

EAST LOTHIAN

Meeting 26 October 2017 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

2	ROSS HIGH RUGBY FOOTBALL CLUB ROSS HIGH RUGBY FOOTBALL CLUB 91 BLAWEARIE ROAD TRANENT EAST LOTHIAN EH33 2DB	ROSS HIGH RUGBY FOOTBALL CLUB	16 August 2017	Change to 'Open' Club Licence. Add Yes to activities that will be provided outwith core hours as follows: Receptions including wedding & funerals etc., Music, dance facilities, televised sports. Change Terminal hours on Sunday from 11pm to Midnight.
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EAST LOTHIAN LICENSING BOARD

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

POL
Rudi
ENV & BC
FIRE
StonA.
NHS
Council

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).

ELC
CUSTOMER SERVICES
15 AUG 2017
RECEIVED

(Provide Details)

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0260

2(b) Name and Address of Premises

Ross High Rugby Football Club
91 Blawearie Road
Tranent

Post Code	EH33 2DB	Phone No.	01875611645
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2(c) Full Name and Address of Current Licence Holder

Ross High Rugby Football Club
91 Blawearie Road
Tranent

Post Code	EH33 2DB	Phone No.	01875611645
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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

Change Status from Club to Open License

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)

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)

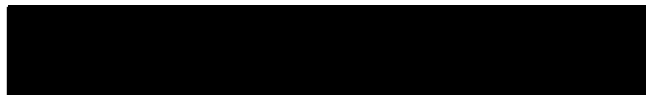
Date 16/08/2017

.....

Capacity: APPLICANT

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

Iain Hastie



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>

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Ross High Rugby Football Club 91 Blawearie Road Tranent EH33 2DB

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>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	23:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	23:00 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>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
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**If YES –provide details*

<p>WE WOULD LIKE TO TAKE ADVANTAGE OF ANY EXTENSIONS TO CORE HOURS GRANTED BY THE LICENSING BOARD.</p>
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Question 5

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

COL. 1	COL. 2	COL. 3	COL. 4
5(a) <i>Activity</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>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	NO
5(b) Activity <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>	YES	YES	NO YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
5(c) Activity <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	NO YES .
<i>Live performances – see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	YES	YES	NO YES
<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	YES
<i>Televised sport</i>	YES	YES	NO YES
5(d)	<i>Please confirm</i>	To be provided during core licensed	Where activities are also to be provided

<i>Activity</i>	<i>YES/NO</i>	hours – please confirm <i>YES/NO</i>	outwith core licensed hours please confirm <i>YES/NO</i>
<i>Outdoor drinking facilities</i>	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
<i>Adult entertainment</i>	YES	YES	NO

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

CONFERENCE FACILITIES ARE AVAILABLE IN THE PREMISES OUTWITH CORE HOURS BUT NOT BEFORE 9AM

RESTAURANT FACILITIES ARE AVAILABLE IN THE PREMISES OUTWITH CORE HOURS BUT NOT BEFORE 9AM

CLUB MEETINGS ARE SOMETIMES HELD IN THE PREMISES OUTWITH CORE HOURS BUT NOT BEFORE 9AM

FUNERAL TEAS MAY BE HELD OUTWITH CORE HOURS, BUT NOT BEFORE 9AM.

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.

OUTDOOR SPORTS ARE SOMETIMES HELD OUTWITH CORE HOURS BUT NOT BEFORE 9AM

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*
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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
	*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

AS A RUGBY CLUB WE PROVIDE FACILITIES FOR 5 TO 17 YEAR OLDS WHO PLAY RUGBY FOR US. THEY USE THE CLUB FOR GAMES, TO CHANGE IN AND HOST THE OPPOSING TEAM. WE ALSO HAVE A LADIES HOCKEY TEAM AGED 16+ WHO USE THE FACILITIES ALSO. THIS REQUIRES THEM TO HAVE FULL ACCESS TO ALL PUBLIC AREAS

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

CHILDREN AGED 0 TO 17 USE THE CLUB

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

0-17 YEAR OLDS ARE ALLOWED ENTRY TO THE CLUB UNTIL 21:00 HOURS UNLESS ATTENDING A FUNCTION

0-17 YEAR OLDS ARE ALLOWED ENTRY TO THE CLUB WHEN ATTENDING A FUNCTION UNTIL MIDNIGHT.

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

CHILDREN AND YOUNG PERSONS ARE ALLOWED TO USE ALL PUBLIC AREAS OF THE CLUB

Question 7

CAPACITY OF PREMISES

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

ON SALES: 220

Question 8

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

Personal details

8(a) Name

James Fraser Blair

8(b) *Date of birth*

[Redacted]

8(c) *Contact address*

[Redacted]

8(d) *Email address and telephone number*

[Redacted]

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
1/9/09	EAST Lothian	EL 268

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 16/08/2017

Capacity TREASURER APPLICANT

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.

Copy

Our Ref: KMacN/mjw/EN/L/L1
Your Ref:

Date: 2nd October 2017



**East Lothian
Council**

Kirstie MacNeill
CLERK OF THE
LICENSING BOARD

John Muir House
Haddington
East Lothian
EH41 3HA
Tel 01620 827217
Fax 01620 827253
licensing@eastlothian.gov.uk

Dear Madam

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION
ROSS HIGH RUBY FOOTBALL CLUB, 91 BLAWEARIE ROAD, TRANENT**

I refer to your letter regarding a complaint you made about the above premise to the Chairman of the Board. Unfortunately the Licensing Office has no record of receiving this complaint.

I also note that one of your neighbours did not receive a notification letter. I am not sure what number your neighbour is, he/she maybe outwith the 4metre area the legislation requires the licensing board to notify of any new or variation premise licences.

You will find a separate letter attached regarding your objection and details of the board meeting, which you are invited to attend and speak on behalf of your objection.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

Direct Line: 01620 827867/820114 (Maree Winter/Gillian Herkes)
Direct Fax: 01620 827253

EAST LoTHIAN COUNCIL
LICENSING

23 SEP 2017

RECEIVED

Dear Kristie McNeill

I Am replying to The letter Variation (Amason) premises - Ross High Rugby Club.
I Dont want to be A party paper but I wrote to the chairman of the board to Complain About issues I had with the club - but was dissapointed that I Got no response. now they want a late licence etc I receive A letter from the Council. to see if we have Any objections L.O.L. how many objections of ~~no~~ do they need. As my neighbour Two doors Down hasn't received A letter About the proposals.

This was the Complaints I Asked to be Pooled At.

when there are under 18s venue or 18s Birthday party, They come out pub late, Make loads of noise, throw food up street, Sometimes fight + Argue And steal things from Garden. And are being Sick outside on paths. The language can be bad And Topical Conversations, not Suitable for childrens ears., AS we sleep in front bedroom And if window open can hear everything.

They Congregate outside the front of club doors To smoke so you hear them most of the night. Then the amount of cars / buses etc. all park out front, And TAXIS picking up + Dropping off. The Empty bottles Get Tipped in Bins late At night And AGAIN is noisy, this sometimes frightens my grandson who is in Bed so cars wake him up.

Also Bellhaven Delivery can be noisy At 6-30 AM in Morning.

So objections ? Loud Music
Maybe if they could put Smoking Area Round.
Back that would help.
Put a 6ft fence at front so were not overlooked.
Maybe better parking.

In not Against club being used as it should
be used most off the time. Making them happy
but they need to Address some of the issues.
A. reply would have been nice. but were
only residents and live here.

Thanking you



Date 13th September 2017

Your Ref: EL0260

Our Ref: J/LIC/3705/HB



**POLICE
SCOTLAND**

Keeping people safe

Philip Gormley QPM
Chief Constable

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

Local Area Commander
The Lothians and Scottish Borders Division
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Dear Madam,

LICENSING (SCOTLAND) ACT 2005

APPLICATION FOR THE VARIATION OF A PREMISES LICENCE

Ross High Rugby Football Club

**ROSS HIGH RUGBY FOOTBALL CLUB, 91 BLAWEARIE ROAD, TRANENT, EAST
LOTHIAN, EH33 2DB.**

COMMITTEE

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 a change to the status of the premises licence from 'Club' to 'Open Licence' and to have an additional hour on a Sunday, making the terminal hour midnight rather than 2300 hours.

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

Whilst the police have no objection to the grant of this variation, it is pertinent to point out that any increase in hours 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 of Licensing Board
Date: 11 October 2017

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

Ross High Rugby Football Club, 91 Blawearie Road, Tranent, East Lothian EH33 2DB

I refer to the above subject and can confirm that I have no objections to the granting of the variation of licence.

R. Fruzynski
Licensing Standards Officer