

**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)**

| <b>Premises</b>  | <b>Applicant</b>               | <b>Date Received</b> | <b>Comments</b>  |
|--|--------------------------------|----------------------|--|
| 3<br>WINTERFIELD GOLF AND SPORTS CLUB<br>ST MARGARETS WINTERFIELD GOLF CLUB<br>BACK ROAD<br>BELHAVEN | WINTERFIELD GOLF & SPORTS CLUB | 18 August 2017       | To change club to 'open' licence. Include off-sales 10am to 10pm. Change on-sales time to open at 10am (was prev. 11am). Change terminal hours - Sun, Mon, Tues to increase from 10pm to 11pm; Thursday & Saturday from 10pm to 1am; Friday from 11pm to 1am. Add additional activities Films, recorded music, gaming, conf. facilities & adult entertainment. Increase capacity by 20 to make 150. Add Yes to outwith core hours to conf & restaurant facilities, bar meals, receptions & group meetings etc., recorded music, films, televised sports, outdoor |

Had 1 LIC 20  
 chg 18/8/17

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 information contained within the Operating Plan

(Provide Details)

.....any of the information contained with the operating plan

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0282

2(b) Name and Address of Premises

Winterfield Golf club  
 Back road  
 North Road  
 Dunbar

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Post Code | EH42 1XE | Phone No. | 01368862280 |
|-----------|----------|-----------|-------------|

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

Winterfield Golf club  
 Back road  
 North Road  
 Dunbar

|           |          |           |             |
|-----------|----------|-----------|-------------|
| Post Code | EH42 1XE | Phone No. | 01368862280 |
|-----------|----------|-----------|-------------|

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

We would like to change the status of the club to an open premises 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)

The changes we seek to make in the operating plan are as follows:

Addition to core hours –

Opening 1000 daily to previously 1100 ✓

Terminal hours –sun, mon, tues, wed increased from 2200 to 2300 – Thursday 2200 to 0100 – Friday 2300 to 0100 and Saturday 2200 to 0100 ✓

Inclusion of off-sales on a daily basis 1000-2200 ✓

Addition to activities/facilities:

Conference facilities, films, recorded music, gaming, adult entertainment. ✓

Amend capacity by 20 to 150 as shown in Question 7 of operating plan ✓

~~There is a little bit of decking out the back which we would like to use for people having a drink.~~

**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.

There are no changes to the current 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

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

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 Kevin lees

..... (See note 5 below)

Date 26/07/17

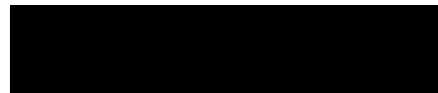
.....

Capacity: APPLICANT

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

...Kevin lees Winterfeld golf club

.....



.....



**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> |

# EAST LoTHIAN LICENSING BOARD

## OPERATING PLAN

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

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

|                              |
|------------------------------|
| <b>Winterfield Golf club</b> |
| <b>Back road</b>             |
| <b>North Road</b>            |
| <b>Dunbar</b>                |
| <b>Eh42 1xe</b>              |

### 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>       |            |
| <i>I (b) Will alcohol be sold for consumption solely OFF the premises?</i>      |            |
| <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>    | 10.00                 | 23.00                |
| <i>Tuesday</i>   | 10.00                 | 23.00                |
| <i>Wednesday</i> | 10.00                 | 23.00                |
| <i>Thursday</i>  | 10.00                 | 01.00                |

|                 |       |       |
|-----------------|-------|-------|
| <i>Friday</i>   | 10.00 | 01.00 |
| <i>Saturday</i> | 10.00 | 01.00 |
| <i>Sunday</i>   | 10.00 | 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                  | 10.00                |
| <i>Tuesday</i>   | 10.00                  | 10.00                |
| <i>Wednesday</i> | 10.00                  | 10.00                |
| <i>Thursday</i>  | 10.00                  | 10.00                |
| <i>Friday</i>    | 10.00                  | 10.00                |
| <i>Saturday</i>  | 10.00                  | 10.00                |
| <i>Sunday</i>    | 10.00                  | 10.00                |

**Question 4**

*SEASONAL VARIATIONS*

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

*\*If YES – provide details*

We wish to take advantage of any general extension to core hours afforded by the licensing board for events of local or national importance.

**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><br><b>5(a)</b><br><b>Activity</b>   | <b>COL. 2</b><br><b>Please confirm</b><br><b>YES/NO</b> | <b>COL. 3</b><br><b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b> | <b>COL. 4</b><br><b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b> |
|---|---|---|--|
| <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   | YES  |
| <b>5(b) Activity</b><br><b>Social functions</b><br><b>including:</b>                                      | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Receptions including</i><br><i>Weddings, funerals,</i><br><i>birthdays, retirements</i><br><i>etc.</i> | YES   | YES   | YES  |
| <i>Club or other group</i><br><i>meetings etc.</i>  | YES   | YES   | YES  |
| <b>5(c)</b><br><b>Activity</b><br><b>Entertainment</b><br><b>including:</b>                               | <b>Please confirm</b><br><b>YES/NO</b>                  | <b>To be provided</b><br><b>during core licensed</b><br><b>hours – please</b><br><b>confirm</b><br><b>YES/NO</b>                  | <b>Where activities are</b><br><b>also to be provided</b><br><b>outwith core licensed</b><br><b>hours please confirm</b><br><b>YES/NO</b>                  |
| <i>Recorded music – see</i><br><i>5(g)</i>  | YES   | YES   | YES  |
| <i>Live performances –</i><br><i>see 5(g)</i>   | YES   | YES   | NO   |
| <i>Dance facilities</i>   | YES   | YES   | NO   |
| <i>Theatre</i>  | NO  | NO  | NO   |



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

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

*It will only happen if we have a function and have applied for an extension to the 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.*

*Charity events, fundraisers and the likes*

*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>NO</i> |
|--|-----------|

|   |           |
|---|-----------|
| <i>When fully occupied, are there likely to be more customers standing than seated?</i> | <i>NO</i> |
|---|-----------|

|                               |  |
|-------------------------------|--|
| <i>*Delete as appropriate</i> |  |
|-------------------------------|--|

**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

Only if kids are with their parents  
It is not after 10pm  
They are not within 1.5 metres of the bar

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

All ages

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

9am – 10pm except where there is an organised event or function

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

All public areas but not within 1.5 metres of the bar

**Question 7**

**CAPACITY OF PREMISES**

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

150

Downstair lounge and bar – 50

Upstair function hall and restaurant - 100

**Question 8**

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

*Personal details*

8(a) *Name*

Kevin Lees

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

[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> |
|----------------------|--|--|
| 17 July 2017         | East Lothian licensing board           | EL1408                                   |

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

Date ..... 2017-07-26.....

Capacity ..... 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.

Winter, Maree

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From: [REDACTED]  
Sent: 20 September 2017 15:15  
To: Licensing  
Subject: FAO Kirstie MacNeill, Clerk to the Licensing Board. Winterfield Golf and Sports Club application for Variation

With regards to the above application which I received notice of on 8th September I would like to raise some objections.

My first objection is directed at proposals to stage a wider range of events at the clubhouse and offer more outdoor drinking and events to include music. Insufficient details have been given as to the kind of events they are looking to hold. There are also no details as to where in the grounds more outdoor drinking would take place. I worry that this would be at the back of the building which faces down onto the John Muir Way.

Along with outdoor drinking and music, the proposed later opening hours Thurs-Sat, would inevitably increase noise from the clubhouse and I would strongly object to local residents having to put up with this on a weekly basis til 1am. The open aspect of the Golf course means that sound would carry easily across the greens to residential areas. I am also concerned that later opening times would create an inevitable increase in noisy, drunk people walking home past a quiet residential area, causing disturbances to residents. Again there was not sufficient evidence given as to the need to extend hours.

My last concern - and I would hope be a concern for ELC countryside management and ecotourism - would be for all the many people that enjoy the tranquility walking along the John Muir way and the likelihood of more noise coming from people drinking outside at the clubhouse. There would also be increased light pollution from outdoor areas being lit up. Finally there is also the impact of noise on wildlife in that area which includes seals, dolphins and many types of seabirds.

I also had an unfortunate experience last weekend of wild camping with my kids at the estuary end of Belhaven - a supposed site of special scientific interest for birds and our evening being spoiled by very loud music coming from a wedding venue (most likely the Strawberry Farm) til very late. Would there be a guarantee that licensing changes to the Winterfield venue won't present similar issues?

Please keep me informed on developments for this application.

Many thanks,



25 Sept 2017

Dear Kirstie MacNeill

Your ref: - KMacN/mjw/EN/L/L1  
Re Licensing variation for Winterfield Golf Club

I received your notification in the above and would comment as follows

There can be no real evidence of a significant demand for the Golf Club's licence to be varied in any of the proposed ways.

The Golf Club is situated opposite private houses and a residential school with a chalet park adjacent. Each of these will be adversely effected in several ways by the proposed changes.

Extended hours will lead to extra noise and disruption due to the additional vehicular and foot traffic late at night and into the early morning.

The extension to off-sales could lead to younger groups buying alcohol for consumption at nearby Belhaven beach.

The inclusion of recorded music and particularly adult entertainment (whatever that actually implies !!!) seems entirely out-of-keeping with Dunbar's ethos of a family holiday location.

It is an accepted fact that extended licensing hours and offering off-sales both lead to a significant increase in noise, disturbance and anti-social behaviour.

As stated there is a residential school just opposite the Golf Club and the potential disturbance to both pupils and staff living there seems totally unacceptable.

The residents of the private houses opposite will be similarly effected.

The chalet park has been in existence in one form or another since 1945 and has always been family oriented. My family have had our site since then and over the years we have been plagued with noise from cars outside our chalet and occasionally from the marquee erected in the Golf Club grounds since we are in a direct line from the club house and noise carries so easily over the course.

All in all this seems a very inappropriate application which will cause significant and unnecessary disruption and upset to an area famed for its natural beauty and tranquility (ie. the John Muir Country Park) and as such I object to this licence variation in the strongest possible terms for the reasons stated above.

Yours sincerely





Herkes, Gillian

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From: [REDACTED]  
Sent: 27 September 2017 19:49  
To: Licensing  
Subject: Winterfield Golf Club licence

Hello

We own one of the Belhaven chalets. Your letter concerning **Major Variations to the Winterfield Golf Club Licence** was forwarded to us but has not arrived. However a neighbour told us about the proposed changes and we are concerned about two aspects of it – the lateness of hours ( 1am) on Thursday/Friday/Saturday and the off sales. We rent our chalet (the nearest to the golf club) through an agency, Ecosse Unique; our visitors appreciate the peace and quiet of its position as well as the scenery, and say so in their comments. We are worried that late night drinkers might drink too much and make a noise on the beach and golf course which would wake people up and spoil their holidays. For this reason we'd strongly prefer normal licensing hours and are objecting to the proposed changes.

If you'd like us to write a letter rather than email please send your original letter to [REDACTED]  
[REDACTED]

Many thanks  
Yours sincerely  
[REDACTED]

2<sup>nd</sup> October 2017

Dear Mrs. MacNeill,

Your Reference: **KMacN/mjw/EN/L/L1**

I am writing to object to the application for 'major variation' to the premises license at Winterfield Golf Club.

As far as I am aware, it is a Golf Club and not a 'Golf and Sports Club'; the misnomer suggesting that there are other sports that take place at the club, which is not the case.

Winterfield Golf Club is obviously trying to increase its revenue by changing the usage of its premises. I would suggest that it is making very little money from its golf and sees a greater profit to be made from bar and restaurant sales; the suggestion from the change of license is that it sees the greatest profit in increasing its opportunity to sell alcohol, both by extending its opening hours and by introducing an off-sales business.

As the Headmaster of Belhaven Hill School, whose grounds and buildings back onto the golf club, opposite the entrance, I must raise an objection to the change in usage.

First of all, an extension to the license will increase the volume of traffic on Back Road both during the day and at night. This road is often used by the pupils and is, in places, not wide enough for two cars to pass; an increase in traffic will only heighten the danger to pedestrians.

Second, the increase in noise caused by an extension to the license to include films, recorded music, and gaming will disturb the 80+ children - aged 7 to 13 - that sleep at the school, along with the 14 resident staff who live on site. I am also very uncomfortable with the idea that the club will provide 'adult entertainment' in a venue so close to a school, as this will have implications for our safeguarding and child protection.

Finally, I would also like to object to the addition of an off-sales business as I feel it would encourage the consumption of alcohol on the beach, and all the inherent dangers associated with that. It is completely unnecessary to allow a golf club to sell alcohol to be consumed off the premises when there are shops in the town, not half a mile distant, that already have a license to do that.

In conclusion, I (on behalf of Belhaven Hill School, its pupils, parents and governing body) object in the strongest terms to any change in the license at Winterfield Golf Club as it is avaricious, potentially threatening to the safety of the pupils and, in my view, utterly unwarranted.

Yours sincerely,

  
(Headmaster)



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

Your ref: KMacN/mjw/EN/L/L1

02 October 2017

Dear Ms MacNeill

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR VARIATION (MAJOR)  
PREMISES – WINTERFIELD GOLF AND SPORTS CLUB, ST MARGARETS WINTERFIELD GOLF CLUB,  
BACK ROAD, BELHAVEN, DUNBAR, EAST LOTHIAN, EH42 1XE  
TYPE – ON AND OFF SALES**

Thank you for your letter of 8 September 2017. Please make the Board aware of the following representations I would like to make.

**Change to 'open' licence**

Groups congregating in Shore Road car park, overlooking the bridge, consuming alcohol until late on warm summer evenings are not uncommon. Between 7<sup>th</sup> July and 18<sup>th</sup> August this summer (a poor summer for weather), there were five such occasions. **“Off sales” at the Golf Club will make alcohol even more accessible**, rather than the current inconvenience of purchasing in town and carrying down to the bay. There is the inevitable noise, often music and in the morning the need to tidy up the bottles, cans, litter and detritus, to make it look respectable again. Tidying up includes removing broken bottles thrown onto the rocky beach.

**Change to terminal hours**

Is an increase to 1.00am on Thursday Friday and Saturday a necessity? There is already early morning noise from grass cutting at dawn on many days and now there is potential for late night noise from guests leaving the golf club, particularly so for staff houses at Belhaven Hill School opposite the golf club entrance on Back Road.

**Add additional activities - Adult entertainment**

Is this appropriate bearing in mind children using the golf club and the proximity of Belhaven Hill School?

Yours sincerely



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

Date 29 September 2017  
Your Ref  
Our Ref JS/fb

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

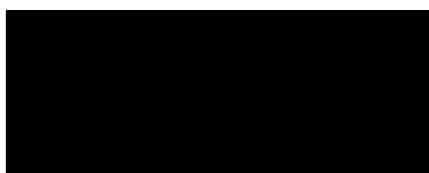
Dear Ms Winter

**VARIATION OF PREMISE LICENSE:  
WINTERFIELD GOLF CLUB, BACK ROAD, NORTH ROAD, DUNBAR EH42 1XE**

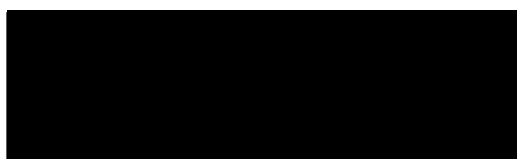
On behalf of NHS Lothian we would like to make a representation concerning the opening time for on-sales in this application. The proposed time of 10 am directly contravenes the Board policy of 11 am for the commencement of on-sales. No justification has been provided as to why this start time is necessary, nor have measures been demonstrated that promote the five licensing objectives, as specified in section 15.4 of the East Lothian Statement of Licensing Policy.

The variation of the license proposed is from the status of a club to an open premise license. Therefore we suggest that the Licensing Board should ensure the start time for on-sales is consistent with those of other open license premises in East Lothian.

Yours sincerely



**JIM SHERVAL FFPH**  
Consultant in Public Health



**ELIZABETH OLDCORN**  
Senior Specialist in Health Promotion



14<sup>th</sup> October 2017

Application For Extension Of Licencing Hours  
Winterfield Golf Club, St.Margarets,North Road, Dunbar

(I hope my letter is not too late, as I have been away on holiday from 24<sup>th</sup> September to 10<sup>th</sup> October.)

Dear Madam

I am writing to give my full support to the above application. As far as I am aware, my house is the nearest private home to the Clubhouse at Winterfield, and is at least 300 yards away.

In my 18 years of residency here, I have not seen or heard any signs of disturbance from the Clubhouse in any way. Kevin and Julie Lees took over as Stewards this year, and have made a massive impact in developing the Club for the benefit of members, visitors, and the local community. They appear to be seeking an extension of hours, in order to make a further enhancement by attracting weddings and other functions to the Clubhouse.

I see no problem at all with the granting of a licence, which would be of benefit to the town of Dunbar as a whole.

Yours Sincerely



# EAST LoTHIAN COUNCIL

## Licensing, Administration and Democratic Services

From: Rudi Fruzynski  
Licensing Standards Officer

To: K. MacNeill  
Clerk to the Licensing Board

Date: 26 September 2017

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

Winterfield Golf Club, Back Road, Dunbar, East Lothian EH42 1XE

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

The Club maintains very good standards and there have been no problems experienced in relation the running and operation of the Premises Licence and no complaints received in relation to disorder, nuisance or safety.

The proposed change to an open premises licence is considered to be a positive move and will allow the Club the flexibility to attract additional custom to finance the maintenance and upkeep of the fabric of the premises and golfing facilities that memberships alone do not adequately provide for.

The applicant seeks to extend the licensed footprint from 12:00 to 10:00 hours each day. This is predominantly to cater for early morning golfers and the many visitors who visit the Club each year and seek to partake of an alcoholic drink before going out for a round of golf. This facility is in line with that granted to 8 other golf clubs in the county. From a Licensing Standards point of view, the granting of additional two hours on weekdays will not adversely impact on any aspect of the licensing objectives.

The variation applied for also seeks to add off-sales hours to the current licensing footprint, commencing 10:00 and terminating 22:00 each day. This will facilitate the taking away of any unfinished bottle of wine served with a meal or permit customers to purchase and take away a small carry out.

Core licensed hours applied for in respect of on consumption facilities are shown in the table below:

| Day                             | Current Core Hours | Proposed Core Hours              |
|---------------------------------|--------------------|----------------------------------|
| Monday                          | 12:00 to 22:00     | 10:00 to 23:00                   |
| Tuesday                         | 12:00 to 22:00     | 10:00 to 23:00                   |
| Wednesday                       | 12:00 to 22:00     | 10:00 to 23:00                   |
| Thursday                        | 12:00 to 22:00     | 10:00 to 01:00                   |
| Friday                          | 12:00 to 23:00     | 10:00 to 01:00                   |
| Saturday                        | 10:00 to 22:00     | 10:00 to 01:00                   |
| Sunday                          | 10:00 to 22:00     | 10:00 to 24:00                   |
| Daily – Noncore hours activity. | None               | Details require to be clarified. |
| Capacity                        | 130                | 150                              |

The revised terminal hours applied for are within policy and as such I have no objection to the proposed changes.

With regard to the revised Operating Plan, there is a requirement for qualification of what is intended if the answer to any activity in column 4 of question 5 is marked YES. The application indicates a number of activities so marked and as such further details of what is proposed is required to be shown in the box below question 5. A suggestion as to what this should contain is shown below:

*Conferences; Restaurant and bar meals; and Club or other Group meetings may be catered for prior to the commencement of core hours, but not before (08:00).*

*Recorded Music may be played prior to core hours, but not before (08:00)*

*Films may be shown prior to core hours as part of a conference or included in a golfing promotion, but not before (08:00)*

*Outdoors sports – Rounds of golf may commence earlier than core hours, but no earlier than (07:00).*

*Televised sport will be available to members and guests, but no earlier than (08:00).*

*Our approved outdoor drinking facilities, as shown in the layout plan, may be used for the provision of teas, coffees and breakfasts, but not before (08:00).*

*To be clear, no alcohol will be sold or supplied outwith core hours except on application and grant of an extended hours licence.*

In view of there being no current policy relating to adult entertainment, I would recommend that if the Board is minded to grant approval of this facility that a condition be added to the premises licence that *'for the prevention of harm to children and young persons the requested adult entertainment facilities will be restricted to persons 18 years of age and over'*.

If the proposed Operating Plan is amended, to provide fuller details of activities to be carried out outwith core hours, along the lines suggested, I would have no objection to the granting of this variation.

Rudi Fruzynski  
Licensing Standards Officer



Date 11<sup>th</sup> September 2017



**POLICE  
SCOTLAND**

Keeping people safe

Philip Gormley QPM  
Chief Constable

Your Ref: EL0282

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  
Winterfield Golf and Sports Club  
Back Road, Dunbar, East Lothian, EH42 1XE.  
Kevin Lees**

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 request to change the status of the 'club' to an 'open licence'.

Increase the core hours as follows:

Monday – Wednesday 1000 – 2300  
Thursday – Saturday 1000 – 0100  
Sunday – 1000 – midnight

Inclusion of 'off sales' Monday – Sunday – 1000 – 2200

Additional activities to include, conference facilities, films, recorded music, gaming and adult entertainment.

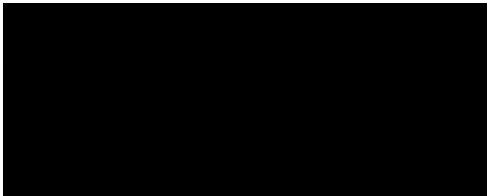
To amend the capacity from 130 to 150.

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/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. It is also pertinent to note that 10am opening, is out with Board Policy.

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

## Winter, Maree

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**From:** [REDACTED]  
**Sent:** 21 September 2017 21:07  
**To:** Licensing  
**Subject:** Variation on Premises Licence - Winterfield Golf Club

Dunbar Community Council have discussed this.

We are happy to support the major variation and hope it will assist the new occupants to make a go of the venture

Jacquie Bell

Secretary

Dunbar Community Council