

EAST LOTHIAN

Meeting 24 August 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

5 RAILWAY HOTEL
70 COURT STREET
HADDINGTON
EAST LOTHIAN
EH41 3AF

GREENE KING BREWING &
RETAILING LTD.
C/O TLT LLP
140 WEST GEORGE STREET
GLASGOW
G2 2HG

16 June 2017

Add restaurant facilities & bar meals during & outwith core hours,
Insert wording -
Restaurant/bar meals - premises may open early for the provision of breakfasts, teas, coffees, etc. No alcohol will be sold outwith core hours.
Add children & young persons will be permitted up until 10pm or for 24 hours if they are resident at the hotel.
Add children & young persons will be admitted to the raised area of the premises only.

EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

POL
LSG
ENV
PLAN/INJ
BLR
NHS
Council
Site noise
Neighbour

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

EL0196

2(b) Name and Address of Premises

Railway Hotel
70 Court Street
Haddington
East Lothian

Post Code EH41 3AF

Phone No.

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

Greene King Brewing & Retailing Limited
Westgate Brewery
Bury St Edmonds
Suffolk

Post Code IP33 1QT

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)

Q5a) Add restaurant facilities and bar meals as facilities during and outwith core hours.

Q5 further information – please insert the following wording: *Restaurant/bar meals – premises may open early for the provision of breakfasts, teas, coffees etc. No alcohol will be sold outwith core hours.*

6d) Children and young persons will be admitted up until 10pm, or 24 hours if they are resident at the hotel.

6e) Children and young persons will be admitted to the raised area of the premises.

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.

Minor variation lodged to capture layout change.

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



..... (See note 5 below)

Date 14.06.17

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

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
.....

Note 1:

Please note that the proposed Operating Plan must contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:

Data Protection Act 1998

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:

East Lothian Licensing Board
Licensing Office
John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114
Fax: 01620 827253
Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY

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

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>	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>	11AM	11PM
<i>Tuesday</i>	11AM	11PM
<i>Wednesday</i>	11AM	11PM
<i>Thursday</i>	11AM	12MN
<i>Friday</i>	11AM	1AM
<i>Saturday</i>	11AM	1AM
<i>Sunday</i>	11AM	12MN

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>	11AM	10PM
<i>Tuesday</i>	11AM	10PM
<i>Wednesday</i>	11AM	10PM
<i>Thursday</i>	11AM	10PM
<i>Friday</i>	11AM	10PM
<i>Saturday</i>	11AM	10PM
<i>Sunday</i>	11AM	10PM

Question 4

SEASONAL VARIATIONS

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

**If YES – provide details*

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

f

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	YES	N/A	N/A
Conference facilities	YES	YES	YES
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
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES

<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	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
<i>Outdoor drinking facilities</i>	YES	YES	YES
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
<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.

Accommodation may be available 365 days of the year, on a room only basis.

Restaurant/bar meals – premises may open early for the provision of breakfasts, teas, coffees etc. No alcohol will be sold outwith core hours.

Conference/club facilities – we may have the facility in our first floor function room to offer meeting and conference facilities. These traditionally take place 8am to 11am.

Receptions – we have the facility in our first floor function room to offer a wide range of reception facilities. This may include funeral purveys that require alcohol on the premises from 10am, subject to an expediently processed extended hours application being granted.

Club meetings – we have the facility in our first floor function room to host local community meetings. This may include events that require alcohol to be available on the premises from 10am e.g. golf day, subject to an extended hours application being granted.

Recorded music – accompany any private function business.

Live performances may be available to customers outwith core hours booking 1st floor function rooms for a private party.

Dance facilities – to accompany any private function business.

Televised sport – we anticipate that certain key sporting events i.e. Olympics, Football World Cup may be televised outwith the core licensed hours and we would wish to provide alcohol for sale on the premises at these events, subject to an extended hours application being granted.

Outdoor drinking – to accompany any private function business.

Activities will not occur outwith core hours without the grant of an extended hours application.

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, dominoes, charity nights, or similar social activities appropriate to the target market.

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

Question 6 (On-sales only)

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>	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 will be admitted only when accompanied by an adult. Also when resident at the hotel.

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

0-17 years.

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

Children and young persons will be admitted up until 10pm or 24 hours if they are resident at the hotel.

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 permitted access to the raised area only.

Question 7

CAPACITY OF PREMISES

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

On sales – 351

Question 8

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

Personal details

8(a) Name

Gary William McFarlane

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>
31.05.16	East Lothian Licensing Board	EL1299

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)

Date14.06.17.....

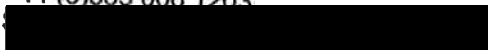
Capacity ~~APPLICANT~~ AGENT (delete as appropriate).

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.

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



Winter, Maree

From: Alison Smith [REDACTED]
Sent: 25 July 2017 16:47
To: Winter, Maree; Niall Hassard
Cc: Michael McDougall
Subject: RE: LSO report - Railway Hotel, 70 Court Street, Haddington

Hi Maree

My client has confirmed they are happy to accept a terminal hour of 10pm for the external area.

Many thanks
Alison

Alison Smith
Paralegal - Licensing
for TLT LLP
D: +44 (0)333 006 1297
F: +44 (0)333 006 0451
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

From: Alison Smith
Sent: 21 July 2017 14:57
To: 'Winter, Maree'; Niall Hassard
Cc: Michael McDougall
Subject: RE: LSO report - Railway Hotel, 70 Court Street, Haddington

Hi Maree

Many thanks for your email. I'm sure this will be fine but I'm just checking with my client and will confirm.

Have a lovely weekend!

Alison

Alison Smith
Paralegal - Licensing
for TLT LLP
D: +44 (0)333 006 1297
F: +44 (0)333 006 0451
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

From: Winter, Maree [<mailto:mwinter@eastlothian.gov.uk>]
Sent: 21 July 2017 11:09
To: Niall Hassard

Date 19th July 2017



**POLICE
SCOTLAND**

Keeping people safe

Philip Gormley QPM
Chief Constable

Your Ref: EL0196

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
Railway Hotel, 70 Court Street, Haddington, East Lothian, EH41 3AF.
Greene King Brewing & Retailing Limited**

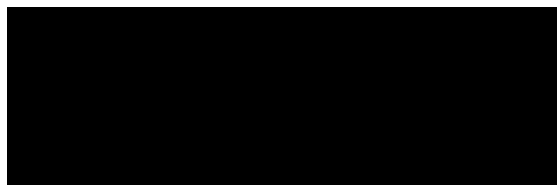
I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of changes to the operating plan in relation to adding restaurant facilities and bar meals, during and outwith core hours.

Children and Young Persons access to the premises until 10pm, or 24 hours if they are resident at the hotel.

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 & DEMOCRATIC SERVICES

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 17 July 2017

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

Railway Hotel, 70 Court Street, Haddington, East Lothian EH41 3AF

I refer to the above subject in relation to application for a Premises Licence variation.

I have no objection to the granting of this application. However, I would ask for the addition of a condition to the Premises Licence that the outdoor drinking area be closed by 22:00 hours each day to protect nearby residents and the public in general from noise nuisance.

R. Fruzynski
Licensing Standards Officer