW	NORTH BERWICK BOWLING CLUB C/O MESSRS. J. PARJS STEELE & CO W.S. SOLICITORS CLYDESDALE BANK CHAMBERS 35 WESTGATE NORTH BERWICK, EAST LOTHIAN	31 March 2017	





**EAST LoTHIAN LICENSING BOARD**

**APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** *Licensing (Scotland) Act 2005, section 20(1)*

**Question 1**

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

MRH Dalrymple Filling Station  
Dirleton Road, North Berwick, EH39 5DF

**Question 2**

*Particulars of applicant*

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

[Empty box for answer to Question 2(a)]

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

[Empty box for answer to Question 2(b)]

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Malthurst Petroleum Limited  
Vincent House, 4 Grove Lane, Epping, Essex, CM16 4LH  
Number: 00762360

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\**

Karen Dickens  


Steven Back  


**\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.**

**Question 3**

*Previous applications*

3 *Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? YES/NO\**

*If YES – provide full details*

#### **Question 4**

*Previous convictions*

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
--	---------

*\*If YES – provide full details*

*For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974*

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

#### **DESCRIPTION OF PREMISES** *Licensing (Scotland) Act 2005, section 20(2)(a)*

#### **Question 5**

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

The premises are located on the south side of the Dirleton Road (A198) on the approach to North Berwick.

The premises trade as a general convenience store adjacent to petrol/derv filling station forecourt. The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from, and supplementary to, the offer of petrol/derv.

The applicant considers that persons within the locality of the premises are reliant on the premises to a significant extent on the premises as a principal source of petrol or derv or groceries and thereby satisfy the criteria of section 123(5) of the Licensing (Scotland) Act and as such are not excluded premises.

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**Question 6**

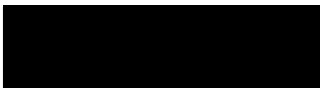
6 To be completed by members' clubs only *N/A.*

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

**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 Application are true to the best of my knowledge and belief.

Signature  ..... \* (see note below)  
Date ..... *18/04/2017* .....  
Capacity ..... *SOLICITOR* ..... APPLICANT/AGENT (delete as appropriate)  
Telephone number and email address of signatory

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE  
Tel: 0141 227 9388 Email; andrew.hunter@harpermacleod.co.uk

<b><i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i></b>	
<i>Operating plan</i>	<input checked="" type="checkbox"/>
<i>Layout plan</i>	<input checked="" type="checkbox"/>
<i>Planning certificate</i>	<input checked="" type="checkbox"/>
<i>Building standards certificate</i>	<input type="checkbox"/>
<i>Food hygiene certificate</i>	<input type="checkbox"/>

**\* 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.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
Date received	
Fee amount	
Receipt number	
Received by ( <i>INITIALS</i> )	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<b><u>For use by the Licensing Board only</u></b>	
<b>If application is for a premises licence</b>	
<b>Documents required</b>	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<b><u>For use by the Licensing Board only</u></b>	
<b>If application is for a provisional premises licence</b>	
<b>Documents required</b>	
Provisional planning certificate	
Operating plan	
Layout plan	

**EAST LoTHIAN LICENSING BOARD**

**OPERATING PLAN**

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

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

Dalrymple Filling Station Dirleton Road, North Berwick, EH39 5DF
---

**Question 1**

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	<del>YES</del> /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/ <del>NO</del> *
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	<del>YES</del> /NO*
*Delete as appropriate	

**Question 2**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00am	10.00pm
Tuesday	10.00am	10.00pm
Wednesday	10.00am	10.00pm
Thursday	10.00am	10.00pm
Friday	10.00am	10.00pm
Saturday	10.00am	10.00pm
Sunday	10.00am	10.00pm

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
---	---------

\*If YES – provide details

**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	No	No	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.	No	No	No
Club or other group meetings etc.	No	No	No
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	Yes
Live performances – see 5(g)	No	No	No
Dance facilities	No	No	No
Theatre	No	No	No
Films	No	No	No
Gaming	No	No	No
Indoor/outdoor sports	No	No	No
Televised sport	No	No	No



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	No	No	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.

The premises may play background music in the retail areas of the store. The premises are open between 06:00 hours and 23:00 hours each day and therefore music may be played outwith core licensing hours.

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.

The premises comprise of general convenience store with off sale facility adjacent to petrol/derv filling station forecourt.

5(g) Late night premises opening after 1.00am – N/A

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 - N/A

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

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

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

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

**Question 7**

**CAPACITY OF PREMISES**

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

9.05m <sup>2</sup>
--------------------

**Question 8**

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

Personal details

8(a) Name

--

8(b) Date of birth

--

8(c) Contact address

--

8(d) Email address and telephone number

--

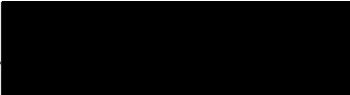
8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**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 ..... 18/04/2017 .....

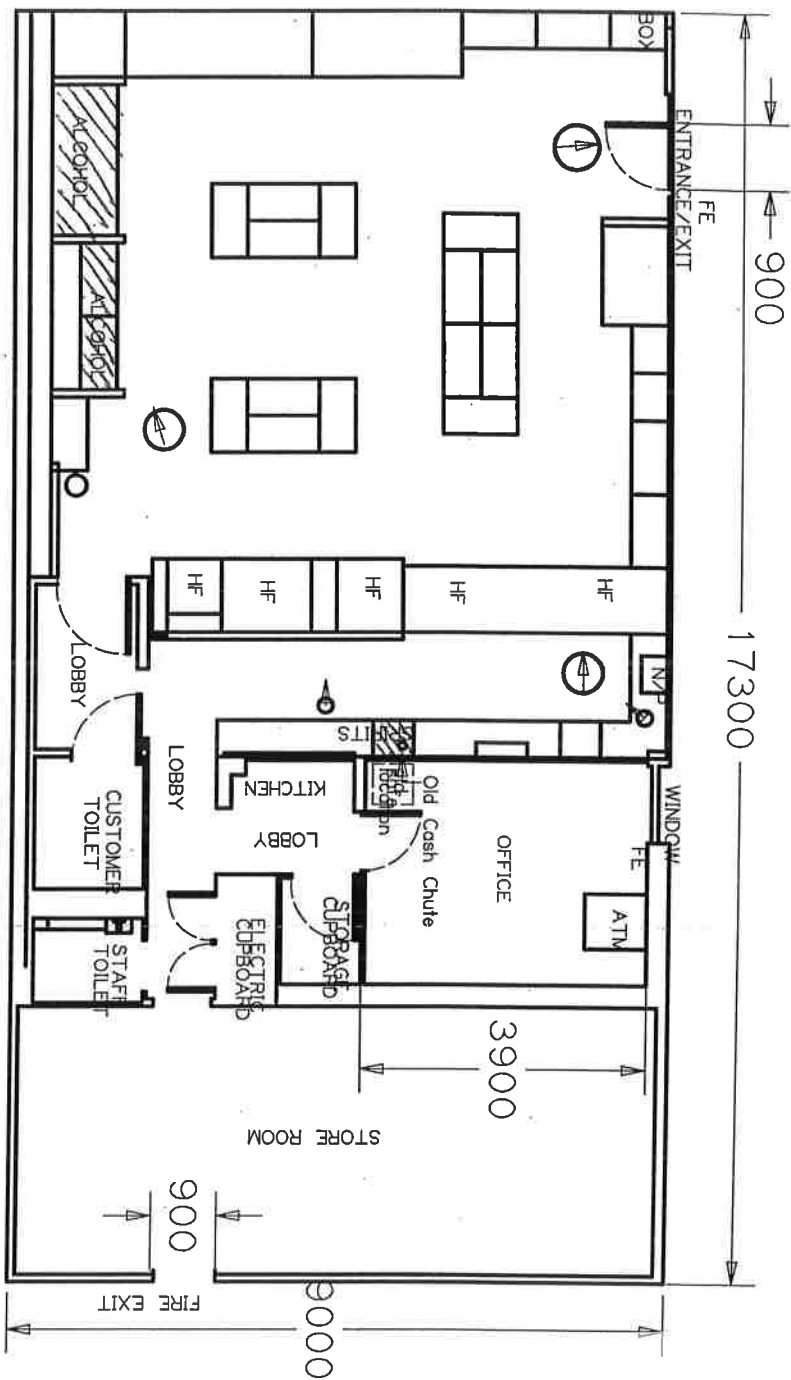
Capacity ..... *Solicitor* ..... APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory .....

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE  
Tel: 0141 227 9388 Email: [andrew.hunter@harpermacleod.co.uk](mailto:andrew.hunter@harpermacleod.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.



MRH Dalrymple  
 PREMISES LICENCE DRAWING  
 SCALE 1:100 ON A4 PAPER  
 SHOP SIZE = 77 SQUARE METRES

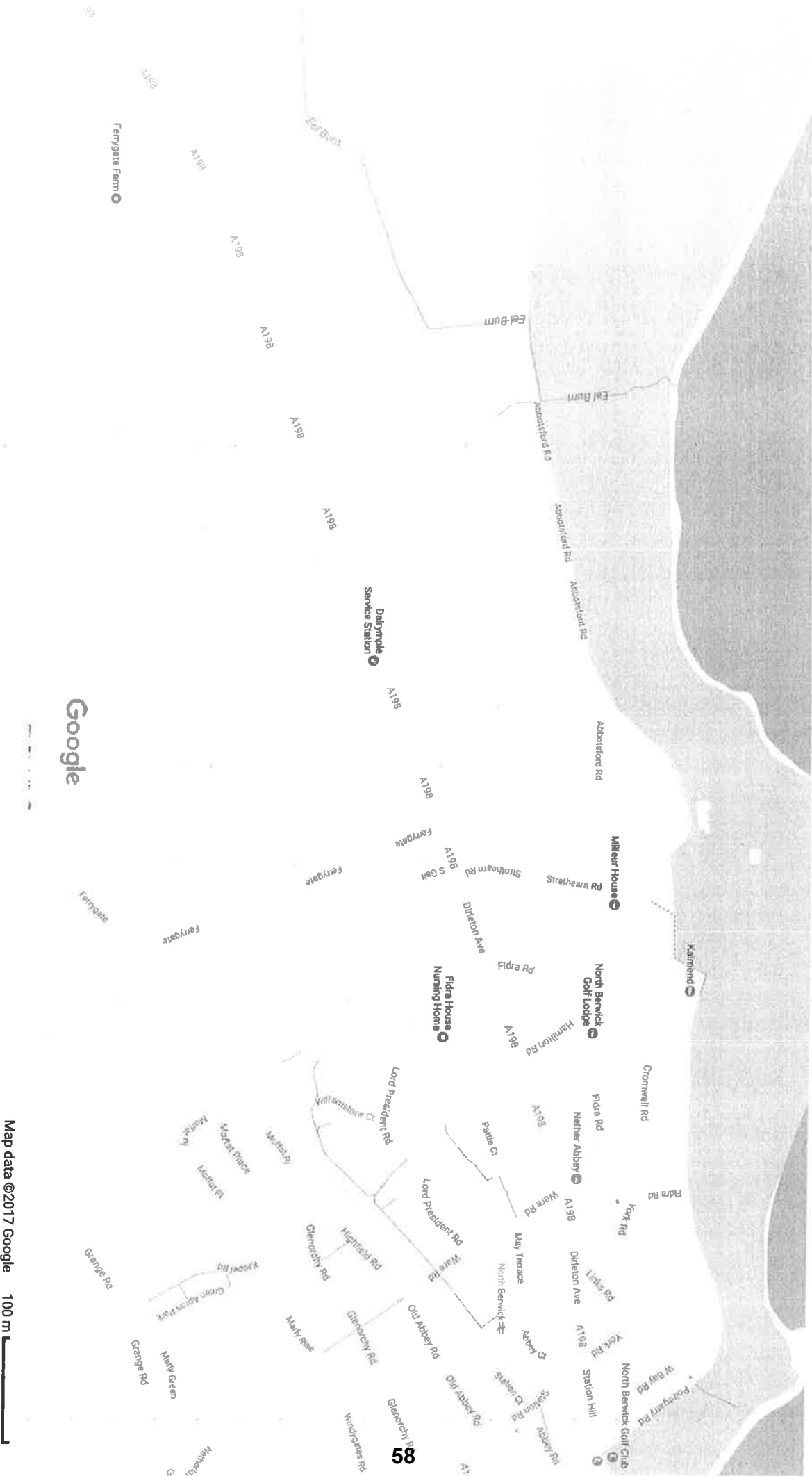
HF = HOT FOOD AREA  
 FE = FIRE EXTINGUISHER  
 CCTV = CCTV CAMERA

ALCOHOL BAY 1 (SPIRITS) = 500MM X 1300MM  
 ALCOHOL BAY 2 = 2000MM X 2200MM  
 ALCOHOL BAY 3 = 2000MM X 2000MM

DIRELTON ROAD, NORTH BERKJICK EH34 5BF.

CHILDREN & YOUNG PERSONS ARE ENITLED  
 TO ACCESS THE PUBLIC PARTS OF THE PREMISES.

# Google Maps



58

Map data ©2017 Google 100 m

Google

## ON - SALES

premises05_Name	premises05_Address	premises05_Address_2	OperatingPlan05_capacity
Zitto Italian Wine Bar (Formerly The Lucky House Cantonese Restaurant)	The D 10 Quality Street	North Berwick	240
Herringbone (formerly The Quarterdeck)	125-127 High Street	North Berwick	40
Nether Abbey Hotel	1-5 Westgate	North Berwick	140
Auld Hoose	Nether Abbey Hotel	20 Dirleton Avenue	286 Bar and Restaurant
The Westgate Gallery	19 Forth Street	North Berwick	170
County Hotel	41 Westgate	North Berwick	36 36 Cafe
Ship Inn	15-17 High Street	North Berwick	200
Golfers Rest	7-9 Quality Street	North Berwick	222
The Grange	109 High Street	North Berwick	268
Scottish Seabird Centre	35 High Street	North Berwick	42
Bella Italia	The Harbour	Victoria Road	100
Marine Hotel	12 High Street	North Berwick	60
North Berwick Diner and Fry	18 Cromwell Road	North Berwick	800
Osteria	11 Quality Street	North Berwick	72 72 inside
Tiger Coast Indian Restaurant	71 High Street	North Berwick	31 24 customers
The Folly Hotel	114 High Street	North Berwick	70
Poonthal's	1 Station Hill	North Berwick	38
North Berwick Bowling Club	7 Westgate	North Berwick	56
North Berwick Rugby Football Club	17 Clifford Road	North Berwick	80
North Berwick Masonic Social Club	Recreation Park	Dunbar Road	250
North Berwick Golf Club	8 Forth Street	North Berwick	60
Signals Bistro	North Berwick Golf Club	North Berwick	85
JP's Deli & Cafe (formerly Bunneys)	12 Quality Street	North Berwick	25
Rocketeer Restaurant (formerly Coas 26)	96 High Street	North Berwick	40
Lobster Shack (mobile unit situated in c/o Nether Abbey Hotel)	26 Victoria Road	North Berwick	30
Cucina Amore	37-39 Quality Street	North Berwick	60

## OFF

Lockett Bros	133 High Street	North Berwick	EH39 4HB	17.5m
--------------	-----------------	---------------	----------	-------

Tesco Store	Tesco Stores Limited	Tantallon Road	EH39 5NF	200 sq m
Devigne Wines	Etche Ona	1H Bank Street	EH39 4NY	Internet no admittance to public
Nisa Loco	Rasul Bros	96 Lochbridge Road	EH39 4DP	5.25
Co-operative Group Food Ltd.	117 High Street	North Berwick	EH39 4HB	Total 29.235 Floor - 27.135
Aldi Store	48-52 Dunbar Road	North Berwick	EH39 5AB	Total 31.5m Permanent: 24.75m2
Nicer Foods	18-26 High Street	North Berwick	EH39 4HQ	16.6m x 6.8msg =23.4msg



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

Date 12<sup>th</sup> May 2017  
Your Ref  
Our Ref EO/JS/fb

Enquiries to Jim Sherval  
Extension 35436  
Direct Line 0131 465 5436  
Email: jim.sherval@nhslothian.scot.nhs.uk

Dear Ms Winter

### **PROVISIONAL LICENCE, MRH DALRYMPLE FILLING STATION**

On behalf of Lothian Health Board, we would like to lodge an objection to this application on the grounds that these are excluded premises under the Licensing Act (section 123).

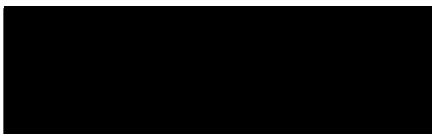
The applicant has provided no evidence that persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of - (a) petrol or derv, or (b) groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

If, at some point in the future, evidence is produced which means the Licensing Board is satisfied that these premises are not excluded under the terms of the Act, then we respectfully note that another off sales outlet in the licensing board's area is counter to the overprovision section (part 4) of the Statement of Licensing Policy

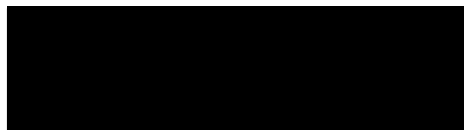
"the Board considers that there should be a rebuttable presumption against the grant of an application for a new premises licence or the increase in capacity of an existing premises licence within the Board's area as a whole." (paragraph 19.3)

The Health Board urges the Licensing Board to consider the impact of this application on public health in East Lothian.

Yours sincerely



**Jim Sherval FFPH**  
Deputy Director of Public Health



**Elizabeth Oldcorn**  
Senior Specialist in Health Promotion

Date 3<sup>rd</sup> 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 GRANT OF A  
PROVISIONAL PREMISES LICENCE  
MRH DALRYMPLE FILLING STATION, DALRYMPLE SERVICE STATION,  
DIRLETON ROAD, NORTH BERWICK, EAST LOTHIAN, EH39 5DF.  
MALTHURST PETROLEUM LIMITED**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

It is pertinent to note that this application relates to an Excluded Premises in terms of Section 123 of the Licensing (Scotland) Act 2005.

**123 Excluded premises**

- (1) No premises licence or occasional licence has effect to authorise the sale of alcohol on excluded premises.
- (2) For the purposes of this Act, "excluded premises" means—
  - (a) premises on land—
    - (i) acquired or appropriated by a special roads authority, and

(ii) for the time being used, for the provision of facilities to be used in connection with the use of a special road provided for the use of traffic of class 1 (with or without other classes), and

(b) subject to subsection (5), premises used as a garage or which form part of premises which are so used.

(3) For the purposes of subsection (2)(a)—

(a) “special road” and “special roads authority” have the same meanings as in the Roads (Scotland) Act 1984 (c.54), and

(b) “class 1” means class 1 in Schedule 3 to that Act, as varied from time to time by an order under section 8 of that Act, but, if that Schedule is amended by such an order so as to add to it a further class of traffic, the order may adapt the reference in this section to traffic of class 1 so as to take account of the additional class.

(4) For the purposes of subsection (2)(b), premises are used as a garage if they are used for one or more of the following—

(a) the sale by retail of petrol or derv,

(b) the sale of motor vehicles, or

(c) the maintenance of motor vehicles.

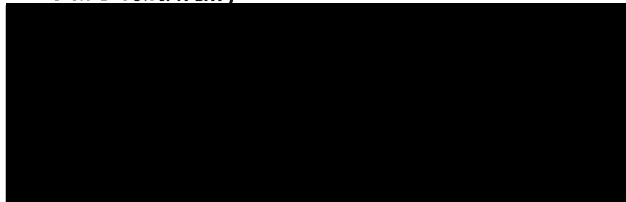
(5) Despite subsection (2)(b), premises used for the sale by retail of petrol or derv or which form part of premises so used are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of—

(a) petrol or derv, or

(b) groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

(6) The Scottish Ministers may by order amend the definition of “excluded premises” in subsection (2) so as to include or exclude premises of such description as may be specified in the order.

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: R. Fruzynski  
Licensing Standards Officer

To: K. MacNeill  
Clerk to the Licensing Board

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Date: 17 May 2017

Subject: LICENSING SCOTLAND ACT 2005  
PROVISIONAL PREMISES LICENCE APPLICATION

MRH Dalrymple Filling Station, North Berwick, East Lothian EH39 5DF

I can confirm that the premises have been visited in relation to this application and that the mandatory site notice was displayed in a prominent place at the entrance to the shop.

It is pertinent to point out that this application 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.

An extract from Part 4 of the Board's Policy is as follows:

19.2 *The Board, having considered data regarding rates of alcohol related police incidents, alcohol related hospital admissions and information regarding the number, type and capacity of licensed premises in all areas of East Lothian, and having regard to the evidence of a correlation between the density of outlets and alcohol related problems, has concerns about the level of provision across East Lothian as a whole.*

19.3 *Whilst particular localities have particularly high rates of alcohol related hospital admissions per 10,000 population and of alcohol related police incidents when compared to other areas within East Lothian and Scotland as a whole, the Board considers that people living throughout East Lothian have sufficient access to licensed premises (a combination of on sales and off sales premises) in the Board's area. The Board considers that it is not reasonable to assume that residents of particular localities are purchasing alcohol only in that locality or that alcohol related incidents recorded by the Police in one area are solely as a result of alcohol purchased or consumed in that locality. Taking these factors into account, the Board considers that there should be a rebuttable presumption against the grant of an application for a new premises licence or the increase in capacity of an existing premises licence within the Board's area as a whole.*

19.4 Each application still requires to be determined on its own merits and there may be exceptional cases where an applicant can demonstrate that the grant of an application or the variation of an existing licence to increase capacity within one of these localities would not undermine the licensing objectives. The Board will expect applicants to provide robust and reliable evidence to support their application sufficient to demonstrate that the grant of their application would outweigh the presumption against grant in terms of this Overprovision Statement. The Board would expect to be addressed on each of the Licensing Objectives.

North Berwick currently has 38 licensed premises of which 7 are predominantly off-sales. The nearest licensed off-sales premises to the Dalrymple Filling Station is at the west end of North Berwick High Street.

This application also relates to Excluded Premises in terms of Section 123 of the Licensing (Scotland) Act 2005. In order that the premises not be constrained within the terms of this section the applicant requires to provide evidence that persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of petrol or derv, or groceries.

This report is submitted for the information and consideration of Board members.

R. Fruzynski  
Licensing Standards Officer

Winter, Maree

---

**From:** Kathryn Smith [REDACTED]  
**Sent:** 03 May 2017 14:53  
**To:** Winter, Maree  
**Subject:** RE: Provisional Premise Licence application - EL0344

This provisional application for a Licence was discussed at last night's Community Council meeting. The Community Council has no objection to make.

Regards

Kathryn

*Kathryn E Smith  
Secretary, NBCC*

---

**From:** Winter, Maree [<mailto:mwinter@eastlothian.gov.uk>]  
**Sent:** 01 May 2017 9:31  
**To:** [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk); Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Devine, Brian; Grant, Shona; [jim.sherval@nhslothian.scot.nhs.uk](mailto:jim.sherval@nhslothian.scot.nhs.uk); Oldcorn, Elizabeth; [REDACTED]  
**Subject:** Provisional Premise Licence application - EL0344

Dear all,

Please find attached an application for a provisional licence from Malthurst Petroleum Limited for an off-sales licence for Dalrymple Filling Station, Dirleton Avenue, North Berwick.

Any objections/representations please find the last lodging date is 26<sup>th</sup> May 2017.

Regards  
Maree

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

01620 827867  
[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)

\*\*\*\*\*  
\*\*\*\*\*

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**EAST LOTHIAN**

**Meeting 22 June 2017 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

<b>Provisional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
2	91 HIGH STREET HADDINGTON EAST LOTHIAN EH41 3ET	ZEST CAPITAL MANAGEMENT	28 April 2017	
3	MRH DALRYMPLE FILLING STATION DIRLETON ROAD NORTH BERWICK EH39 5DF	MALTHURST PETROLEUM LIMITED C/O HARPER MACLEOD, LLP THE CA'D'ORO 45 GORDON STREET GLASGOW	28 April 2017	
4	NORTH BERWICK BOWLING CLUB 17 CLIFFORD ROAD NORTH BERWICK EH39 4PW	NORTH BERWICK BOWLING CLUB C/O MESSRS. J. PARIS STEELE & CO W.S. SOLICITORS CLYDESDALE BANK CHAMBERS 35 WESTGATE NORTH BERWICK, EAST LOTHIAN	31 March 2017	





**EAST LOTHIAN LICENSING BOARD**

**APPLICATION FOR PROVISIONAL PREMISES LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** *Licensing (Scotland) Act 2005, section 20(1)*



**Question 1**

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

**NORTH BERWICK BOWLING CLUB**  
**17 CLIFFORD ROAD, NORTH BERWICK, EH39 4PW**

**Question 2**

*Particulars of applicant*

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

[Empty box for company information]

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

**NORTH BERWICK BOWLING CLUB**  
**17 CLIFFORD ROAD, NORTH BERWICK, EH39 4PW**

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\**

Please insert names, dates and place of birth and home address for ALL Office Bearers

FELICTY ANN SYKES ROBERTSON, [REDACTED]  
[REDACTED]

KEVIN BLACKIE, [REDACTED]  
[REDACTED]

EDWARD LAWRENCE, [REDACTED]  
[REDACTED]

\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

**Question 3**

*Previous applications*

3 *Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?* *NO\**

*If YES – provide full details*

--

**Question 4**

*Previous convictions*

4 <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)</i>	<i>NO*</i>
---	------------

*\*If YES – provide full details*

*For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974*

<i>Name &amp; position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>
--	---------------------------------------	--------------	----------------	----------------

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

--	--	--	--	--

**DESCRIPTION OF PREMISES** *Licensing (Scotland) Act 2005, section 20(2)(a)*

**Question 5**

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

<p>BOWLING CLUBHOUSE, NORTH BERWICK BOWLING CLUB, 17 CLIFFORD ROAD, NORTH BERWICK, EH39 4PW</p>
---

**Question 6**

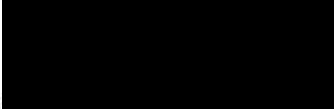
6 *To be completed by members' clubs only*

<p><i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i></p>	<p>YES</p>
<p><i>* Delete as appropriate</i></p>	

**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 Application are true to the best of my knowledge and belief.

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

Date ..... 31/3/17 .....

Capacity ..... AGENT ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory ..... 01-620 892138 .....  
..... EDANKS@PARISSTEELE.COM .....

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	<input checked="" type="checkbox"/>
<i>Layout plan</i>	<input checked="" type="checkbox"/>
<i>Planning certificate</i>	<input checked="" type="checkbox"/>
<i>Building standards certificate</i>	<input type="checkbox"/>
<i>Food hygiene certificate</i>	<input type="checkbox"/>

**\* 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.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by ( <i>INITIALS</i> )	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

## EAST LoTHIAN LICENSING BOARD

### OPERATING PLAN

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

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

**NORTH BERWICK BOWLING CLUB**  
**17 CLIFFORD ROAD, NORTH BERWICK, EH39 4PW**

#### 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</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>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>	11AM	11PM
<i>Tuesday</i>	11AM	11PM
<i>Wednesday</i>	11AM	11PM
<i>Thursday</i>	11AM	11PM
<i>Friday</i>	11AM	11PM
<i>Saturday</i>	11AM	11PM
<i>Sunday</i>	11AM	11PM

**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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
--	-----------

*\*If YES – provide details*



**Question 5**

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

COL. 1	COL. 2	COL. 3	COL. 4
<b>5(a)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO		
<i>Restaurant facilities</i>	NO		
<i>Bar meals</i>	NO		
<b>5(b) Activity</b> <i>Social functions including:</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	NO
<i>Club or other group meetings etc.</i>	YES	YES	NO
<b>5(c) Activity</b> <i>Entertainment including:</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Recorded music – see 5(g)</i>	YES	YES	NO
<i>Live performances – see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	<del>NO</del> YES	YES	<del>NO</del> YES
<i>Televised sport</i>	YES	YES	NO

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.

BOWLING MAY BE PLAYED OUTWITH CORE HOURS FROM 9AM. NO ALCOHOL WILL BE SOLD/SUPPLIED UNLESS AN EXTENDED HOURS IS IN PLACE

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.

--

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>	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*

CHILDREN UNDER THE AGE OF 13 MUST BE ACCOMPANIED BY AN ADULT  
CHILDREN AGED BETWEEN 13 AND 18 WHO ARE MEMBERS OF THE CLUB ARE PERMITTED TO ACCESS THE CLUB PREMISES WITHOUT ADULT SUPERVISION  
NO CHILD WILL BE PERMITTED TO BE WITHIN 1.5 METRES OF THE BAR COUNTER

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

THERE IS NO AGE RESTRICTION IN PLACE

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

CHILDREN AND YOUNG PERSONS WILL BE PERMITTED ENTRY FROM 11AM TO 9PM

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

CHILDREN AND YOUR PERSONS WILL BE PERMITTED ENTRY TO ALL PARTS OF THE PROPERTY WITH THE EXCEPTION OF THE KITCHEN AND BAR AREAS

**Question 7**

**CAPACITY OF PREMISES**

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

STANDING – 100

SEATED - 70

**Question 8**

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

*Personal details*

8(a) Name

[Empty rectangular box for name]

8(b) Date of birth

[Empty rectangular box for date of birth]

8(c) Contact address

8(d) 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>

**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 ..... 31/3/17 .....

Capacity ..... AGENT ..... APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory ..... 01620 892138  
E DANKS@PAQUISTEELE.COM

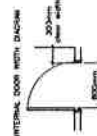
**\* Data Protection Act 1998**

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

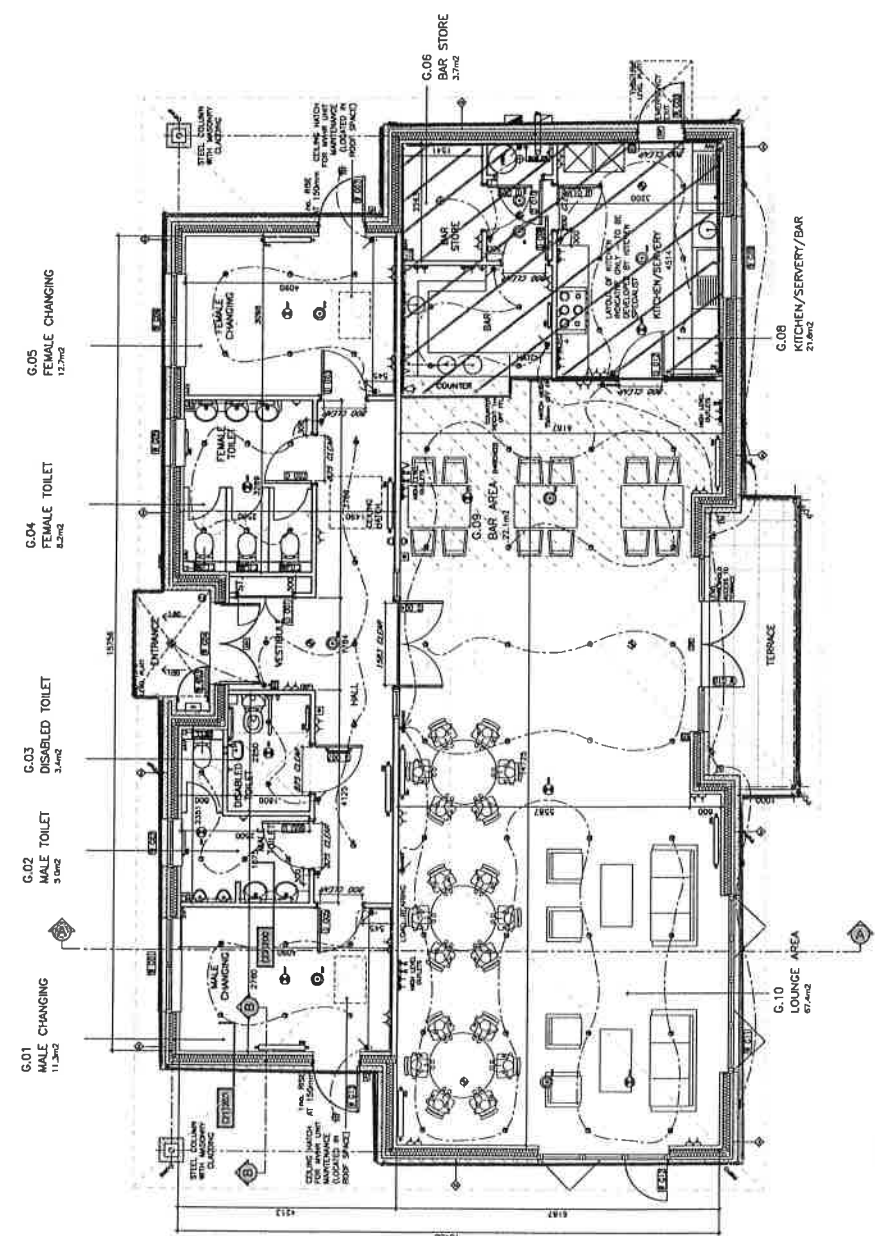
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DATE	10/15/2014
BY	10/15/2014
PROJECT	16003(00)150-E
DESCRIPTION	CLUBHOUSE GROUND FLOOR PROPOSED

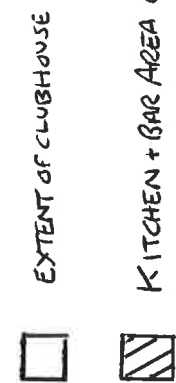
SYMBOL	DESCRIPTION
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NOTES:  
 1. ALL ELECTRICAL SHALL BE INSTALLED TO MANUFACTURER'S RECOMMENDATIONS.  
 2. ELECTRICAL INSTALLATION TO BE IN ACCORDANCE WITH 807471.0002.  
 3. OCCUPANCY CAPACITY AS MINIMUM OR PEOPLE AS INDICATED BY MANUFACTURER'S RECOMMENDATIONS.  
 4. REQUIREMENT BASED ON OCCUPANCY LOAD ABOVE:  
 MALE (35 PEOPLE): 1 WC, 2 URINALS, 2 WIP  
 FEMALE (35 PEOPLE): 3 WC, 2 URINALS, 3 WIP  
 TOTAL: 4 WC, 2 URINALS, 5 WIP  
 5. PERSONS PER HOUR (PPH) IS (INCLUDING PARALLEL WIP)  
 6. 1 WC, 2 URINALS, 7 WIP  
 7. IF IS NOT CONSIDERED NECESSARY TO PROVIDE SEPARATE STAFF RESTROOMS TO THE MEMBER OF THE OPERATION OF THE FACILITY, THE STAFF RESTROOMS SHOULD ALSO SERVE AS THE STAFF FACILITY WITH CLEAR SPACE ON THE LOOK & VESTIBULE ACCESS.  
 8. RECOMMENDATIONS TO SEPARATE SEVERAL RESTROOMS TO SEPARATE SEVERAL RESTROOMS.



NOTES:  
 PLEASE ALSO CROSS REFERENCE ALL INFORMATION WITH DRAWINGS AND TAKE CONSULTANTS INFORMATION & SPECIFICATIONS.



**ema**  
 ARCHITECTURE + DESIGN

WILKIE CONSTRUCTION  
 PROPOSED DEVELOPMENT  
 17 CLIFFORD ROAD  
 NORTH BERWICK, EH39 4PW  
 CLUBHOUSE GA PROPOSED  
 GROUND FLOOR PLAN

PROJECT NO.	16003(00)150-E
DATE	10/15/2014
BY	10/15/2014
DESCRIPTION	CLUBHOUSE GROUND FLOOR PROPOSED
CLIENT	WILKIE CONSTRUCTION
ARCHITECT	EMA ARCHITECTURE + DESIGN

NORTH BERWICK BOWLING CLUB CONSTITUTION

CONSTITUTION AND RULES

1. **NAME OF THE CLUB**

(a) The Club shall be called North Berwick Bowling Club. The main purposes of the club are to provide facilities for and to promote participation in the amateur sport(s) of lawn bowls in North Berwick.

(b) The Club is a non-profit making organisation. All surplus income or profits are to be reinvested in the club. No surpluses or assets will be distributed to members or third parties. Upon dissolution of the club any remaining assets shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports.

2. **MEMBERSHIP**

Membership of the club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.

The club may have different classes of membership and subscription on a non-discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal or removal may be made to the members.

3. **PROPERTY**

The Property, Funds and Effects of the Club shall be vested in the President, Vice-President, Secretary and Treasurer as trustees for the Club.

4. **DEBENTURES**

The Club shall have the power at any time to borrow money not exceeding the sum of £10,000 (ten thousand pounds). This power shall be exercised by the Committee of Management.

5. **COMMITTEE OF MANAGEMENT**

The business and affairs of the Club shall be managed by a Committee of the following Office -Bearers: President, Vice-President, Secretary, Treasurer, Gents' Match Secretary, Ladies' Match Secretary, Ladies' Captain, Green Ranger, Bar Convener, and four ordinary members, who shall be elected at the Annual General Meeting, to regulate the opening and closing of the greens, and at any time to call a General Meeting. Also the position of Past-President, which is to run for one year after time served as President. The consent of a nominee must be obtained prior to nomination. Five members shall form a quorum. The President, Vice-President and Secretary shall be ex-officio members of all committees and sub-committees. All office bearers shall serve for a period of one year and shall be eligible for re-election at the Annual General Meeting. Ordinary committee members shall serve for a period of two years and will be eligible for re-election at the Annual General Meeting.

6. **MEETINGS OF THE COMMITTEE**

Meetings of the Committee of Management shall be held when necessary, and the President or any three members of the Committee shall have the power to instruct the Secretary to call a meeting at any time. The Secretary shall intimate the date and time of all meetings on the notice board during the playing season and at other times by post or telephone, giving at least four days' notice.

7. **ANNUAL GENERAL MEETING**

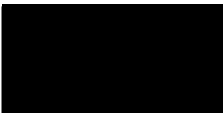
An Annual General Meeting shall be held every calendar year and not more than fifteen calendar months since the last Annual General Meeting of the Club for the purposes of electing Office Bearers and Committee for the year, receiving the Secretary's and Treasurer's reports, and for the transaction of any other business, 20% of full members to form a quorum.

The Secretary shall give due notice to each member by postal intimation or hand delivery, at least seven days prior to date of such Meeting, stating date, time and place of such Meeting, along with a note of the agenda. The Secretary shall also arrange for nomination papers to be made available during the playing season for the proposal of Office Bearers and Committee members. A statement of audited accounts shall be submitted to the Committee of Management as soon as possible after the 31st December.

I certify that this is a true copy

Page

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 31/10/13  
-----  
Edward Andrew Danks, Notary Public  
Paris Steele W.S., 35 Westgate,  
North Berwick, EH39 4AG.



NORTH BERWICK BOWLING CLUB CONSTITUTION

8. **SPECIAL MEETINGS**  
Special Meetings of the Club may be called at any time on requisition being sent to the President, signed by at least ten members, stating the purpose of the meeting. The President shall be bound on receiving such a requisition to instruct the Secretary to call a meeting accordingly, to be held within ten days thereafter, 20% of full members to form a quorum. The business contained in the requisition alone shall be considered at the Meeting.
9. **CHAIRPERSON**  
At all Meetings of the Club, the President shall be Chairperson, in whose absence, the Vice-President. When both are absent the Meeting shall elect a chairperson. At all meetings the chairperson shall have a casting vote as well as a deliberative vote.
10. **EXTRAORDINARY EXPENDITURE**  
The Club shall not incur any capital expenditure in excess of £10,000 (ten thousand pounds) other than annual recurring expenditure, without the authority given at a General Meeting of the Club, specially called for that purpose.
11. **MEMBERS AND SUBSCRIPTION**  
Every candidate for admission to the Club must be proposed by a member and seconded by another, and have his/her name and address displayed on a conspicuous place in the Club for at least one week before election, and shall not be admitted sooner than two weeks after date of nomination. Former members wishing re-admission to the Club must submit new application, proposed and seconded by two members. The Committee of Management shall have the power to admit new and former members.  
All subscriptions shall be fixed at the Annual General Meeting each year, and shall become due at/by the opening of the Greens, or in the case of new members, on admission. Only members who have paid the full subscription will be allowed to play on the Greens. The Committee have powers to modify subscriptions after 31st July.  
Any member wishing to resign from the Club, must notify the Secretary in writing any time prior to the opening of the Greens, otherwise he/she shall be held liable for his/her subscription. A member whose subscription is unpaid, cannot enter his/her name for any ties, matches, prize games or competitions.
12. **TEMPORARY MEMBERS**  
The Committee of Management have power to afford temporary membership to visitors and to members of affiliated Bowling Clubs who visit the Club for the purpose of playing the game of bowls. Such membership shall be valid for a period not exceeding four weeks. Temporary members shall pay the appropriate green fees and be granted the facilities of the Green and Clubhouse similar to ordinary members but will have no say in the management and affairs of the Club.
13. **LIFE AND HONORARY MEMBERS**  
(a) It shall be competent at any Annual General Meeting for the President or Chairperson, in the name of the Committee to nominate for election as a Life Member, any member who has rendered conspicuous service to the Club, or to bowling in general, and such shall retain the rights and privileges applicable to their previous membership.  
(b) Honorary Members may be elected for similar reasons, and by the same method, at any Annual General Meeting, but shall not have voting powers.
14. **ASSOCIATE MEMBERS (NON-PLAYING)**  
The Committee shall have power to admit to membership, members and former members who make application. Such associate members may not attend General Meetings, nor vote, and shall pay such subscription as may be fixed by the Annual General Meeting. The number of playing and associate members shall be regulated at the discretion of the Committee of Management. Associate membership shall be restricted to 45% of the total membership of the Club.
15. **GUESTS**  
A member may have the privilege of introducing a guest to the Bowling Green. No member shall be allowed to introduce the same guest to play on the Green more than once during any calendar month and that same guest may not be admitted by another member during the same period, except by the special sanction of the President, Vice-President or Secretary.
16. **EXPULSION OR SUSPENSION OF MEMBERS**  
It shall be competent for the Committee of Management, at any meeting of the Committee, to expel or suspend any member who has been found guilty of conduct which, in the Committee's opinion shall justify expulsion or suspension providing that the decision to expel or suspend is regardless of sex, age, disability, sexual orientation, religion or other beliefs and is only for good cause such as conduct or character likely to bring the club or sport into disrepute.

NORTH BERWICK BOWLING CLUB CONSTITUTION

17. **SECRETARY'S DUTIES**

The Secretary shall keep a Minute Book, in which all records of the Club shall be entered. He/She shall conduct all the correspondence and keep a roll book of the membership of the Club, in which the names, addresses, e-mail addresses and telephone numbers of all members, full, life, honorary, junior and associate, shall be entered.

18. **TREASURER'S DUTIES**

The Treasurer shall keep books showing the financial affairs of the Club, and shall submit to the General Meeting a statement of accounts for the end of the Club's financial year, which shall have been previously audited by an auditor or Examiner of Accounts appointed at the Annual General Meeting. All the funds of the Club shall be lodged in the Bank in the name of the Club, and all drafts on the bankers of the Club must be signed by the Treasurer and one of the following: President, Secretary or Bar Convener.

19. **GREEN RANGER**

The Green Ranger shall have sole power to decide whether or not the green is playable at any time. The Green Ranger shall also be the expected route regarding any feedback or information regarding the green between the membership, green keeper and the committee.

20. **ALCOHOLIC LIQUORS**

Alcoholic liquor shall not knowingly be sold or supplied in the Club to any person under 18 years of age. No alcoholic liquor shall be sold or supplied in the Club premises for consumption off the premises, except to a member of the Club in person for consumption by him/her or to a person holding a licence, or a wholesaler's excise licence, for the sale of such liquor. No member of Committee, and no manager or servant employed in the Club shall have any personal interest in the sale of alcoholic liquors to the members of the Club, or in the profits arising from such sale. No visitor shall be supplied with alcoholic liquor in the Club premises unless on the invitation and in the company of a member, and the member shall, upon admission of such visitor to the Club premises, or immediately upon such visitor being supplied with such liquor, enter his/her own name and address of the visitor in a book which shall be kept for the purpose, and which shall show the date of each visit. The hours of sale of alcoholic liquor shall be in accordance with the local licensing laws.

21. **MATCHES, COMPETITIONS etc.**

The Committee shall have power to determine what matches and games shall be played by the Club, and shall adopt such regulations for the Club competitions and the playing of ties as they deem proper. The Match Secretary, or in his/her absence the Club Secretary, shall lay a paper in the Clubhouse for the signatures of those members wishing to compete for the different prizes; failing this, they must inform the Match Secretary/Secretary in writing, before the date given, otherwise they will not be allowed to compete.

The Committee shall draw the first ballot from the list and display it, and the subsequent rounds, on the Notice Board in the Clubhouse, and each round must be finished by the date fixed by the Committee. The Committee shall decide in competitions whether the game will consist of points, ends or time.

Should any dispute arise as to the players not being able to arrange a date for their ties to be played, either player must acquaint the Match Secretary/Secretary within seven days of the last date of the round, who will then consult the Committee to decide the matter.

The Committee reserve the right to withhold any prize should a dispute arise, and in all cases their decision must be accepted as final. Closing date for entries for Club competitions shall be determined by the Committee.

22. **ALTERATIONS**

Alteration on the preceding rules may be made only at the Annual or Special General Meeting of the Club, after written notice of the proposed alteration - supported by not less than three members - has been given to the Secretary. The Secretary will then cause same to be printed in the Notice calling said Meeting, and the proposed alteration shall fail unless two thirds of the members present at the meeting are in favour of the alteration.

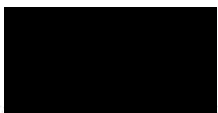
23. **BYE LAWS**

The Committee of Management shall have power to make bye-laws from time to time, not inconsistent with those rules, but such bye-laws may be reviewed at any Special General Meeting called for such purpose.

I certify that this is a true copy

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31/10/13  
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Edward Andrew Danks, Notary Public  
Paris Steele W.S., 35 Westgate,  
North Berwick, EH39 4AG.

NORTH BERWICK BOWLING CLUB CONSTITUTION

24. **THE LAWS OF THE GAME**

The laws of the game shall be those adopted and issued from time to time by the Scottish Bowling Association and the International Bowling Board.


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The foregoing rules have been approved and adopted at Annual General Meetings and Special General Meetings over the period from February 1987 to January 2000 further updates in 2008, 2009 and 2013 as additions, amendments and deletions to the original and its subsequent alterations/amendments etc. of 1913, 1931, 1956, 1969, and 1985.

I certify that this is a true copy

Page

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 31/10/13  
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Edward Andrew Danks, Notary Public  
Paris Steele W.S., 35 Westgate,  
North Berwick, EH39 4AG.

## **Overprovision Statement**

### **Premises License for North Berwick Bowling Club**

Section 7 of the Licensing (Scotland) Act 2005 requires the Licensing Board to consider if there is an overprovision of licensed premises or an over provision of a particular type of licensed premises within any locality within the Board Area.

North Berwick Bowling Club has made a provision premises license application for their new clubhouse building at Clifford Road, North Berwick.

North Berwick Bowling Club currently holds a premises license for the old clubhouse building at Clifford Road, North Berwick.

North Berwick Bowling Club's application for a provisional premises license is to replace the previous license and as such there is (a) no increase in the number of licensed premises in North Berwick; (b) no increase in a particular type of licensed premises in North Berwick; and (c) no overprovision.

[REDACTED]

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

23<sup>rd</sup> May 2017

**OBJECTION to application for licence made by North Berwick Bowling Club,  
17 Clifford Road, North Berwick EH39 4PW.**

Dear Sir/Madam

I live immediately adjacent to North Berwick Bowling Club's new clubhouse and wish to object to this licence application as presented in its current form. I do not oppose the granting of a licence in principle, but the unconstrained scope of this application would likely result in significant disturbance to the surrounding residential properties.

This objection is based on many years of experience of the Club's activities in their old clubhouse and also a recent event held in the new clubhouse on the 6<sup>th</sup> May 2017.

Material factors relevant to this objection are:

1. Noise emanating from the clubhouse
2. Noise arising from people gathering near the clubhouse
3. Smoking and smells nuisance
4. Loss of privacy

I ask the Licensing Board East Lothian to reject this license application in its current form on the grounds that it will permit activity that significantly impacts the amenity of local residents. Alternatively, I would like the Board to place appropriate constraints on the permitted use of the premises so that disturbance to neighbouring properties is kept at an acceptable level.

In particular, I ask the Board to restrict the use of the premises to events where the majority of those present are Bowling Club members, and that the clubhouse is not made available as a facility for accommodating non-club events. This restriction should apply even where the premises are loaned out without charge. This will significantly reduce the number of occasions where disturbance is experienced by neighbours.

I provide elaboration of these points in the following pages.

Yours sincerely,

[REDACTED]

Telephone: [REDACTED]

Email: [REDACTED]

## 1. Noise emanating from the clubhouse:

*The levels of noise associated with past club behaviour will be very intrusive if continued in the new clubhouse.*

### **Observations:**

- Experience has shown that bowling competitions may occasionally be noisy, but they are not rowdy and the type of noise is not intrusive. The main problem suffered by local residents in the past has been from social events that have taken place after bowling competitions have ended, and other events that have not been directly connected with bowling. Such events have often involved the playing of amplified music that has continued until late in the evening (typically 11.00pm).
- The new clubhouse is very close to the adjoining houses in Macnair Avenue, and is very much closer than the original clubhouse. The distance between the clubhouse and the neighbouring gardens is now less than 10 metres and the distance to properties in Macnair Avenue is just over 20 metres. See attached photograph 1.
- The former clubhouse faced out onto an open bowling green where noise could dissipate. The new clubhouse is situated up against the steep slope of the Macnair Avenue gardens and houses, where noise is trapped between the buildings. The effect of this was demonstrated on the 6<sup>th</sup> May where the shock of the band's bass drum could actually be felt inside the Macnair Avenue houses.
- Contrary to the original planning consent, the new clubhouse has been built with fully-opening patio doors in its south elevation [planning consent showed this opening to be a fixed window]. This door opens up the end of the clubhouse lounge, allowing noise from inside the building to be projected directly towards the adjoining houses in Macnair Avenue. See attached photograph 2.
- The new clubhouse is of lightweight construction. This, along with the large areas of glazing means that noise easily escapes from inside the building through its fixed structure, not only through open doors and windows.
- The noise problem associated with the new clubhouse was clearly demonstrated by the event held on the 6th May when the sound level outside the building was significant even when all its windows and doors were closed. The sound level was such that the music could be clearly heard throughout the Macnair Avenue houses, not just in the rooms facing the Bowling Club. The noise volume experienced indoors was similar to a television being played at moderate volume.
- Established practice at the former clubhouse on the site was for social activity to spread outdoors in fine weather. This resulted in the doors being left open for cooling and to allow access to a smoking area. This practice exacerbated the noise problem of voices and amplified music being carried over to Macnair Avenue, a problem which will get significantly worse due to the proximity of the new clubhouse. The noise problems experienced on the 6<sup>th</sup> May were in cold weather with the new clubhouse doors and windows closed.
- Bowling competitions often finish with an indoor event where applause and conversation noise from a large attendance can be heard indoors in Macnair Avenue. Again, this

problem will get significantly worse due to the proximity of the new clubhouse.

- Although the south wall patio door was kept closed for much of the evening on the 6<sup>th</sup> May, it was used as the main access for moving band equipment at 11.10pm when there was still significant levels of noise being generated inside the building. Not only did the use of this door significantly increase the level of noise experienced by neighbours, but the change in noise level as the door was opened and closed was itself very intrusive.

## **2. Noise arising from people gathering near the clubhouse:**

*Direct access from the clubhouse lounge via patio doors may encourage people to congregate outdoors in the vicinity of the Macnair Avenue boundary. Even moderate noise generated in this area will be clearly audible in the gardens and properties of Macnair Avenue.*

### **Additional observations:**

- The orientation of the Macnair Avenue houses means that their larger back gardens are regularly used. The front gardens are smaller, open to the street and offer no privacy. The back gardens are sunlit in the evening at the time when social events tend to take place at the Bowling Club.
- The layout of the new clubhouse with its lounge and access path at the south end of the building means that the easiest place for people to congregate outdoors is between the clubhouse and the Macnair Avenue boundary. This was demonstrated to be the case on the 6<sup>th</sup> May.
- The proximity of this area to Macnair Avenue means that noise from the club grounds is clearly audible in the Macnair Avenue gardens, and conversely that any conversation in the gardens can be overheard from the club.
- At the event held on the 6<sup>th</sup> May a group of people congregated on the new access road outside the main front door of the clubhouse. Noise from this group was clearly audible indoors in Macnair Avenue. However, noise from this location will be even more of a nuisance to the future residents of the new houses being built adjacent to the access road.

## **3. Smoking and smells nuisance:**

*Outdoor smoking and use of barbecues will encourage people to congregate outdoors with noise and smells being a nuisance to neighbouring properties.*

### **Additional observations:**

- In the past, smokers would congregate outdoors on the front terrace of the old clubhouse. Barbecues were occasionally used on the adjoining ground area.
- The front terrace of the new clubhouse is too small for it to be used in a similar manner. Open ground for this purpose is available at both ends of the new clubhouse, but the southern ground adjacent to the Macnair Avenue boundary provides the easier access from the clubhouse lounge.
- The open ground at the north end of the clubhouse is well removed from neighbouring properties and its use would not impact neighbours to nearly the same extent.

#### 4. Loss of privacy:

*People congregating in the area between the clubhouse and the Macnair Avenue boundary will have a clear view of activities in the adjoining Macnair Avenue gardens, and will also have a clear line of sight to the windows of the adjacent Macnair Avenue houses.*

##### **Additional observations:**

- The Macnair Avenue houses were built on a steep slope rising above the Bowling Club grounds. The difference in ground levels at the boundary and the slope of the Macnair Avenue gardens means that normal boundary screening is impractical or ineffective. See attached photograph 1.
- The landscaping proposal associated with the planning consent for this new development allows for heavy pruning of the high laurel hedge which has historically provided screening at the Macnair Avenue boundary. The permitted pruning will reduce the hedge height to the point where it does not interrupt the sightline between the Club grounds and the Macnair Avenue gardens and lower bedroom windows.
- The orientation of the Macnair Avenue houses means that their back gardens are regularly used. The front gardens are smaller, open to the street and offer no privacy. The back gardens are sunlit in the evening at the time when social events tend to take place at the Bowling Club.
- The layout of the new clubhouse with its lounge and access path at the south end of the building means that the easiest place for people to congregate outdoors is between the clubhouse and the Macnair Avenue boundary. This was demonstrated on the 6<sup>th</sup> May.
- The proximity of this ground to the Macnair Avenue boundary means that any conversation in the Macnair Avenue gardens will be overheard by people in that area.
- **Bowling Club members and their visitors are effectively strangers to the residents of Macnair Avenue. As such, their presence in an unscreened location is much more intrusive than is the case for the residents of neighbouring houses.**

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**Photograph illustrations are provided on the following page...:**





**Photograph 1** :- View from Macnair Avenue showing the relative position of the old and new clubhouses. Planning consent allows for removal of the laurel boundary hedge.



**Photograph 2** :- View from Macnair Avenue lounge showing the patio door in the south wall of the clubhouse.

# EAST LoTHIAN COUNCIL

## LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

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

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

**Date:** 25 May 2017

**Subject:** LICENSING SCOTLAND ACT 2005  
PROVISIONAL PREMISES LICENCE APPLICATION

**North Berwick Bowling Club, 17 Clifford Road, North Berwick,  
East Lothian EH39 4PW**

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

These are new premises which replace the old clubhouse and double bowling green, which is bounded and ran parallel to Clifford Road on its south side. The new clubhouse now runs at 90 degrees to the area previously occupied by the old one, with the south end of the new building being close to the boundary of the houses in MacNair Avenue. Please see the attached photographs.

I am satisfied that the Operating Plan is in accordance with the Licensing Board's policy, and the Act and, therefore, have no objections to the granting of this application.

I would however, highlight to the Board that I have been approached by a resident in MacNair Avenue of concerns about the very close proximity of the new clubhouse since they believe this might cause considerable disturbance to residents as follows:

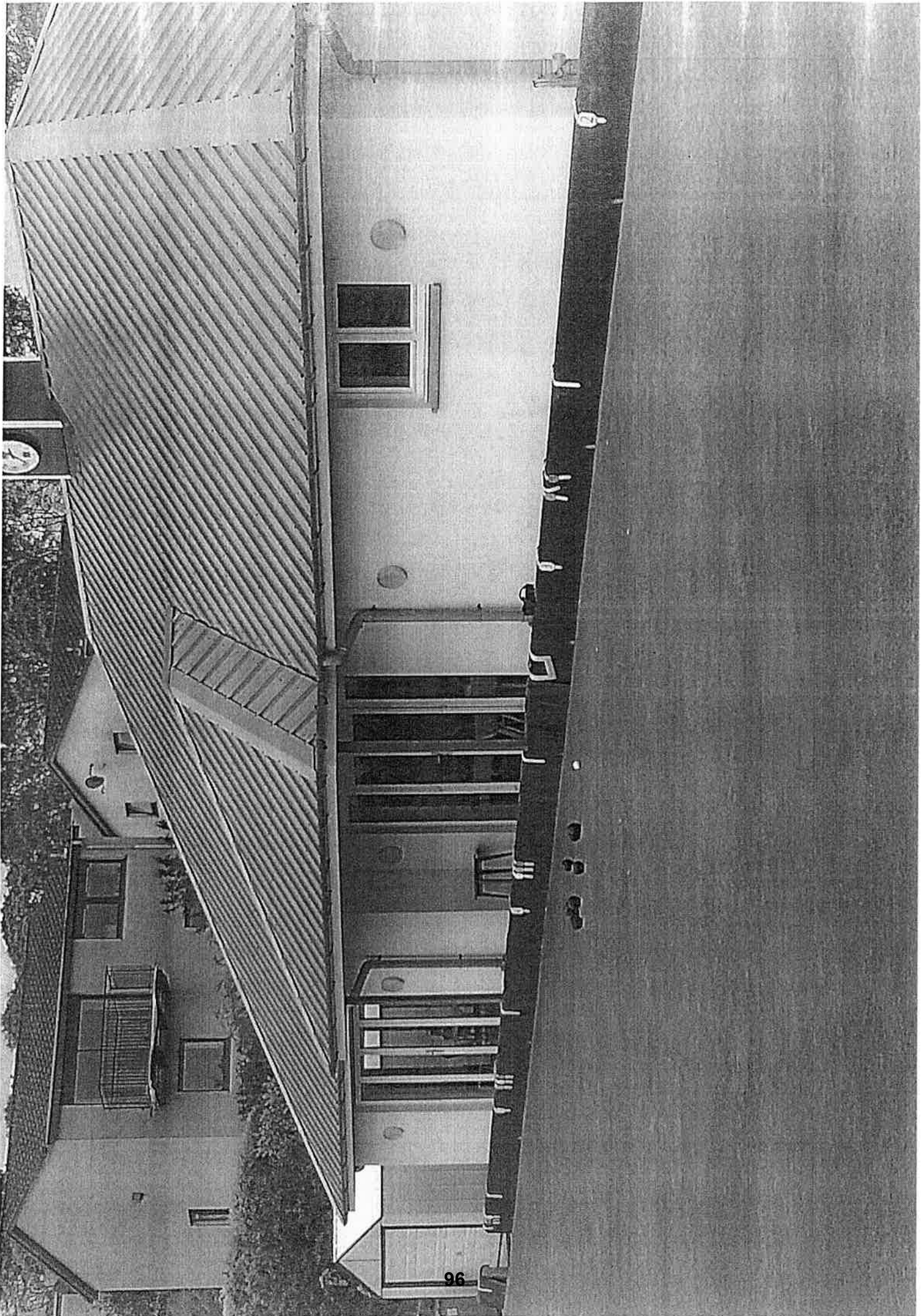
- The south end of the building, which is at the end of the main hall/lounge bar area, comprises a set of double patio doors, which if left open when the club is busy or more especially when there is entertainment on during an event, that the noise breakout will cause nuisance.
- It is also a concern that the aforementioned doors be used for the access and egress of smokers, who would congregate in the vicinity and also cause noise nuisance. In addition, this door has already been used by visiting entertainers to load and unload their equipment into the clubhouse. This would not generally cause a problem in the early evening, but will create disturbance at the end of functions.
- The west wall of the premises facing onto the bowling green has two sets of double patio style doors opening into the lounge bar. If these doors are open when the

- clubhouse is busy or when there is entertainment on during an event this could permit noise breakout and nuisance.
- Concern was also expressed that members leaving a function at the conclusion of an evening would cause disturbance.

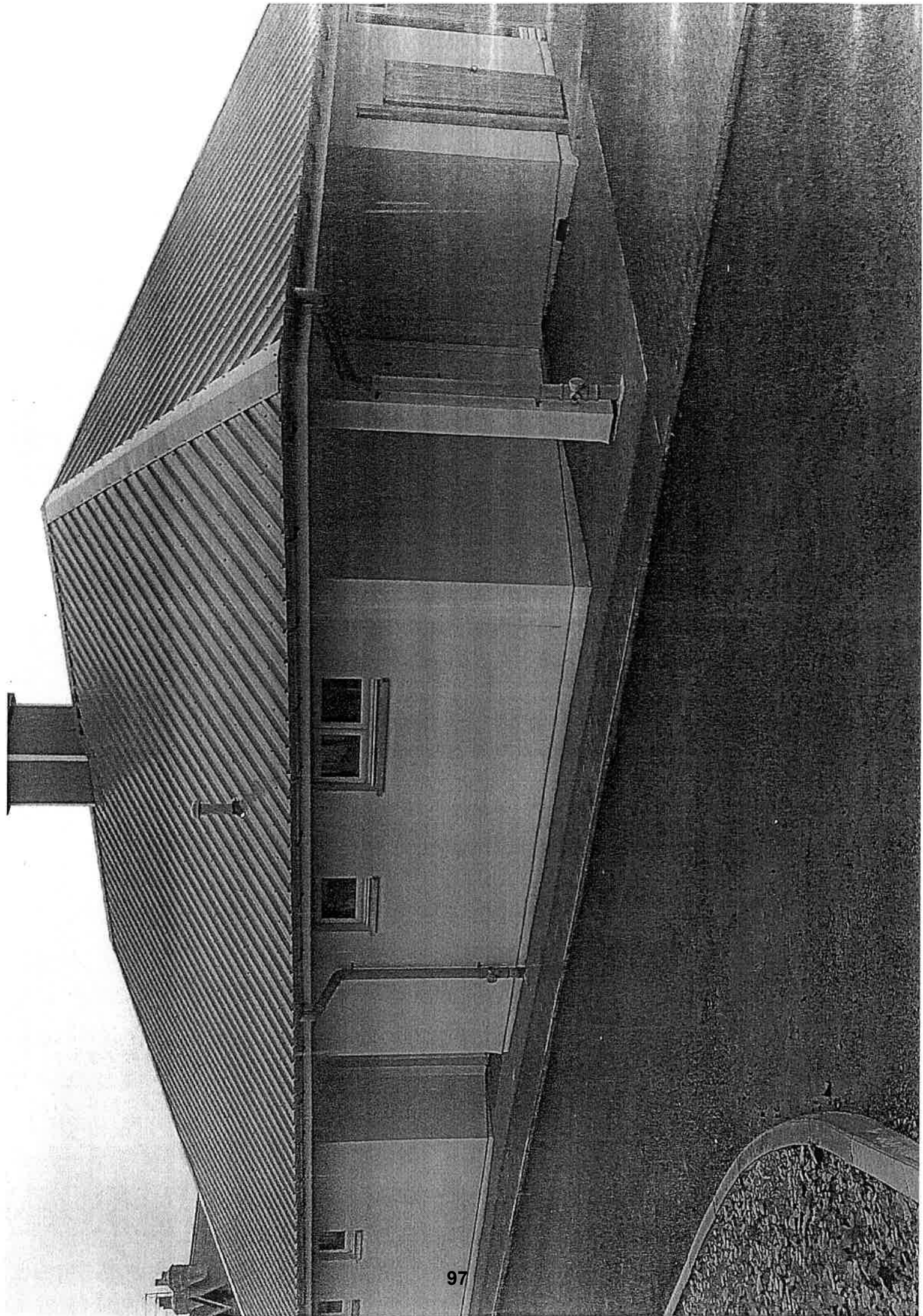
On Friday 5<sup>th</sup> May 2017, I met with the Club Secretary to go over the content of this application. At this time the neighbour's concerns were discussed and the following observations made:

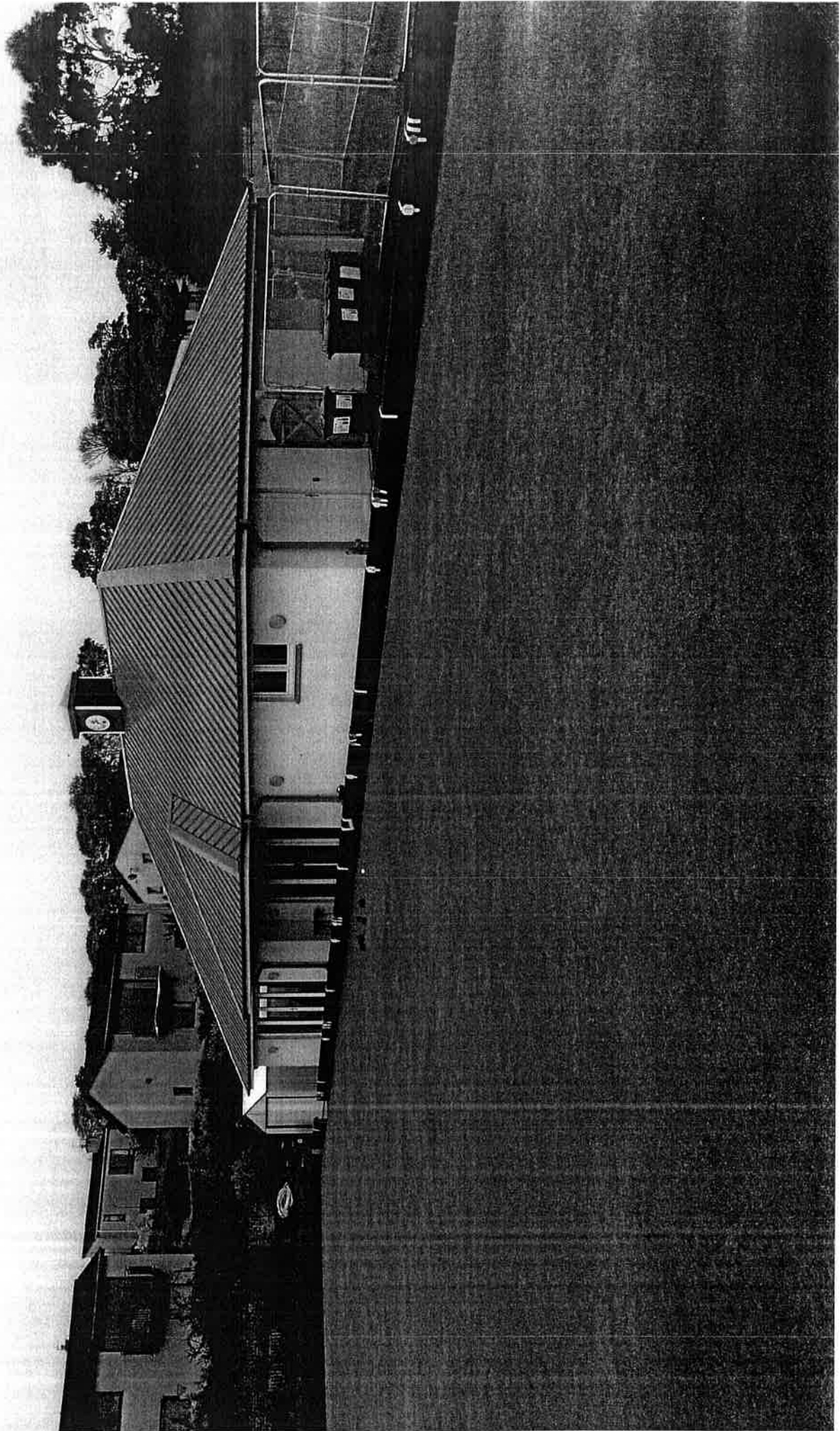
- The Secretary acknowledged that the new clubhouse was considerably closer to residential properties than the old one. He stated that doors in the south end of the lounge should have comprised 3 fixed panes of glass and that the Club was liaising with the Planning Department to have a waist high fixed plastic screen accepted as an alternative and fitted inside the doors, which would stop patrons from using them. It was pointed out that the height of the screen would still allow patrons to reach over and open the doors for ventilation and it was recommended that these non emergency doors be locked at all times.
- In respect of the concerns regarding smokers, the Secretary stated that the committee had made a policy decision that the designated smoking area would be at the north end of the building away from houses.
- The Secretary also clarified the position regarding patrons leaving the premises at closing time. These persons would use the main entrance on the east side of the premises where it is not envisaged that they would linger before heading off.
- With regards to entertainment and events, I recommended that the committee identify stewards who would ensure that the lounge doors are kept locked and that all persons going outside leave the lounge via the main entrance rather than use the patio doors, which will invariably lead to noise breakout and disturbance.
- It was also recommended that the identified stewards carryout sound checks during functions. These checks should be made near to the closest residence to the club and if the sound was found to be loud then they should return to the clubhouse and turn the volume of the entertainment down. The checks should be made regularly during the period entertainment was ongoing and they should be recorded along with any observations made and actions taken.
- It was pointed out that good communication and dialogue with neighbours normally went a long way to understanding each others opinions and views, resolving differences and problems, and it was recommended that this is something the committee should promote.

R. Fruzynski  
Licensing Standards Officer

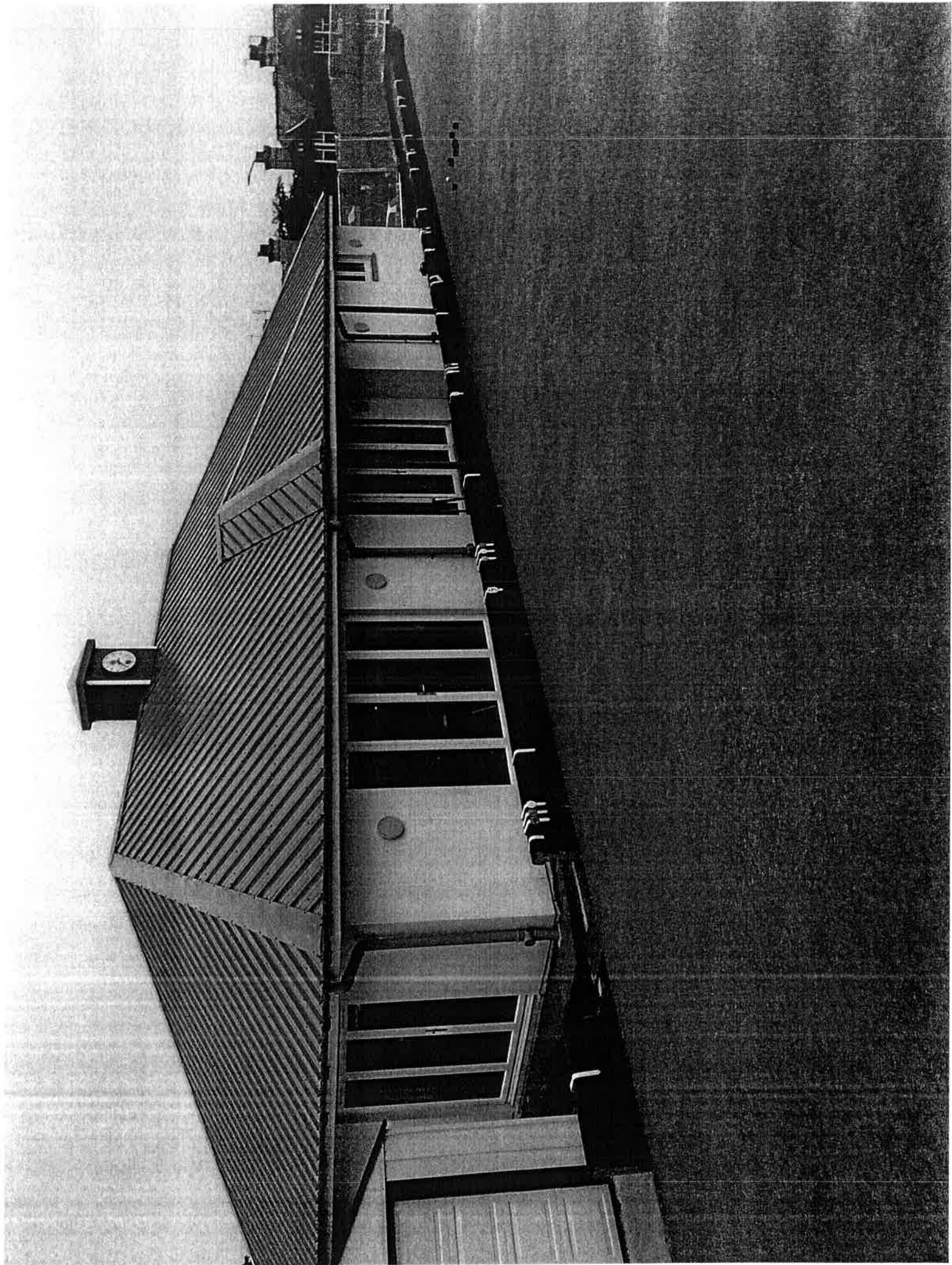












Herkes, Gillian

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**From:** Grant, Shona  
**Sent:** 10 May 2017 14:14  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Provisional Premise Licence Application - North Berwick Bowling Club  
**Attachments:** LILAC\_QXM04806\_3295\_001.pdf

I have no objections to this application however I would recommend that the standard noise condition be attached to any approval given.

Regards

Shona

Shona Grant | Team Manager - Public Health and Environmental Protection | Environmental Health Service | East Lothian Council | John Muir House | Haddington | EH41 3HA |  
Tel. 01620 827336 | Email. [sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk) | Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

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**From:** Winter, Maree  
**Sent:** 01 May 2017 10:52  
**To:** [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk); Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Devine, Brian; Grant, Shona; [jim.sherval@nhslothian.scot.nhs.uk](mailto:jim.sherval@nhslothian.scot.nhs.uk); Oldcorn, Elizabeth;  
**Subject:** Provisional Premise Licence Application - North Berwick Bowling Club

Dear all,

Please find attached provisional premise licence application from North Berwick Bowling Club.

Could I please have any objections/representations by Friday 26<sup>th</sup> May 2017.

Regards  
Maree.

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

01620 827867  
[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)



Date 3<sup>rd</sup> May 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

Your Ref: EL0345

Our Ref: J/LIC/3705/HB

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 GRANT OF A  
PROVISIONAL PREMISES LICENCE  
NORTH BERWICK BOWLING CLUB, 17 CLIFFORD ROAD, NORTH  
BERWICK, EAST LoTHIAN, EH39 4PW.  
COMMITTEE**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Philip Gormley QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01620 826147



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 KILLERNA INNS LIMITED C/O FLINT BISHOP SOLICITORS ST MICHAELS COURT ST MICHAELS LANE DERBY DE1 3HQ	3 May 2017	
8	JO'S KITCHEN 73 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JJ	JOANNA MARGO LAWRENCE	11 April 2017	



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

<b>Post Code</b>	EH32 0BH	<b>Phone No.</b>	01875 810481	<b>Received</b>
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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

<b>Post Code</b>	EH32 0BH	<b>Phone No.</b>	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.

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

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**

9<sup>TH</sup> 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](mailto:licensing@eastlothian.gov.uk)

<b>FOR OFFICE USE ONLY</b>		
<i>Received &amp; 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>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES
<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>
--	------------

*\*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	<del>NO</del> 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	<del>NO</del> 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 2014

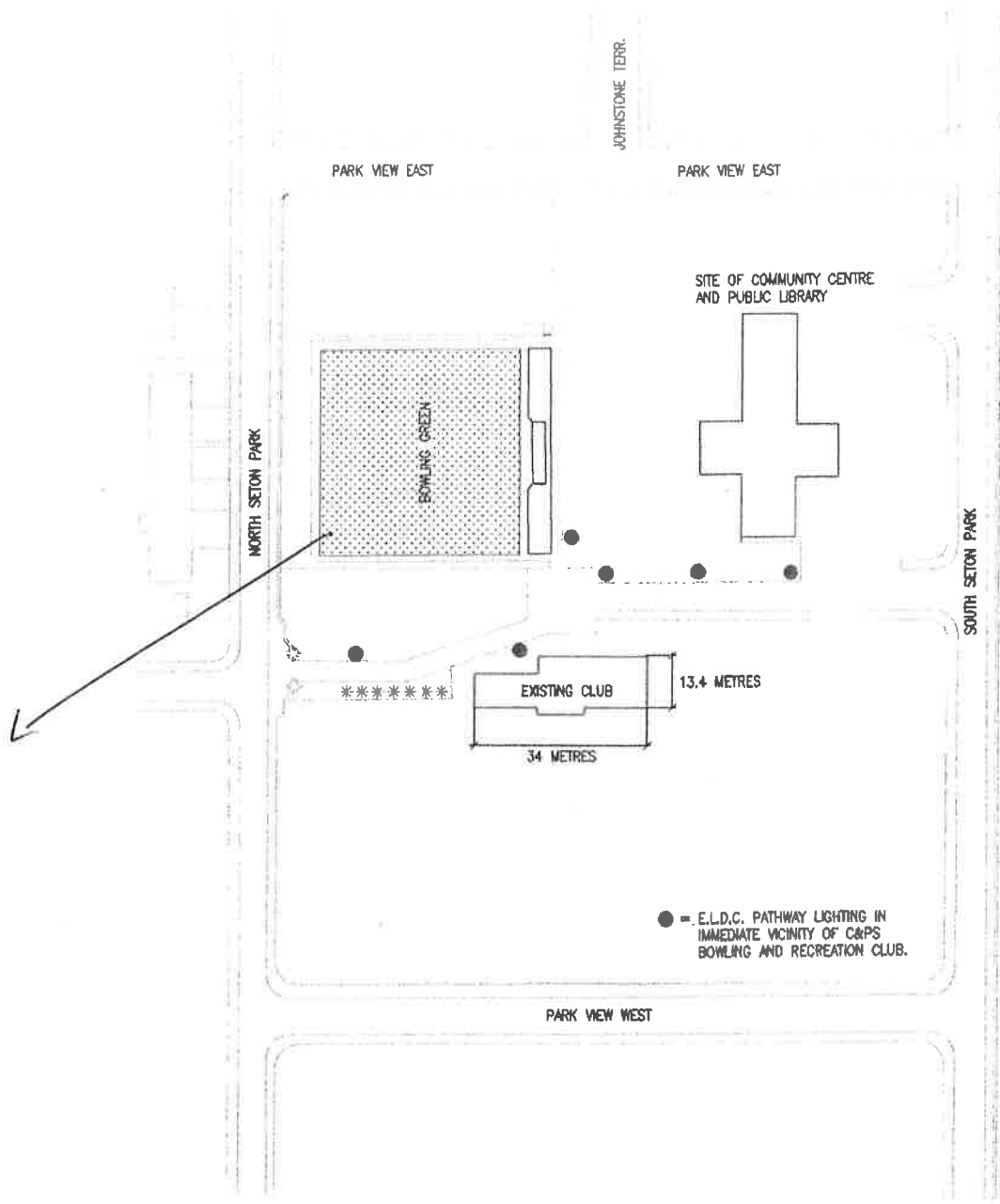
Capacity Secretary ..... APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory [Redacted]

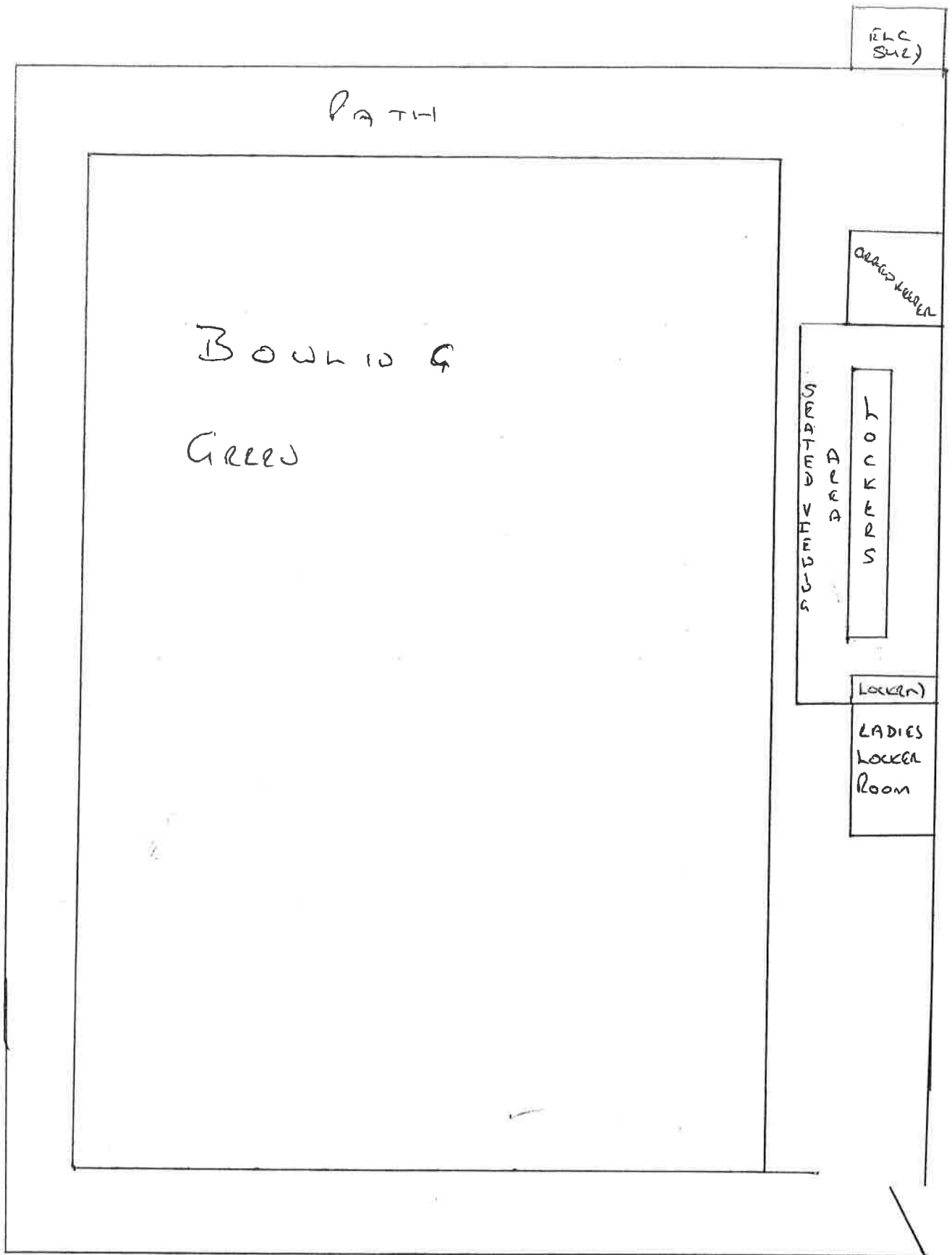
**\* Data Protection Act 1998**

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 ADD SOLID FROM THE GREENS ROOM WITH A COMMITTEE MEMBER 19 RESPONSIBLE NOBODY LEFT THE ABOVE AREA WITH A CAP OR BOTTLE.

Date 15<sup>th</sup> May 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

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

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  
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.

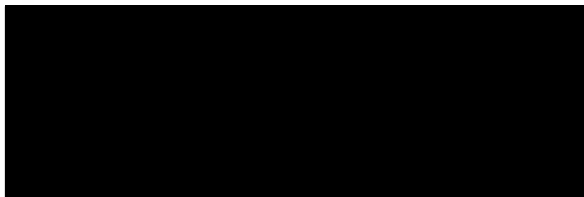
In terms of Section 29(5) this request can be considered a variation.

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](mailto: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](mailto: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

18<sup>th</sup> 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



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 C/O FLINT BISHOP SOLICITORS ST MICHAELS COURT ST MICHAELS LANE DERBY DE1 3HQ	3 May 2017	
8	JO'S KITCHEN 73 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JJ	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

EL0132

2(b) Name and Address of Premises

The Co-operative Group Food Ltd.  
118-120 High Street  
Dunbar  
East Lothian

Post Code	EH42 1JJ	Phone No.	0141 333 0636 (Agent)
-----------	----------	-----------	-----------------------

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

Co-operative Group Food Ltd.  
1 Angel Square  
Manchester

Post Code	M60 0AG	Phone No.	0141 333 0636 (Agent)
-----------	---------	-----------	-----------------------

**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)

Question 5(f) is varied to amend the shop opening hours from 6am to 10pm subject to customer demand.

**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 £150.00 is enclosed.

**Signature**



..... (See note 5 below)

**Date** 16 March 2017

Capacity: AGENT

**If agent, please provide name, address,  
phone number and (if applicable) email address**                      Audrey A Junner, Hill Brown  
Licensing, RWF House, 5 Renfield Street, Glasgow G2 5EZ

**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**                      **Phone:** 01620 827217 / 827867 / 820114  
Licensing Office                                      **Fax:** 01620 827253  
John Muir House                                      **Email:** [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)  
Haddington, East Lothian  
EH41 3HA

**FOR OFFICE USE ONLY**

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



**The Co-operative Food, 118-120 High Street, Dunbar**

**OPERATING PLAN**

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

**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>YES</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

**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 am	10.00 pm
<i>Tuesday</i>	10.00 am	10.00 pm
<i>Wednesday</i>	10.00 am	10.00 pm
<i>Thursday</i>	10.00 am	10.00 pm
<i>Friday</i>	10.00 am	10.00 pm
<i>Saturday</i>	10.00 am	10.00 pm
<i>Sunday</i>	10.00 am	10.00 pm

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
--	-----------

*\*If YES – provide details*

**Question 5**

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

COL. 1 <i>5(a)</i> Activity	COL. 2 <i>Please confirm</i> 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
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	NO	NO	NO
<i>5(b) Activity</i> <i>Social functions including:</i>	<i>Please confirm</i> 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
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	NO	NO	NO
<i>Club or other group meetings etc.</i>	NO	NO	NO
<i>5(c) Activity</i> <i>Entertainment including:</i>	<i>Please confirm</i> 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
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	NO	NO	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
<b>5(d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm 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.*

**Recorded background music may be played within and outwith core hours.**

*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.*

The sale of food, non-food and other household goods and the provision of ancillary services within and outwith core licensed hours. Normal shop opening hours 6am to 10pm subject to customer demand.

*5(g) Late night premises opening after 1.00am*

**Not applicable**

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
--	----------------

<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	

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

**Not applicable**

**CHILDREN AND YOUNG PERSONS**

<i>6(a)</i>	<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*

--

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

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

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

**Question 7**

*CAPACITY OF PREMISES*

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

27.165 square metres

**Question 8**

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

*Personal details*

8(a) *Name*

Linda Hepburn Shaw

8(b) *Date of birth*

[Redacted]

8(c) *Contact address*

[Redacted]

8(d) *Email address*

[Redacted]


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	EL306

**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)

**AUDREY A JONNER  
HILL BROWN LICENSING  
RWF HOUSE  
5 RENFIELD STREET  
GLASGOW  
G2 5EZ**

Date: 16 March 2017

Capacity: AGENT

Telephone number and email address of signatory: Tel: 0141 333 0636 Email : [info@mshblicensing.com](mailto:info@mshblicensing.com)

**\* 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.



Date 21<sup>st</sup> March 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

Your Ref: EL0132

Our Ref: J/LIC/3705/HB

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  
CO-OPERATIVE GROUP FOOD LTD, 118-120 HIGH STREET, DUNBAR  
CO-OPERATIVE GROUP FOOD LTD**

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 a request to amend the shop opening hours from 6am to 10pm subject to customer demand.

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

I have no adverse comment to make regarding the variation proposed.

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

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

**Date: 10 Apr. 17**

**Subject: LICENSING SCOTLAND ACT 2005**  
**PREMISES LICENCE - MAJOR VARIATION APPLICATION**

**The Co-operative Group Food Ltd., 118-120 High Street, Dunbar,**  
**East Lothian EH42 1JJ**

I have no objections to the granting of this variation of licence.

R. Fruzynski  
Licensing Standards Officer

Winter, Maree

---

From: Jacqueline Bell [REDACTED]  
Sent: 24 March 2017 10:05  
To: Winter, Maree  
Subject: Re: major variation - co-op 118 High Street, Dunbar application form

Thanks Maree

This major variation for the Refurbished Co-op in High Street Dunbar was discussed at Dunbar Community Council on Monday evening.

The Community Council had no concerns about the change of opening hour to 6 am.

Jacque Bell  
Secretary  
Dunbar Community Council

On 20 March 2017 at 10:38, Winter, Maree <[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)> wrote:

Hi,

Please find attached application for a major variation to the above premise. Change of opening hours for groceries to be sold from 6am rather than 7am. No change to sale of alcohol or capacity.

The last date for objections/representations is Monday 17<sup>th</sup> April 2017.

Regards

Maree

Maree Winter

Licensing Officer

Democratic & Licensing Services

East Lothian Council

01620 827867

\*\*\*\*\*  
\*\*\*\*\*

Email Disclaimer - East Lothian Council

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they

Herkes, Gillian

---

**From:** Grant, Shona  
**Sent:** 21 March 2017 09:35  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: major variation - co-op 118 High Street, Dunbar application form  
**Attachments:** major variation co-op 118 High Street, Dunbar app form.pdf

I have no objections or comments to make in relation to this application.

Regards

Shona

Shona Grant | Team Manager - Public Health and Environmental Protection | Environmental Health Service | East Lothian Council | John Muir House | Haddington | EH41 3HA |  
Tel. 01620 827336 | Email. [sggrant@eastlothian.gov.uk](mailto:sggrant@eastlothian.gov.uk) | Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

---

**From:** Winter, Maree  
**Sent:** 20 March 2017 10:38  
**To:** [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk); Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Devine, Brian; Grant, Shona; [jim.sherval@nhslothian.scot.nhs.uk](mailto:jim.sherval@nhslothian.scot.nhs.uk); Oldcorn, Elizabeth;  
**Subject:** major variation - co-op 118 High Street, Dunbar application form

Hi,

Please find attached application for a major variation to the above premise. Change of opening hours for groceries to be sold from 6am rather than 7am. No change to sale of alcohol or capacity.

The last date for objections/representations is Monday 17<sup>th</sup> April 2017.

Regards  
Maree

Maree Winter  
Licensing Officer  
Democratic & Licensing Services  
East Lothian Council  
01620 827867

**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 C/O FLINT BISHOP SOLICITORS ST MICHAELS COURT ST MICHAELS LANE DERBY DE1 3HQ	3 May 2017	
8	JO'S KITCHEN 73 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JJ	JOANNA MARGO LAWRENCE	11 April 2017	



LICENSING (SCOTLAND) ACT 2005, SECTION 29 11 APR 2017  
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION Received

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**

ELO 332

**2(b) Name and Address of Premises**

JO'S KITCHEN  
73 MARKET ST  
HADDINGTON

<b>Post Code</b>	EH41 3JJ	<b>Phone No.</b>	01620 824280
------------------	----------	------------------	--------------

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

<b>Post Code</b>		<b>Phone No.</b>	
------------------	--	------------------	--

### 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

I would like to put 2-3 tables outside during the warmer months on our own private land. We would not seek to use the public footpath. Tables to be brought inside at 21.00.

#### 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)

we would like to include in the operating plan outdoor drinking & dining area.

#### 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.

see electronic copy of layout plan.



**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 £156 is enclosed.

Signature



..... (See note 5 below)

Date

7/4/17

Capacity: APPLICANT / AGENT (delete as appropriate)

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

.....  
.....  
.....

**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>

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

**Question 1**

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises	<b>NO</b>
1(b) Will alcohol be sold for consumption solely OFF the premises	<b>NO</b>
1(c) Will alcohol be sold for consumption both ON and OFF the premises	<b>YES</b>
*Delete as appropriate	

**Question 2**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11am	11pm
Tuesday	11am	11pm
Wednesday	11am	11pm
Thursday	11am	1am
Friday	11am	1am
Saturday	11am	1am
Sunday	11am	Midnight

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11am	10pm
Tuesday	11am	10pm
Wednesday	11am	10pm
Thursday	11am	10pm
Friday	11am	10pm
Saturday	11am	10pm
Sunday	11am	10pm

NOTES:

*Kem*

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

\*If YES – provide details

WE WILL APPLY FOR EXTENDED HOURS OPENING AT CHRISTMAS AND NEW YEAR AS WELL AS OCCASIONAL PRIVATE FUNCTIONS. WE WOULD WISH TO TAKE ADVANTAGE OF ANY EXTENSIONS GRANTED BY THE BOARD.

Question 5

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

5(a) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided <u>outwith</u> core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
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	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
Music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	NO
Dance facilities – see 5(g)	YES	YES	NO
Theatre	NO	NO	NO

Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	YES	YES	YES
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 facilities drinking	<del>NO</del> YES	<del>NO</del> 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 – see 5(g)	NO	NO	NO

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

**WE INTEND TO OFFER COFFEE, CAKE AND BREAKFASTS FROM 9AM. WE MAY OFFER COOKED FOOD EARLIER THAN 11AM.**

**EARLY MORNING FUNERALS AND OTHER PRIVATE FUNCTIONS WILL BE CATERED FOR ON OCCASIONS.**

**CLUBS AND GROUPS WILL BE ABLE TO HOLD MEETINGS IN OUR PREMISES FROM 9AM**

**RECORDED MUSIC WILL BE PLAYED FROM 9AM.**

**TELEVISED SPORT WILL SOMETIMES BE SHOWN FROM 9AM (LOCAL EVENTS I.E. GOLF OPEN)**

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.

**I WILL RUN TRAINING COURSES ON OCCASION FROM 9AM**

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing either live or recorded music, dancing or adult entertainment, any combination of these or all please provide the following details

Will the music level exceed 85dB?	NO
When fully occupied, are there likely to be more customers standing than seated?	NO
*Delete as appropriate	

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

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
	*Delete as appropriate	

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

**CHILDREN WILL BE WELCOME ON THE PREMISES WITH ACCOMPANYING ADULTS UNTIL 10PM OR UNTIL THE END OF A PRIVATE FUNCTION.**

**YOUNG PERSONS WILL BE ALLOWED ENTRY TILL 10PM BUT WILL NOT BE SERVED ALCOHOL AT ANY TIME.**

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

**CHILDREN 0-15 - WILL BE ALLOWED WITH ADULTS UNTIL 10PM - IT IS A FAMILY BISTRO**

**YOUNG PERSONS 16-17 WILL BE ALLOWED IN FOR COFFEE, SOFT DRINKS & MEALS BUT NO ALCOHOL**

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

**UNTIL 10PM OR THE END OF A PRIVATE FUNCTION**

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

**CHILDREN AND YOUNG PEOPLE WILL HAVE ACCESS TO ALL PUBLIC AREAS APART FROM BAR SERVERY OR WITHIN 1.5M OF BAR SERVERY**

**Question 7**

**CAPACITY OF PREMISES**

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

**ON SALES - 50**

Date 3<sup>rd</sup> 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: EL332

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,

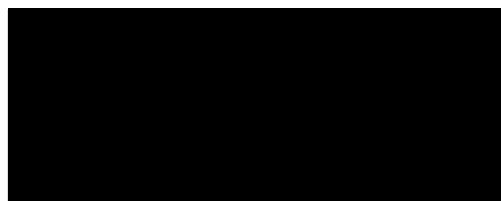
**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
JO'S KITCHEN, 73 MARKET STREET, HADDINGTON, EAST LOTHIAN  
JOANNA LAWRENCE**

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 a request to have a licensed, outside seating area, to the front of the building.

I have no adverse comment to make regarding the variation proposed.

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

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

---

Date: 11 May 2017

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

**Jo's Kitchen, 73 Market Street, Haddington, East Lothian EH41 3JJ**

I can confirm that the premises have been visited in relation to this application, which is to add an outdoor drinking and dining area, comprising two tables and chairs, within the curtilage of the fenced off area at the front of the restaurant.

Photographs of the outdoor area are attached to this report for the information of the Licensing Board members.

The outdoor area referred to area has been operated under Occasional Licences since 1<sup>st</sup> May 2017, with a terminal hour of 21:00. Licensing Standards has not received any complaints concerning the operation of the premises as a whole at the time of reporting.

Should the Board be minded to grant this application, I recommend that that a condition be placed on the licence that the outside drinking area not be used after 21:00 hours. This is in line with the condition of the licence of the nearby pub.

R. Fruzynski  
Licensing Standards Officer







Winter, Maree

---

From: info@jos-kitchen.co.uk  
Sent: 15 May 2017 15:24  
To: Winter, Maree  
Subject: RE: Major Variation - Jo's Kitchen  
  
Importance: High

No problem at all

----- Original Message -----

Subject: Major Variation - Jo's Kitchen  
From: "Winter, Maree" <mwinter@eastlothian.gov.uk>  
Date: Mon, May 15, 2017 2:59 pm  
To: "info@jos-kitchen.co.uk" <info@jos-kitchen.co.uk>

Dear Madam,

I write in relation to the major variation for the outside drinking area for two tables and chairs outside the above premise. The L.S.O. has recommended that the terminal hour for having tables and chairs outside is 9pm. Are you agreeable to this.

Regards  
Maree.

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

[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)

\*\*\*\*\*  
\*\*\*\*\*

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\*\*\*\*\*

Winter, Maree

---

From: info@jos-kitchen.co.uk  
Sent: 05 May 2017 15:14  
To: Winter, Maree  
Subject: RE: Major Variation - JO's Kitchen

Importance: High

2

Many thanks

Jo

----- Original Message -----  
Subject: Major Variation - JO's Kitchen  
From: "Winter, Maree" <mwinter@eastlothian.gov.uk>  
Date: Fri, May 05, 2017 2:37 pm  
To: "info@jos-kitchen.co.uk" <info@jos-kitchen.co.uk>

HI,

I refer to your major variation application, I note that you have two or three tables for the external area, can you please clarify if it is two or three.

Regards  
Maree.

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

[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)

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**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)**

<b>Variation (Major)(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
9	LIDL UK GMBH (STORE 1144) OLIVEBANK INDUSTRIAL ESTATE NEWHAILES ROAD NEWHAILES MUSSELBURGH EAST LOTHIAN	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON-SUPER-MARE	28 April 2017	
10	ROYAL BRITISH LEGION, COCKENZIE ROYAL BRITISH LEGION CLUB WEST HARBOUR ROAD COCKENZIE PRESTONPANS	COCKENZIE & PORT SETON ROYAL BRITISH LEGION	20 February 2017	
11	SPORTSMAN'S BAR 58 HIGH STREET MUSSELBURGH EAST LOTHIAN EH21 7BX	HAWTHORN LEISURE SCOTCO LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	10 May 2017	





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).

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0126

2(b) Name and Address of Premises

Lidl UK GmbH  
 Olivebank Industrial Estate, Newhailes Road, Newhailes, Mussleburgh

Post Code EH21 6RE

Phone No.

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

Lidl U.K. GmbH  
 19 Worple Road  
 Wimbledon  
 London

Post Code SW19 4JS

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

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)

**Question 4 – Does the applicant intend to operate according to seasonal demand**

The applicant seeks an increased capacity of alcohol display for the period of 1 December each year until 2 January of the following year. The relevant capacities shall be stated in question 7 below. The applicant seeks the increased capacity to allow them to adequately cope with increased seasonal demand around the Christmas and New Year period.

**Variation to Question 7 – Capacity of Premises**

Increase to the current alcohol section from Length 25.09m Height 1.8m (Total Capacity 45.16m<sup>2</sup>) to Capacity during non-seasonal trading: Length 25.82m Height 1.8m (Total Capacity 46.47m<sup>2</sup>)

Additional capacity during season trading (1 December each year to 2 January following year) is Length 6.68m Height 1.8m = 12.02m<sup>2</sup>

**Maximum total capacity: 58.49m<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.

Changes to alcohol area



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



Licensing Manager

..... (See note 5 below)

Date

26/4/17

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

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

Andrew Wilkins, Lidl U.K. GmbH, Licensing Department, Locking Castle Business Park, West Wick, Weston Super Mare, BS24 7TG, TEL: 01934 523121, Email: [Licensing@lidl.co.uk](mailto:Licensing@lidl.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>

**OPERATING PLAN**

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

**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>	NO*
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	YES *
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	NO*
<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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

**Question 3**

**STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES**

<b>Day</b>	<b>OFF Consumption</b>	
	<b>Opening time</b>	<b>Terminal hour</b>
<i>Monday</i>	10.00 am	10.00 pm
<i>Tuesday</i>	10.00 am	10.00 pm
<i>Wednesday</i>	10.00 am	10.00 pm
<i>Thursday</i>	10.00 am	10.00 pm
<i>Friday</i>	10.00 am	10.00 pm
<i>Saturday</i>	10.00 am	10.00 pm
<i>Sunday</i>	10.00 am	10.00 pm

**Question 4**

**SEASONAL VARIATIONS**

<i>Does the applicant intend to operate according to seasonal demand</i>	<b>YES</b>
--	------------

*\*If YES – provide details*

The applicant seeks an increased capacity of alcohol display for the period of 1 December each year until 2 January of the following year. The relevant capacities shall be stated in question 7 below. The applicant seeks the increased capacity to allow them to adequately cope with increased seasonal demand around the Christmas and New Year period.

<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No
<b>5(d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Outdoor drinking facilities</i>	No	No	No
<b>5(e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm 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 premises are supermarket premises and shall be operated prior to the commencement of the core hours for the sale of non-alcohol produce, The premises will not open any earlier than 6am on any day for this purpose. Recorded background level music may be played during all opening times.

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.

The premises are supermarket premises and shall be operated prior to the commencement of the core hours for the sale of non-alcohol produce, particularly food items, newspapers, household goods, seasonal products and other such items.

**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</b> <b>licensed hours –</b> <b>please confirm</b> <b>YES/NO</b>	<b>COL. 4</b> <b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	No	No	No
<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</b> <b>licensed hours –</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays,</i> <i>retirements etc.</i>	No	No	No
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
<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</b> <b>licensed hours –</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
<i>Recorded music –</i> <i>see 5(g)</i>	Yes	Yes	Yes
<i>Live performances –</i> <i>see 5(g)</i>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No

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

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

--

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

--

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

--

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

--

**Question 7**

**CAPACITY OF PREMISES**

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

Capacity during non-seasonal trading: - Length 25.82 Height 1.8m = 46.47m <sup>2</sup> Additional capacity during seasonal trading (1 December each year to 2 January following year) is Length 6.68m Height 1.8m = 12.02m <sup>2</sup> <b>Maximum total capacity: 58.49m<sup>2</sup></b>
---

Question 8

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

*Personal details*

8(a) Name

Kevin Boyd

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address

[REDACTED]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
20.09.2016	Edinburgh	340285

**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 ... 20/4/17 .....

Capacity ... Licensing Manager ..... APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory 01934 523121 – licensing@lidl.co.uk



Date 8<sup>th</sup> May 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

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

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 - REPRESENTATION  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
Lidl Uk GmbH (Store 1144)  
Olivebank Industrial Estate, Musselburgh, East Lothian.  
Lidl Uk GmbH**

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 in capacity from 45.16 square metres to 46.47 square metres as well as a further increase in capacity to cater for seasonal alcohol from 1<sup>st</sup> December – 2<sup>nd</sup> January each year of 58.49 square metres.

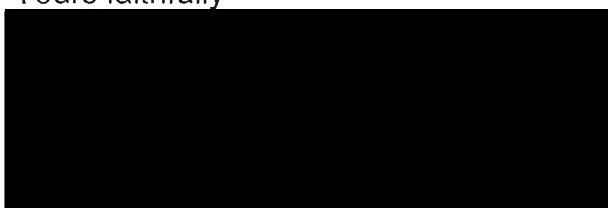
In terms of Section 29(5) of the Act this request can be considered a variation.

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

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

---

Date: 17 May 2017

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

**Lidl UK GmbH, Olivebank Industrial Estate, Newhailes Road, Musselburgh, East Lothian EH 21 6RE**

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

The variation applied for is out with the Licensing Board's policy on overprovision in relation to the increase of the current display capacity of 45.16m<sup>2</sup> to 46.47m<sup>2</sup> during normal non seasonal trading, and to seasonal trading of 58.49m<sup>2</sup> between 1<sup>st</sup> December and 2<sup>nd</sup> January every festive period. Non seasonal and seasonal increases in capacities are 1.31m<sup>2</sup> and 13.33m<sup>2</sup> respectively.

Previous applications to vary alcohol display capacity:

In May 2015 Lidl applied to change the size of the alcohol display capacity to 45.16m<sup>2</sup>, an increase of 6.12 m<sup>2</sup>.

In June 2014 Lidl applied to change the size of the alcohol display capacity of 39.04m<sup>2</sup>, a decrease of 0.02 m<sup>2</sup>. This was the result of refurbishment and minor display changes within the store.

In March 2013 Lidl applied for a reduction in size of alcohol display capacity 39.06 m<sup>2</sup>, a decrease of 15.57 m<sup>2</sup>

In April 2011, Lidl applied to change the size of the alcohol display capacity to 54.63m<sup>2</sup>, an increase of 7.56 m<sup>2</sup>.

In August 2010, Lidl applied to change the size of the alcohol display capacity to 47.07m<sup>2</sup>, a decrease of 7.02 m<sup>2</sup>.

In September 2009, Lidl was granted an alcohol display capacity of 54.09m<sup>2</sup>.

During the period that Lidl used the larger area of 54.63m<sup>2</sup>, as granted in 2011, there were no operational problems identified or complaints received by Licensing Standards. This trend has continued to date.

Lidl is a very well run store and as such I have no objection to the grant of the current application.

R. Fruzynski  
Licensing Standards Officer

Lothian NHS Board

Public Health & Health Policy  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh  
EH1 3EG  
Telephone 0131 536 9000  
Fax 0131 536 9088



www.nhslothian.scot.nhs.uk

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

Date 2<sup>nd</sup> June 2017  
Your Ref  
Our Ref EO/JS/fb

Enquiries to Jim Sherval  
Extension 35436  
Direct Line 0131 465 5436  
Email: jim.sherval@nhslothian.scot.nhs.uk

Dear Ms Winter

### MAJOR VARIATION – LIDL, OLIVEBANK, MUSSELBURGH

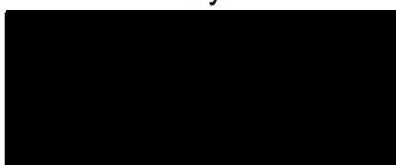
On behalf of Lothian Health Board, we would like to object to this application to increase the capacity of alcohol display in this store for a month over the seasonal period.

NHS Lothian is particularly concerned about the increases in alcohol being purchased from off-sales outlets due to the association with alcohol-attributable illness and death. 74% of alcohol bought in Scotland is now bought from off-sales outlets (NHS Health Scotland). This area of Musselburgh already has a higher number of off-sales outlets than both the national and East Lothian averages (CReSH). There is therefore no justification to increase capacity in this store and doing so would be likely to counter the licensing objectives, particularly that of protecting and improving public health.

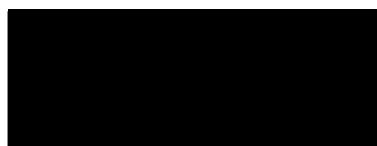
Granting of the variation to this license would also disregard the overprovision statement in East Lothian Alcohol Licensing Policy which declares the whole of the area as overprovided for.

The Health Board therefore urges the Licensing Board to consider the impact of this application on public health in East Lothian.

Yours sincerely



**Jim Sherval FFPH**  
Consultant in Public Health



**Elizabeth Oldcorn**  
Senior Specialist in Health Promotion



Headquarters  
Waverley Gate, 2-4 Waterloo Place, Edinburgh EH1 3EG

Chair Brian Houston  
Chief Executive Tim Davison  
*Lothian NHS Board is the common name of Lothian Health Board*

#### Statement in Support of Non-Minor Variation of Premises Licence

In this application, Lidl UK GmbH ("Lidl") are applying to vary the premises licence to increase their off sale capacity from 45.16m<sup>2</sup> to 46.47m<sup>2</sup> during "normal" trading periods and separately, during the period of 1 December of each year to 2 January of the following year, a further increase to 58.49m<sup>2</sup>, to account for increased demand during the festive period.

The increase of 1.31m<sup>2</sup> during "normal" trading periods is required during a minor refresh to the merchandising layout of alcohol within the premises. The display of alcohol remains within the same merchandising area of the premises i.e. the location of the display remains at the furthest aisle from the entrance to the premises and adjacent to the till counters, thereby allowing full supervision of the display area by management and staff of the premises.

The net effect of the merchandising change results in the area of display increasing by a very small amount, namely 1.31m<sup>2</sup>. The products available to customers during normal trading will not change. The increase is simply as a result of the changed shelving layout resulting in a marginal increase in the area of display.

The second part of the increase in alcohol display applied for relates only to the festive period of trading at the premises, being 1 December to 2 January. During this period of trading, Lidl would like to make available an additional area of alcohol display, located next to the "normal" display to cater for (a) increased demand for alcohol purchases and (b) additional alcohol products that Lidl will only offer for sale during the festive period. (mainly liqueurs and speciality whisky).

In relation to the second part, Lidl are specifically applying only for set period of increased capacity i.e. the period of 1 December to 2 January. The alternative would be for Lidl simply to apply for the larger area of 66.83m<sup>2</sup> all year round but undertake to display "soft drinks" in the area during certain period of the year when trading is quieter. Lidl consider that their trading demands and obligations under the licensing objectives are better met by having only a fixed period of increased display – thereby avoiding the possibility that alcohol display might increase at other times of the year as it could do under the "soft drinks" model.

It is respectfully within the knowledge of the Board that demand for alcohol purchases generally increases during the festive period. The present application allows that demand to be served by allowing new products to be displayed and separately allowing displays of existing products to be increased. In the latter case, this removes the need for staff to be engaged in restocking products as often during busy periods. When 2 January is reached, the alcohol display area is then brought back down to the "normal" trading size to reflect the lowered demand for purchases.

The approach Lidl are taking in this application removes the need for annual applications for variation of licence to be made ahead of the festive period each year, followed by a minor variation at the end of the festive period. This approach reduces the burden on the Licensing Board and responsible authorities in processing these applications.

It is Lidl's submission that the grant of this additional display area will not result in overprovision of off sale display area in this locality and in particular, the grant of this variation is not inconsistent with the licensing objectives.

Lidl are a very responsible operator, who prides itself on its diligence and training of staff in all aspects of their work but with particular attention to the sale of age restricted products.

- Lidl regularly conduct their own 'integrity alcohol purchase checks' whereby they instruct an external agency to send in an 18 year old to attempt to purchase alcohol. Lidl's main objective in this is to ensure their employees are actively and thoroughly engaging in the Think 25 policy and carrying out the necessary ID checks. This allows Lidl to test the effectiveness of their Think 25 policy on an ongoing basis.
- Lidl routinely carry out Alcohol Licensing Audits in their Stores to ensure full compliance with the operating plan and also to ensure signage, training records etc. are in order.

Furthermore, and with a view to meeting the licensing objectives in store, Lidl adopt the following policies:

#### Protecting and Improving Public Health

- All Lidl stores merchandise the alcohol section as the furthest area from the customer entrance. As well as assisting with security, it also ensures that it is not necessary for customers to walk past the section in order to reach different areas of the store or reach the till counters. This reduces the likelihood of customers 'impulse purchasing' alcohol.
- Lidl were the first major retailer in the UK to remove the sale of tobacco in all stores.
- Lidl were the first major retailer in the UK to remove confectionary from the checkout / till area to reduce impulse buying of unhealthy items. Instead, Lidl display healthier alternatives.
- Lidl participates in the Department of Health's fruit and vegetable Responsibility Deal.
- Alcohol sold by Lidl focuses on quality not price. Lidl do not stock low price, high volume fortified wines or super-strength beers/lagers or any other products that might be more readily associated with problem drinkers.
- The Lidl till system cannot process alcoholic items either before 10am or after 10pm. This makes it impossible for licensing hours not to be adhered to.

## Protecting Children / Young People From Harm

- Lidl follow our 'Think 25' procedure which requires all customers who appear to be under the age of 25 to provide valid proof of age documents should they wish to purchase an age restricted product.
- Lidl's tills automatically prompt the cashier that an age restricted item has been scanned and will not allow the sale to continue unless the cashier confirms the Think 25 procedure has been followed.
- The Lidl ID procedure also supports this objective as the senior manager on duty (a personal licence holder) must authorise all ID verification as required through the Think 25 procedure before a sale can be authorised. The existence of two members of staff completing the age verification process mitigates against under age sales and separately acts as a deterrent to underage persons attempting purchases.
- Lidl does not merchandise any sweets etc near the alcohol section; this reduces the likelihood for children / young people being near alcoholic products.

## Preventing Crime and Disorder

- Lidl have installed EAS tagging systems in all stores with high theft risk items, including some alcohol lines. This acts as both deterrent and detection method for potential theft.
- Lidl have introduced bottle locks for spirits, which serves as a deterrent towards theft
- Lidl employs stringent training practices which develop staff to be aware of potential issues and how to manage difficult circumstances should they arise.
- No member of Lidl staff is permitted to undertake checkout duties until all relevant training has been completed.
- Lidl are an approved provider of SCPLH training and therefore all training and refresher training is undertaken within the company. Lidl are graded by the BII as "Grade 1", which is the highest grading that can be achieved.
- Lidl contract SIA accredited Security companies to supply SIA accredited Guards in stores which are deemed to require support to manage any crime or disorder issues.
- Lidl install state of the art CCTV systems in all stores. Images are retained and may be available as required by the police or licensing standards officer.

## Securing Public Safety

- As above SIA accredited Security Guards are present in stores which require support.
- CCTV as above.
- Lidl undertake daily, weekly and biannual health & safety, trading law and maintenance checks in all stores, to ensure compliance. Our compliance procedures and policies are regularly reviewed.

## Preventing Public Nuisance

- As above SIA accredited Security Guards are present in stores which require support.
- CCTV as above
- Waste receptacles for customers are provided for disposal of litter.
- All by-products of our premises are responsibly disposed of, and where possible, recycled.



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)

Variation (Major)(s)	Premises	Applicant	Date Received	Comments
9	LIDL UK GMBH (STORE 1144) OLIVEBANK INDUSTRIAL ESTATE NEWHAILES ROAD NEWHAILES MUSSELBURGH EAST LOTHIAN ROYAL BRITISH LEGION,	LIDL UK GMBH C/O LIDL UK GMBH LICENSING DEPARTMENT LOCKING CASTLE BUSINESS PARK WEST WICK WESTON-SUPER-MARE COCKENZIE & PORT SETON ROYAL BRITISH LEGION	28 April 2017	
10	COCKENZIE ROYAL BRITISH LEGION CLUB WEST HARBOUR ROAD COCKENZIE PRESTONPANS SPORTSMAN'S BAR 58 HIGH STREET MUSSELBURGH EAST LOTHIAN EH21 7BX		20 February 2017	
11		HAWTHORN LEISURE SCOTCO LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	10 May 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

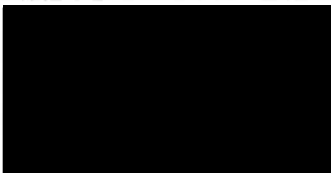
2(a) Licence Number of Premises

EL0261

2(b) Name and Address of Premises

Royal British Legion Cockenzie & PortSeton West Harbour Road Cockenzie	East Lothian Council Licensing 20 FEB 2017 Received		
Post Code	EH32 OHU	Phone No.	01875 810103

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

	AS ABOVE
---	----------

<b>Post Code</b>	██████████	<b>Phone No.</b>	██████████		

**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

The club wishes to change to an "Open Premises Licence". Members have been canvassed and there have been no objections. The committee propose to operate as before with regards to Membership Fees. We will continue to operate a signing in procedure.

The purpose for the change is to allow Private Functions on Saturday nights without needing to adhere to the signing in procedures. We also have occasions to hold private functions on Sunday afternoons.

**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)

None

**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.

None

None

**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*)

None

**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**

**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  **W McGauchie, Chair** ..... (See note 5 below)

Date 19<sup>th</sup> February 2017  
.....

Capacity: APPLICANT / AGENT (delete as appropriate)

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

**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)**

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

# EAST LOTHIAN LICENSING BOARD

## OPERATING PLAN

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

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

Royal British Legion Cockenzie & Port Seton West Harbour Road, Cockenzie, EH32 OHU
---

### 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</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	23.45
<i>Friday</i>	11.00	Midnight
<i>Saturday</i>	11.00	01.00
<i>Sunday</i>	11.00	Midnight

**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>	11.00	22.00
<i>Tuesday</i>	11.00	22.00
<i>Wednesday</i>	11.00	22.00
<i>Thursday</i>	11.00	22.00
<i>Friday</i>	11.00	22.00
<i>Saturday</i>	11.00	22.00
<i>Sunday</i>	11.00	22.00

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
--	------------

*\*If YES – provide details*

<p>The club would wish to take advantage of any Seasonal Variations that East Lothian Licensing Board offer.</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 <i>5(a)</i> Activity	COL. 2 <i>Please confirm</i> <i>YES/NO</i>	COL. 3 To be provided during core licensed hours – please confirm <i>YES/NO</i>	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Accommodation</i>	NO	NO	NO
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	NO
<i>Bar meals</i>	YES	YES	NO
<i>5(b) Activity</i> <i>Social functions including:</i>	<i>Please confirm</i> <i>YES/NO</i>	To be provided during core licensed hours – please confirm <i>YES/NO</i>	Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
<i>5(c)</i> Activity <i>Entertainment including:</i>	<i>Please confirm</i> <i>YES/NO</i>	To be provided during core licensed hours – please confirm <i>YES/NO</i>	Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Recorded music – see 5(g)</i>	YES	YES	NO
<i>Live performances – see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	YES	YES	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	NO
<i>Televised sport</i>	YES	YES	YES

<b>5(d)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <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.*

*Conference Facilities Club other group meetings. Would like to be in a position to allow the hall/lounge to be used by Community Based groups such as Gala Committee at say 0900 and offer teas/coffee for these meetings. Bar would remain closed until core hours.*

*Funerals/Christenings. Access to mourners early after Funeral but no alcohol until Core hours.*

*Televised Sport. No alcohol but would like to be able to allow access for significant T.V. Sport e.g. World Cup Rugby or Football early in the day – say 0800 onwards depending on the timing of the venue. Serve tea/coffee.*

*Armistice Day. Would request permission to allow Children and Young Persons access from after the service to 18.00 on that day.*

**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*

Children and Young persons are only allowed access to the Premises when accompanied by Parent/ Guardian. Unless attending a Private function, they must leave the building by 18.00.

The Pipe Band practices in the Hall/Lounge. Children 8 years to 17 years are also in attendance for these sessions.

Armistice Day – please see notes after 5(e)

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

0-17 years  
Please see 6(b) above

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

Please see 6(b) above

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

As stated at 6(b) Children accompanied by an adult can visit any part of the building.  
There are 3 x Female and 3 x Male toilets throughout the club which is considered adequate.

**Question 7**

**CAPACITY OF PREMISES**

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

**400**

**Question 8**

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

*Personal details*

8(a) *Name*

Martha Heather ANGUS

8(b) *Date of birth*

[Redacted]

8(c) Contact address

[Redacted]

8(d) Email address and telephone number

No email. Suggest email Chairman at  
Telephone c/o Club: [Redacted]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
Not known <i>EL1372</i> 01/03/2017	East Lothian Council <del>Please see Certificate attached</del>	Not known <i>EL1372</i>

**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 .....19.2.2017.....

Capacity ..... William McGauchie, Chair APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory... William06Mcgauch@aol.com – Tel. 01875 814506

**\* 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.



Ref: KMacN/MJW/EN/L/L1

14<sup>th</sup> April 2017

Kirstie MacNeil  
Clark of Licensing Board  
East Lothian District Council  
John Muir House  
Haddington  
EAST LoTHIAN

Dear Ms MacNeil

**Re: Application of amendments of current license held by Cockenzie and Port Seton British Legion**

We are writing with regard to a recent application by the above business to amend the current license held by the above business.

With regard to specific points raised in the letter informing of the application, we would be grateful if our concerns and objections could be taken in to consideration when reviewing the afore mentioned application. Our specific concerns are outlined below:

Application for a Restaurant License:

We are concerned with regards to the above application in terms of the accompanying kitchen and cooking smells generated and emitted through outside extractors. As we are sure you are aware our homes are in extremely close proximity to the Legion.

Also, at present there are three large bins for bottle recycling with no further available space for large bins required for the safe and hygienic disposal of associated food waste. Therefore we are concerned about where further large bins would be placed without causing disruption to us and further concerned about the attraction of vermin to these bins. We have, unfortunately, had problems with vermin within our homes in the past due to incorrect and unsafe waste storage and removal.

Early Morning Opening Request and Music Events:

Again as stated above our homes are extremely close to the Legion and available parking for visitors. If the legion was allowed to open early (8am) the noise from the cars/buses

arriving would be intolerable and unfortunately heard clearly from within our homes. Also, as is often the case, the doors are left open so any noise generated by the sports programmes or any television would again be heard clearly and so would disturb residents of Marshall Street. Music events would clearly bring the same problems.

Marshall Street is a private road, not adopted by the council which means that we as residents are responsible for any repairs required to this road. We would request therefore that if this application is to be considered, that an alternate parking area be considered. At present any event held within the Legion causes massive parking issues and safety issues and the proposed increase in traffic volume and associated parking would bring with it further overflow. We would also be grateful if consideration could perhaps be given to possible contributions (agreed in writing) could be made by the Legion for any repairs required in the future should the application be approved.

Other Areas of Concern:

Unfortunately in the past relationships with the British Legion was problematic and over the last while has improved greatly. We as residents would wish this to continue in harmony and for us to be able to discuss any grievance we may have. We are concerned that things will deteriorate in light of this application and its associated issues.

We have approached the committee to discuss our concerns and to let them know, as a courtesy, that we would be raising our concerns with the Licensing Board for our protection as residents and home owners in Marshall Street. We spoke with a Mr Tom Carol (current committee member) who was extremely helpful and assured us that indeed there would be no restaurant or need for food bins and that any catering would be provided by outside caterers. We would again like this confirmed in writing. He also stated that at all times consideration would be given to the Legion's neighbours.

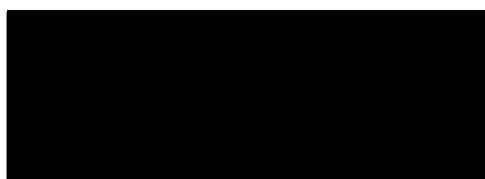
We would still like to protect our interests and log our concerns as in the future the committee may change and we would like to know that we are protected as residents from future changes and any misinterpretation of the application if approved by any new committee.

We have enclosed attachments with regards to the points outlined above.

Many thanks for your consideration in this matter.

Kind regards

Yours sincerely



1045

KIRSTIE MACNEILL  
CLERK OF THE LICENSING BOARD  
JOHN MUIR HOUSE  
HADDINGTON  
E. LOTHIAN EH41 3HA

20/4/17

YOUR REF: KMACN/mjw/EN/L/L1

RE: APPLICATION FOR VARIATION (MAJOR)  
PREMISES - ROYAL BRITISH LEGION, COCKENZIE,  
ROYAL BRITISH LEGION CLUB, WEST HARBOUR ROAD,  
COCKENZIE, PRESTONPANS, E. LOTHIAN, EH32 0HU  
TYPE - ON & OFF SALES

Licensing

41 APR 2017

Received

I wish to make an objection, in respect of the variation proposed.

1) OBJECTION - INCREASED TRAFFIC ALONG MARSHALL STREET

I have been an occupier at [redacted] Marshall Street for 18 months, during which time, it has been increasingly more difficult for the 7 residents to park - as the Legion Staff/Community Members are using Marshall Street to park in, rather than their own car parks. Marshall Street is only supposed to be used for access only. Each time there is a private function at the Legion - they use Marshall St to park in, restricting access for emergency vehicles.

2) OBJECTION - INCREASED NOISE LEVELS ALONG MARSHALL STREET

Noise levels have been increasing when there are private functions, especially late at night - with drunks shouting and then urinating in the street & up against my house.

3) OBJECTION - BREACH OF LICENCE

I have made a statement to the Police (which was witnessed) of a serious incident of severe drunkenness & verbal abuse around 18.15hrs on Sat 15th April 2017 by the 'Responsible Person' / Licencee - The Chairman Billy MacGackie - who I had asked to deal with 4 of his drunken patrons - one of which had thrown



(CONT)

(2 of 2)

YOUR REF: KMacN/mjw/EN/L/L1

ROYAL BRITISH LEGION, COCKENZIE

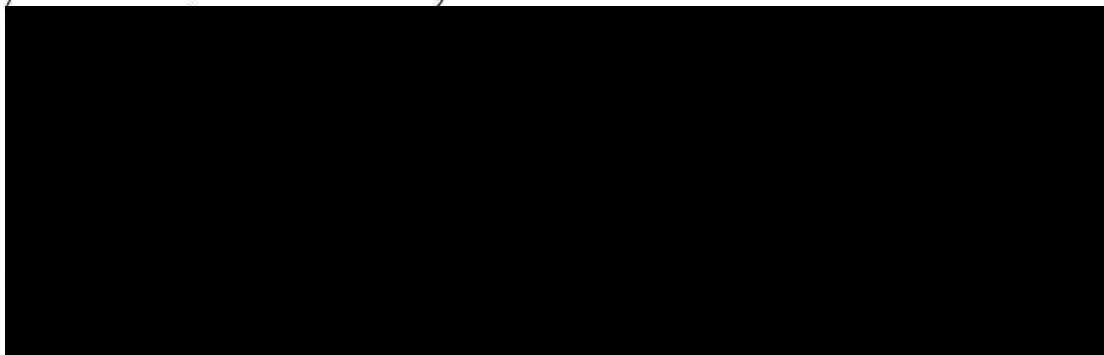
himself onto the bonnet of my car and was 'humping'  
on the bonnet until he was dragged off by his  
girlfriend (This male was son of Secretary of Legion).  
One of this party of 4, appeared to be under-age and as  
drunk as the other 3 - 2 of which were wrestling in the  
middle of the road. FULL STATEMENT WITH POLICE.

I think it would be very un-wise to allow the  
Royal British Legion at Cockenzie any further additional  
hours/or to provide any further catering.

The current community are obviously not fit to hold  
a licence, let alone sober enough to deal with  
a serious incident. The premises has serious  
access issues - so extending the licence is only  
going to cause further issues - which could be  
life threatening, if emergency vehicles are not  
able to reach the premises.

Please do not hesitate to contact me, if you  
require further information.

Yours sincerely,



Date 28<sup>th</sup> March 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: EL0261

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,

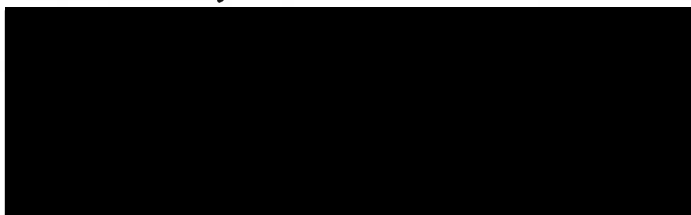
**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
ROYAL BRITISH LEGION, COCKENZIE  
ROYAL BRITISH LEGION CLUB, WEST HARBOUR ROAD, COCKENZIE,  
EAST LOTHIAN, EH32 0HU.**

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 a request to change from a club licence to an 'open' licence.

I have no adverse comment to make regarding the variation proposed.

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:** R. Fruzynski  
Licensing Standards Officer

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

**Date:** 10 Apr. 17

**Subject:** LICENSING SCOTLAND ACT 2005  
PREMISES LICENCE APPLICATION

**Royal British Legion Cockenzie & Port Seton, West Harbour Road, Cockenzie,  
East Lothian EH32 0HU**

I refer to the above subject and can confirm that the premises have been visited in relation to application for a change of status from a Club to an Open Premises Licence. I am satisfied that the Operating and Layout Plans are in accordance with the Licensing Board's policy, and the Act and, therefore, have no objections to the granting of the licence.

It should be noted that the Board have previously supported similar applications in respect of the following Royal British Legion premises:

Dunbar Royal British Legion  
Longniddry Royal British Legion  
Prestonpans Royal British Legion

There are no other Royal British Legion premises in East Lothian, since the closure of the North Berwick Club in 2014.

R. Fruzynski  
Licensing Standards Officer



**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**

**Date Received**

**Comments**

9 LIDL UK GMBH (STORE 1144)  
OLIVEBANK INDUSTRIAL ESTATE  
NEWHAILES ROAD  
NEWHAILES  
MUSSELBURGH  
EAST LOTHIAN  
10 ROYAL BRITISH LEGION,  
COCKENZIE  
ROYAL BRITISH LEGION CLUB  
WEST HARBOUR ROAD  
COCKENZIE  
PRESTONPANS  
11 SPORTSMAN'S BAR  
58 HIGH STREET  
MUSSELBURGH  
EAST LOTHIAN  
EH21 7BX

LIDL UK GMBH  
C/O LIDL UK GMBH  
LICENSING DEPARTMENT  
LOCKING CASTLE BUSINESS PARK  
WEST WICK  
WESTON-SUPER-MARE  
COCKENZIE & PORT SETON ROYAL  
BRITISH LEGION  
  
HAWTHORN LEISURE SCOTCO  
LIMITED  
C/O TLT LLP  
140 WEST GEORGE STREET  
GLASGOW  
G2 2HG

28 April 2017

20 February 2017

10 May 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

EL0154

2(b) Name and Address of Premises

Sportsman's Bar  
28 High Street  
Musselburgh  
East Lothian

Post Code    EH21 7BX

Phone No.   

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

Hawthorn Leisure Limited  
47 Park Lane  
London

Post Code    W1K 1PR

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

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)

Amendment to on sales opening hours to maximum allowed by board policy; inclusion of bar meals & outdoor drinking within activities matrix; increase in total capacity by 12 to allow for new outdoor area.

At Question 2, please amend operating hours to reflect the following;

11.00 am to 11.00 pm Monday to Wednesday (inclusive)  
11.00 am to 1.00 am Thursday to Saturday (inclusive)  
11.00 am to 12.00 midnight on Sunday

At Question 5(a), please amend *Bar meals* to read as 'Yes' in columns 2, 3 & 4.

At Question 5(d), please amend *Outdoor drinking facilities* to read as 'Yes' in columns 2, 3 & 4.

At Question 5, please amend the text to read as follows:

*'Bar meals- the premises will open from 9am for the provision of teas, coffees, breakfasts etc.*

*Receptions- we have the facility to offer a range of receptions facilities. This may include funeral purveys that require alcohol on the premises from 9am subject to an expediently processed extended hours application being granted.*

*Club meetings- this may include events that require alcohol to be available on the premises from 9am e.g. golf day. This would be obtained through an extended hours application.*

*Recorded music- this may be played outwith core hours during receptions.*

*TV sport- we anticipate that certain major sporting events may be televised outwith core hours and we would wish to offer the sale of alcohol on the premises at these times. This would be obtained through an extended hours application.*

*Outdoor drinking- the outdoor drinking area may be used prior to core hours, but no earlier than 9am and no later than the terminal hour.'*

At Question 7, please amend the text to read as follows:

*'Capacity breakdown:*

*Indoor- 96*

*Outdoor drinking area – 12*

*Total on sales capacity- 108*

### 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.

Addition of outdoor drinking area on pavement, please see attached plans [Ref: xxxxxx].

**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-

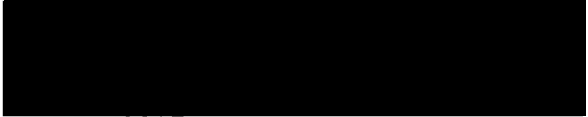
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

**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**



**Date**

9 May 2017

**Capacity:** AGENT

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

Stephen J. McGowan  
Partner - Head of Licensing (Scotland)  
TLT LLP  
140 West George Street, Glasgow, G2 2HG  
+44 (0)333 006 1203  
Stephen.McGowan@TLTsolicitors.com

**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)

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

## OPERATING PLAN

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

### Question 1

*STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH*

<i>I(a) Will alcohol be sold for consumption solely ON the premises?</i>	<b>No</b>
<i>I(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<b>No</b>
<i>I(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<b>Yes</b>
<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	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>	11.00	22.00
<i>Tuesday</i>	11.00	22.00
<i>Wednesday</i>	11.00	22.00
<i>Thursday</i>	11.00	22.00
<i>Friday</i>	11.00	22.00
<i>Saturday</i>	11.00	22.00
<i>Sunday</i>	11.00	22.00

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<b>Yes</b>
--	------------

*\*If YES – provide details*

We would seek to take advantage of any extended period of trading granted by the board for significant local/national events e.g. festive period and bank holidays etc.

**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> <i>5(a)</i> <i>Activity</i>	<b>COL. 2</b> <i>Please confirm</i> <i>YES/NO</i>	<b>COL. 3</b> <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<b>COL. 4</b> <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Accommodation</i>	No	n/a	n/a
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	Yes	Yes	Yes
<i>5(b) Activity</i> <i>Social functions</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<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
<i>5(c)</i> <i>Activity</i> <i>Entertainment</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Recorded music – see</i> <i>5(g)</i>	Yes	Yes	Yes
<i>Live performances –</i> <i>see 5(g)</i>	Yes	Yes	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	Yes	Yes	No

<i>Gaming</i>	Yes	Yes	No
<i>Indoor/outdoor sports</i>	Yes	Yes	No
<i>Televised sport</i>	Yes	Yes	Yes
<i>5(d) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	Yes	Yes	Yes
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<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.*

Bar meals- the premises will open from 9am for the provision of teas, coffees, breakfasts etc. No alcohol will be sold outwith core hours.

Receptions- we have the facility to offer a range of receptions facilities. This may include funeral purveys that require alcohol on the premises from 9am subject to an expediently processed extended hours application being granted.

Club meetings- this may include events that require alcohol to be available on the premises from 9am e.g. golf day. This would be obtained through an extended hours application.

Recorded music- this may be played outwith core hours during receptions.

TV sport- we anticipate that certain major sporting events may be televised outwith core hours and we would wish to offer the sale of alcohol on the premises at these times. This would be obtained through an extended hours application.

Outdoor drinking- the outdoor drinking area may be used prior to core hours, but no earlier than 9am and no later than the terminal hour.

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.

We may provide a range of activities during core hours such as quiz nights, dominos, charity nights or similar social activities appropriate to the target market.

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)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	Yes
	*Delete as appropriate	

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

Children and young persons will be admitted only when accompanied by an adult

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

5-17 years

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

Children and young persons will be permitted until 8pm

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

Children and young persons will be admitted to all public areas

**Question 7**

**CAPACITY OF PREMISES**

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

**Capacity breakdown:**

**Indoor 96**

**Outdoor area – 12**

**Total on sales capacity- 108**

**Question 8**

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

Personal details

8(a) Name

Neil Young

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address

[REDACTED]



8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
29 October 2013	City of Edinburgh Council	13/02548

**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



Date 9 May 2017

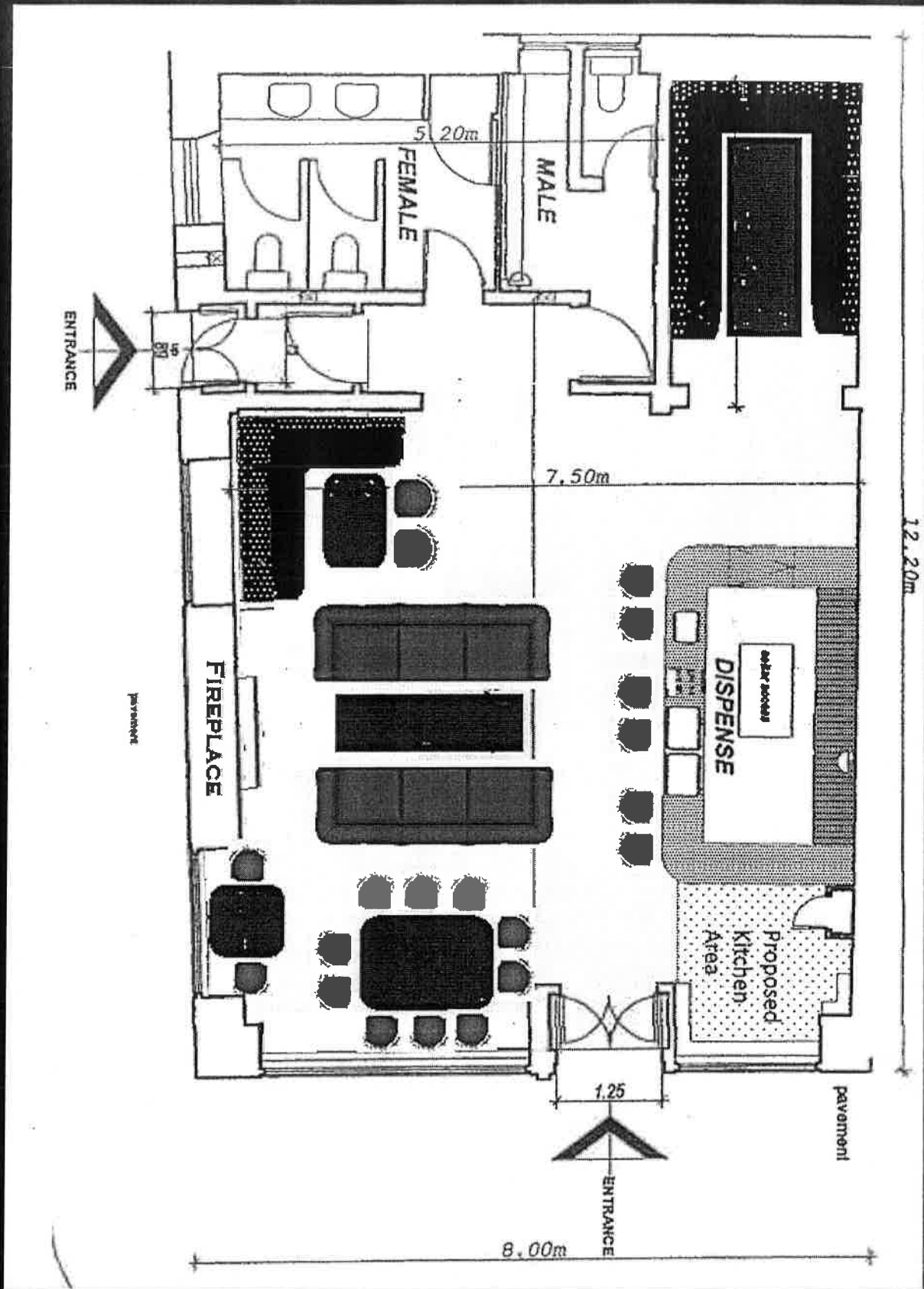
Capacity AGENT

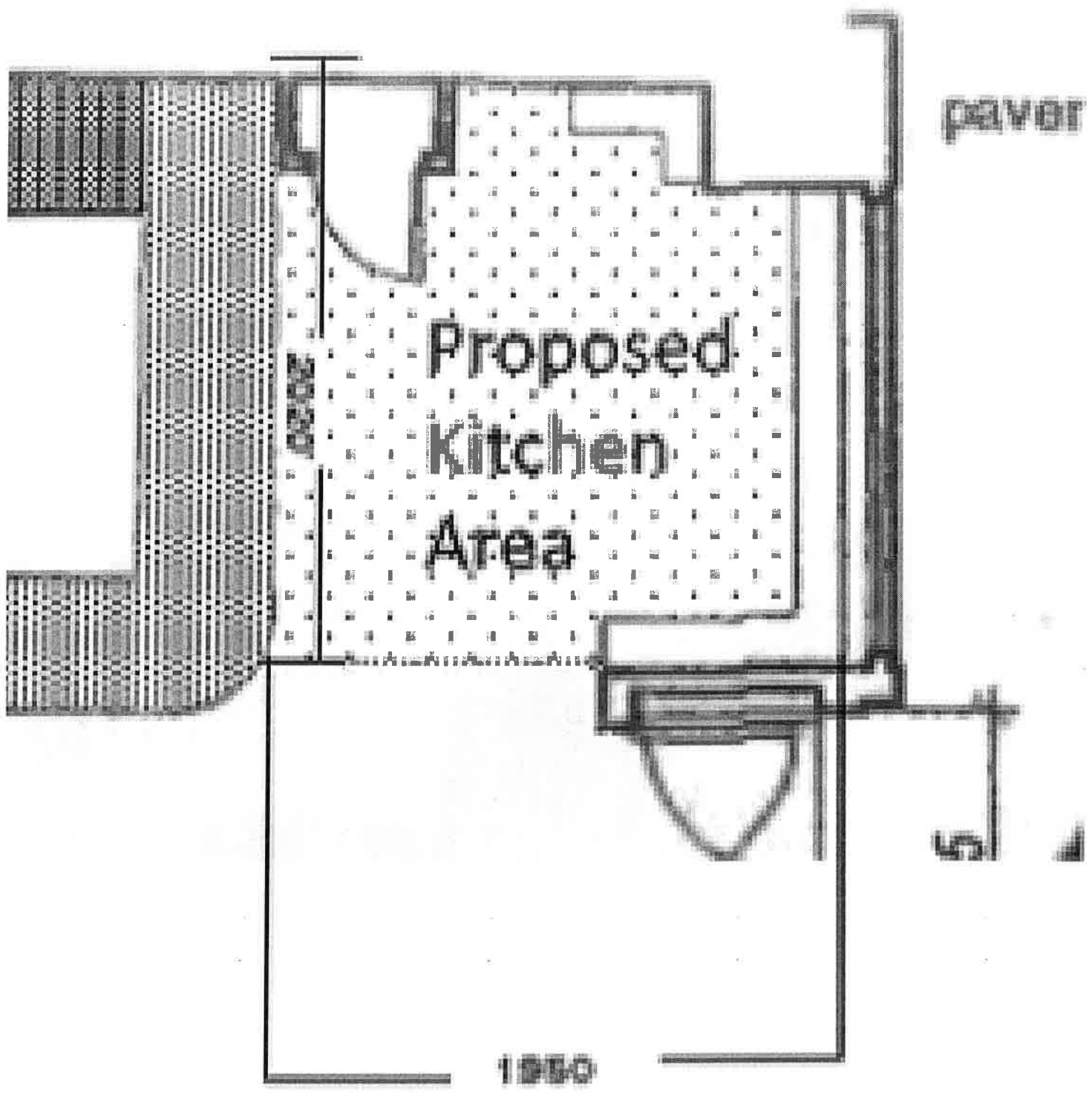
Telephone number and email address of signatory

Stephen J. McGowan  
Partner - Head of Licensing (Scotland)  
TLT LLP  
140 West George Street, Glasgow, G2  
+44 (0)333 006 1203  
Stephen.McGowan@TLTsolicitors.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.





**2020MM X 1950MM**

Winter, Maree

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**From:** LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk  
**Sent:** 17 May 2017 13:45  
**To:** Winter, Maree  
**Subject:** RE: Urgent - Sportsman's Bar- Musselburgh

Hi Maree

I have no issues with the name change or the addition of the food prep area. I would still like 8pm for outside though...

cheers

PC 3705J Heather Bowsher  
Divisional Licensing Officer  
Haddington Police Station  
01620 826147  
LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk

-----Original Message-----

**From:** Winter, Maree [mailto:mwinter@eastlothian.gcsx.gov.uk]  
**Sent:** 15 May 2017 16:59  
**To:** Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Devine, Brian; Grant, Shona; jim.sherval@nhslothian.scot.nhs.uk; Oldcorn, Elizabeth; [REDACTED]  
**Subject:** FW: Urgent - Sportsman's Bar- Musselburgh

[Routed via PSN Network]

Hi,

I refer to the major variation for the above, please find changes to the application.

Regards  
Maree.

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

mwinter@eastlothian.gov.uk

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**From:** Cameron Shaw [mailto:Cameron.Shaw@TLTsolicitors.com]  
**Sent:** 15 May 2017 16:54  
**To:** Winter, Maree  
**Cc:** Alison Smith  
**Subject:** RE: Urgent - Sportsman's Bar- Musselburgh

Hi Maree

Alison has asked me to pick this up in her absence. We have now had a response from our client:

- Could we request a terminal hour of 9pm for the outdoor area?

Lothian NHS Board

Public Health & Health Policy  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh  
EH1 3EG  
Telephone 0131 536 9000  
Fax 0131 536 9088



[www.nhsllothian.scot.nhs.uk](http://www.nhsllothian.scot.nhs.uk)

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

Date 2<sup>nd</sup> June 2017  
Your Ref  
Our Ref EO/JS/fb

Enquiries to Jim Sherval  
Extension 35436  
Direct Line 0131 465 5436  
Email: [jim.sherval@nhsllothian.scot.nhs.uk](mailto:jim.sherval@nhsllothian.scot.nhs.uk)

Dear Ms Winter

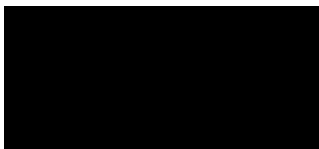
### **APPLICATION FOR VARIATION, SPORTMAN'S BAR, MUSSELBURGH**

On behalf of Lothian Health Board, we would like to object to the part of this application to extend opening hours.

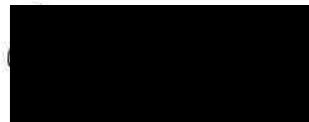
This area of Musselburgh already has higher than the average national rate of on-sales outlets and the highest rate of on-sales outlets compared to the East Lothian average (CReSH). There is therefore no justification to increase the opening times of this premises, and doing so would be likely to be counter to the licensing objectives, as well as contravening the East Lothian overprovision statement. East Lothian Licensing Board has already recognised the links between alcohol availability and alcohol-related harm by declaring the whole of the area as overprovided.

The Health Board therefore urges the Licensing Board to consider the impact of this part of the application on the health of the population in East Lothian.

Yours sincerely



**Jim Sherval FFPH**  
Consultant in Public Health



**Elizabeth Oldcorn**  
Senior Specialist in Health Promotion



Headquarters  
Waverley Gate, 2-4 Waterloo Place, Edinburgh EH1 3EG

Chair Brian Houston  
Chief Executive Tim Davison

*Lothian NHS Board is the common name of Lothian Health Board*

## Winter, Maree

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**From:** Alison Smith [Alison.Smith@TLTsolicitors.com]  
**Sent:** 24 May 2017 15:13  
**To:** Licensing  
**Subject:** RE: Urgent - Sportsman's Bar- Musselburgh

Hi Maree

Many thanks for your recent emails.

After discussions with our client, they are keen to make the case for a 9pm terminal hour for the outdoor area. One of our solicitors will be appearing at the licensing board hearing to put our case forward for this.

Please don't hesitate to contact me if you require any further information.

Kind regards  
Alison

Alison Smith  
Paralegal - Licensing  
for TLT LLP  
D: +44 (0)333 006 1297  
F: +44 (0)333 006 0451  
[www.TLTsolicitors.com](http://www.TLTsolicitors.com)

### **What is the business view on devolution?**

[Read the Centre for Cities report in association with TLT](#)

### **FT Innovative Lawyers Awards 2015 - 'Standout' for strategic resourcing**

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**From:** Winter, Maree [mailto:mwinter@eastlothian.gov.uk] **On Behalf Of** Licensing  
**Sent:** 24 May 2017 07:58  
**To:** Alison Smith  
**Subject:** FW: Urgent - Sportsman's Bar- Musselburgh

Hi,

Please see below from the Council's Noise Protection manager.

Regards  
Maree.

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

[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)

---

**From:** Grant, Shona  
**Sent:** 23 May 2017 16:36

**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Urgent - Sportsman's Bar- Musselburgh

I have no objections to this application, however due to the location of the proposed external drinking area and its close proximity to residential properties. I would recommend that a terminal hour of 2000 hours for the external area be imposed instead of 2100 hours.

Regards

Shona

Shona Grant | Team Manager - Public Health and Environmental Protection | Environmental Health Service | East Lothian Council | John Muir House | Haddington | EH41 3HA |  
Tel. 01620 827336 | Email. [sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk) | Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

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**From:** Winter, Maree  
**Sent:** 15 May 2017 16:59  
**To:** [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk); Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Devine, Brian; Grant, Shona; [jim.sherval@nhslothian.scot.nhs.uk](mailto:jim.sherval@nhslothian.scot.nhs.uk); Oldcorn, Elizabeth; [REDACTED]  
**Subject:** FW: Urgent - Sportsman's Bar- Musselburgh

Hi,

I refer to the major variation for the above, please find changes to the application.

Regards  
Maree.

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

[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)

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**From:** Cameron Shaw [<mailto:Cameron.Shaw@TLTsolicitors.com>]  
**Sent:** 15 May 2017 16:54  
**To:** Winter, Maree  
**Cc:** Alison Smith  
**Subject:** RE: Urgent - Sportsman's Bar- Musselburgh

Hi Maree

Alison has asked me to pick this up in her absence. We have now had a response from our client:

- Could we request a terminal hour of 9pm for the outdoor area?
- Could we include a name change to No 58?
- Please see attached plans, which make reference to the food prep area.

I hope that this is of some assistance. Should you need anything further please do not hesitate to contact us.

## Winter, Maree

---

**From:** irenetait [REDACTED]  
**Sent:** 22 May 2017 13:59  
**To:** Winter, Maree  
**Cc:** Margaret Stewart  
**Subject:** Sportsman bar

We welcome the new owners trying to change this bar into a more community premise . However,.any hostelry that encourages alcohol onto the pavements should be well monitored for the first few months at least.

Musselburgh and Inveresk  
Community Council

Sent from Samsung Mobile



Date 15<sup>th</sup> May 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

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

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 - REPRESENTATION  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
SPORTSMAN'S BAR, 58 HIGH STREET, MUSSELBURGH, EAST LOTHIAN,  
EH21 7BX.  
HAWTHORN LEISURE SCOTCO LIMITED**

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 in licensed hours, to change the terminal hours on a Thursday, Friday, Saturday and Sunday. The premises currently operate until 11pm on a Thursday and Sunday, midnight on a Friday and Saturday. They are seeking to change this to 1am Thursday – Saturday and midnight on a Sunday.

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

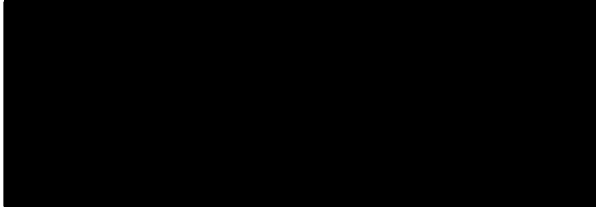
In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

The applicant is also seeking to change the activities carried out within the premises to include an outside drinking area to the front of the building. I note that they are requesting that this area be used 'no earlier than 9am and no later than the terminal hour.' Due to the very close proximity of residential properties and the historical issues with noise, I would respectfully request that the outside area be used no later than 8pm.

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: 16 May 2017

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

Sportsman's Bar, 58 High Street, Musselburgh, East Lothian EH21 7BX

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

Current and Proposed Core Hours for On Consumption:

Day	ON Consumption		
	Opening time	Current Terminal hour	Proposed Terminal hour
Monday	11.00	23.00	23:00
Tuesday	11.00	23.00	23.00
Wednesday	11.00	23.00	23.00
Thursday	11.00	23.00	01.00
Friday	11.00	Midnight	01:00
Saturday	11.00	Midnight	01:00
Sunday	11.00	23.00	24.00

I make the following observations in relation to the changes applied for in this application:

- There is no objection to the change of the name of the premises to No 58.
- There is no objection to the proposed change of core hours, which is in line with Board policy.
- The addition of 'bar meals' and change to the interior layout to incorporate a small kitchen area is simply for the provision of microwaved snack type meals. As such, there is no objection to the addition of this facility.
- The proposed addition of outside drinking facilities is supported, however, it is recommended that the following conditions be added:

- i. To protect nearby residents from disturbance and securing public safety the outside drinking area must not be used after 8pm each day.
- ii. Tables and Chairs must be removed from the external area no later than 8pm each day.
- iii. No amplified music or speech is to be played or audible in the outside drinking area.

A photograph of the front of the premises has been attached to show Board members the wide pavement area where the proposed outdoor drinking area will be located.

For the information of the Board, in determining the grant of the extended core hours applied for and the inclusion of an outdoor drinking area, since the new landlord of these premises took over in December 2015, there have been 3 noise complaints relating to loud music. The Night Time Noise Team attended two of these calls and determined that the main problem was noise breakout caused by the front door being left open by patrons going out for a smoke or for ventilation because it was hot inside. When the door was kept shut the noise was considered by officers to be low level near the complainer's house. On one of these occasions some of the noise was caused by a large group outside on the footpath. In general the complainer acknowledges that the conduct of the premises has been a lot better since the new landlord took over and he is described as being 'seen to try'.

R. Fruzynski  
Licensing Standards Officer



