



## MINUTES OF THE MEETING OF EAST LoTHIAN LICENSING BOARD

1

THURSDAY 28 SEPTEMBER 2017  
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON

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**Board Members Present:**

Councillor F Dugdale (Convener)  
Councillor L Bruce  
Councillor J Goodfellow  
Councillor J Henderson  
Councillor C McGinn  
Councillor J McMillan

**Clerk of the Licensing Board:**

Mrs K MacNeill, Service Manager, Licensing, Administration and Democratic Services

**Attending:**

Mr R Fruzynski, Licensing Standards Officer  
Mr C Grilli, Service Manager – Legal and Procurement  
Ms G Herkes, Licensing Officer  
Ms S McQueen, Planer, East Lothian Council (item 2)  
Ms L Shearer – Senior Solicitor  
Insp A Hill, Police Scotland  
PC H Bowsher, Police Scotland

**Present:**

Mr G Hood, Convener of East Lothian Licensing Forum (part of the meeting)

**Committee Clerk:**

Ms J Totney, Team Manager – Democratic Services

**Apologies:**

None

**Declarations of Interest:**

None

## **1 MINUTES FOR APPROVAL**

The minutes of the East Lothian Licensing Board meeting of 24 August 2017 were approved as a true record.

## **2 GRANT OF OCCASIONAL LICENCE**

### **Marquee & Stately Home, Broxmouth House, Broxmouth Park, Dunbar**

Mr A D Williams, WS, was present to represent the applicant. Mr S Flame, applicant was not present as he was attending a business meeting. Mr I Stokes, events manager was present.

The Clerk advised that there had been repeated applications for occasional licenses from Broxmouth House and that this is outwith Board Policy. She reminded members that they had decided at their August meeting that the application should be re-presented to today's Board meeting, and that the applicant had also been requested to provide the Board with an update on planning matters. Ms S McQueen, Planner, was present to provide further information and answer any questions.

The Clerk stated that the application seeks an occasional licence for wedding events/reception on 13 October 7 pm – 1am, and 14 October 11am – 1 am, with children and young persons permitted at all times.

Mr Williams explained that there had been some progress with planning matters; that the application had been updated to reflect the criticism about the lack of information that had been provided; Mr Flame had engaged an experienced planning expert, Mr Bob Tait; and that a meeting had taken place with Ms McQueen on 1 September 2017. He reported that Ms McQueen is still of the view that there has been a material change of use of part of the ground floor of the house; that the planning application would be amended to only cover the marquee; that the planning application and full licence would be progressed over the winter; and that he does envisage returning to the Board with further occasional licence applications.

Ms McQueen advised that Mr Flame does not believe that the planners have an accurate understanding of the situation and they are working together to try and clarify inaccuracies. She added that it is Mr Flame's desire that the Council reach a position where they do not feel that there has been a material change of use; there is more to consider than simply changing the planning application; and that she has been in dialogue with Mr Tait with a view to resolving the situation.

Mr Stokes answered questions from Councillor McMillan about management and supervision, and clarified that Mr Flame's role at wedding events is purely that of host.

In response to Councillor Henderson, Mr Stokes stated that it is his understanding that there is no attempt to hide the fact from clients that the business does not have a full alcohol licence. Councillor Henderson commented that it is high risk strategy for the business to offer a service that it might not be able to deliver.

Mr Stokes advised Councillor McGinn that as it is Mr Flame who deals with prospective clients he could not comment on whether these clients are made aware that the business is operating with occasional licences. Councillor McGinn expressed concerns that clients might not have the full facts about the situation regarding the alcohol licence and pressed Mr Williams on the aims of the business in

relation to occasional licences. Mr Williams confirmed that the goal is to have a full premises licence and not occasional licences.

The Licensing Standards Officer (LSO) and Police Scotland had no comments to make.

The Board adjourned to consider matters in private.

***Sederunt: Mr G Hood joined the meeting***

On reconvening, members individually stated their views.

Councillor Goodfellow expressed extreme disappointment at a further occasional licence from this applicant. Despite indicating at a previous Board meeting that he would not be minded to grant further occasional licences, it was his view that Broxmouth House has placed the Board in a difficult position, given that there is a wedding planned for the middle of October. He stressed that he considers it very disrespectful that Mr Flame has opted not to attend today's meeting and that the Board does not have clarity as to what clients think Broxmouth House is providing in relation to an alcohol licence. He made it very clear that the Board would take a serious view if there is any suggestion in promotional material that the business holds a full licence. Given that a wedding is booked he was minded to grant the application on this occasion only.

Councillor Henderson was reassured by the progress on planning matters. However, she asked Mr Williams to make Mr Flame aware that the Board has a duty to consider the fit and proper person rule when considering the application for a full licence. She suggested that some of Mr Flame's behaviours in relation to recent occasional licence applications do not meet the fit and proper person criteria in respect of his disregard for due process and the law. It was her view that the Board is being held to ransom. Given that the wedding has been booked, she would be minded to grant this application. However, she mentioned the need to remember trading standards considerations and wondered why it was more important that Mr Flame attended a business meeting rather than be present to deal with the actual business of Broxmouth House.

Councillor McMillan was minded to grant the application and reminded and reiterated his points regarding management and professionalism. It was his view, that as the applicant, Mr Flame's role goes beyond that of host. He stressed that it is important that occasional licence applications never happen again.

Councillor McGinn commented that it speaks volumes that Mr Flame is not present at the meeting. While he appreciated the updated application form, he noted Mr Flame's lack of respect for the Board and expressed concern that potential wedding couples are not being advised about the situation regarding the alcohol licence. He acknowledged the intention to rectify planning and licensing matters over the winter but pointed out that this has been a stated intention for over two years. Despite feeling held to ransom he was minded to grant the application to avoid ruining a wedding day. He made it clear that applications for occasional licences had to end.

Councillor Bruce agreed with the comments from his fellow Board members, in particular that it was disrespectful that Mr Flame was not present at the meeting. He asked Mr Williams to stress to his client that it is Mr Flame who is personally responsible for the application. He stated that he was minded to grant this application but that would not be the case for future occasional licence applications.

**Decision**

East Lothian Licensing Board agreed to grant the occasional licence application.

**3 POLICE SCOTLAND, CHIEF CONSTABLE’S REPORT TO THE EAST LOTHIAN LICENSING BOARD, 1 APRIL 2016 – 31 MARCH 2017**

Insp Hill, Local Community Inspector, Police Scotland, presented the report and invited questions from Board members.

Councillor McMillan asked about the risks and priorities around licensing for East Lothian.

Insp Hill spoke about the potential for anti-social behaviour, and the character and qualifications of licensees. He added that the core priority is off-sales and dealing with how young people get access to alcohol.

A short debate took place about Police Scotland Youth Volunteers and Councillor McMillan congratulated local officers on their involvement in this initiative and also the Tomorrow’s Young Driver scheme.

Councillor Henderson asked about benchmarking opportunities. While there are no documented comparisons, P C Bowsher advised that it is a positive report compared to other areas.

Councillor Goodfellow suggested that additional figures could be added to show the number of incidents, in addition to the red/amber/green rating system. He stated that the report was very positive.

Councillors Dugdale commented that the report has been produced in a very readable format and was a testament to the work going on in the area. Councillor McGinn echoed this view, and pointed out the contribution made by bar staff, premises managers, Police Scotland, the LSO and licensing staff.

**Decision**

East Lothian Licensing Board agreed to note the report.

Signed .....

Councillor Fiona Dugdale  
Convener of East Lothian Licensing Board

## STATEMENT OF EXTENSION OF FESTIVE HOURS

In terms of Section 67 of the Licensing (Scotland) Act 2005, the Board has determined that it is appropriate to grant a general extension of licensed hours for the festive period. This extension will apply from **Friday 15th December 2017 until Wednesday 3rd January 2018 inclusive** and will allow a extension of the terminal hour for the sale of alcohol during the period until **2am**.

This extension will only apply to on-sales and not to off-sales of alcohol.

There will be no general extensions beyond this although any applications for extended hours outwith the general extension will be considered on a case-by-case basis. It should be noted that such applications will require to be submitted no later than 1<sup>st</sup> December.

There is no need for licensees to apply for the general extension to 2am. On sales premises can utilise these hours to the extent they considered appropriate.



**EAST LOTHIAN**

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

**Licensing (Scotland) Act 2005**

<b>Provisional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
1	GARLETON LODGE 3 WEST GARLETON HOLDINGS HADDINGTON EAST LOTHIAN EH41 3SL	ANGELA COCKERTON C/O JANET HOOD TRAINING AND CONSULTING LTD KIRKTON OF BALFOUR ADZELL BRECHIN	4 August 2017	





EAST LOTHIAN LICENSING BOARD  
AS AMENDED  
APPLICATION FOR PROVISIONAL PREMISES LICENCE

EL350  
PC  
LSO  
ENJ  
RANWING/BC  
SHONA  
DHS  
c/council

REVISED APPLICATION

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.

Garleton Lodge  
3 West Garleton Holdings  
Haddington  
EH41 3SL

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.

Angela Jane Cockerton  
Garleton Lodge, 3 West Garleton Holdings, Haddington, EH41 3SL  
DoB: [REDACTED]  
PoB: [REDACTED]  
Mobile: [REDACTED]  
Work: [REDACTED]  
Email: [REDACTED]

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

n/a

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.\**

n/a

**\* 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*

n/a

**Question 4**

*Previous convictions*

<i>4      Has the applicant or any connected person ever been convicted of a relevant or foreign offence ()</i>	<i>NO</i>
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*\*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>
none				

**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 comprise a stylish boutique bed and breakfast / guest house / restaurant situated in their own grounds in the heart of East Lothian Countryside

**Question 6**

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



Janet Hood

Date 4 September 2017

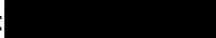
Capacity ..... AGENT

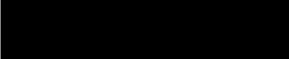
Janet Hood Training and Consulting Limited

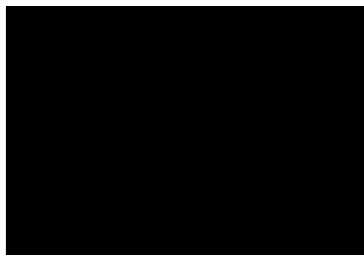
SC534109

Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

T: 01356 648966

M: 

E: 



<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>	

AS AMENDED .

EAST LoTHIAN LICENSING BOARD

REVISED OPERATING PLAN

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Garleton Lodge 3 West Garleton Holdings Haddington EH41 3SL
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**Question 1**

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

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

**Question 2**

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11 a.m.	11 p.m.
<i>Tuesday</i>	11 a.m.	11 p.m.
<i>Wednesday</i>	11 a.m.	11 p.m.
<i>Thursday</i>	11 a.m.	1 a.m.
<i>Friday</i>	11 a.m.	1 a.m.
<i>Saturday</i>	11 a.m.	1 a.m.
<i>Sunday</i>	11 a.m.	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 a.m.	10 p.m.
<i>Tuesday</i>	10 a.m.	10 p.m.
<i>Wednesday</i>	10 a.m.	10 p.m.
<i>Thursday</i>	10 a.m.	10 p.m.
<i>Friday</i>	10 a.m.	10 p.m.
<i>Saturday</i>	10 a.m.	10 p.m.
<i>Sunday</i>	10 a.m.	10 p.m.

**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*

The premises operators would like to take advantage of any general extensions offered by the licensing board.

**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> <i>Activity</i>	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>	Y	Y	Y
<i>Conference facilities</i>	Y	Y	Y
<i>Restaurant facilities</i>	Y	Y	Y
<i>Bar meals</i>	N		
<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>	Y	Y	Y
<i>Club or other group meetings etc.</i>	Y	Y	Y
<i>5(c)</i> <i>Activity</i> <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>	Y	Y	Y
<i>Live performances – see 5(g)</i>	Y	Y	Y
<i>Dance facilities</i>	Y	Y	Y
<i>Theatre</i>	Y	Y	Y
<i>Films</i>	Y	Y	Y
<i>Gaming</i>	Y	Y	N
<i>Indoor/outdoor sports</i>	Y	Y	Y
<i>Televised sport</i>	Y	Y	Y



<i>5(d)</i> <i>Activity</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>Outdoor drinking facilities</i>	Y	Y	Y
<i>5(e)</i> <i>Activity</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>Adult entertainment</i>	N		

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

*THE PREMISES ARE A GUEST HOUSE /BED AND BREAKFAST*

*ACTIVITIES CAN TAKE PLACE FOR RESIDENTS AT ANY TIME*

*THE RESTAURANT CAN OPEN TO THE PUBLIC PROVIDED THE BED AND BREAKFAST FACILITIES ARE AVAILABLE FOR USE AND THE OPERATORS MAY CHOSE TO OFFER BREAKFASTS, TEAS, COFFEES, SNACKS, LUNCHESES AND DINNERS TO NON RESIDENTS - BREAKFASTS CAN START AT 8 A.M.*

*THE PREMISES MAY BE BOOKED FOR CONFERENCES /BUSINESS AND CLUB MEETINGS FOR RESIDENTS AND THEIR GUESTS*

*THESE ACTIVITIES CAN TAKE PLACE FROM 8 A.M.*

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 MAY BE USED BY RESIDENTS AND THEIR GUESTS FOR YOGA/MEDITATION AND SIMILAR ACTIVITIES

THEATRE WILL BE ON SMALL INTIMATE SCALE INCLUDING COMEDIANS AND MAGICIANS TO ENTERTAIN GUESTS

FILMS AND TELEVISED POSTS CAN BE WATCHED BY RESIDENTS IN THEIR ROOMS AND IT IS ANTICIPATED THAT SOME GUESTS MAY FROM TIME TO TIME WANT TO WATCH RUGBY OR TENNIS ETC THE PREMISES ARE NOT A SPORTS BAR

GAMING WILL BE ANCILLARY AND ONLY CARRIED OUT OCCASIONALLY AND WILL BE IN THE FORM OF RACE NUGHTS; HOSTED CASINO NIGHTS OR EVEN LOW STAKE POKER EVENTS FOR RESIDENTS AND GUESTS THERE WILL BE NO GAMING MACHINES ON THE PREMISES

OUTDOOR SPORTS : THERE IS A THREE HOLE PUTTING GREEN, CROQUET, QUOITES PETANQUE ETC MIGHT BE UNDERTAKEN FROM TIME TO TIME

LIVE PERFORMANCES AND DANCE WILL BE ANCILLARY TO WEDDINGS AND OTHER PERMITTED EVENTS ON THE PREMISES

THE PREMISES ARE SITUATED IN THEIR OWN GROUNDS WITH NO NEIGHBOURS THE GARDEN HAS A SUPERB VIEW OF THE FIRTH OF FORTH AND IT IS LIKELY THAT RESIDENTS AND GUESTS WILL RESORT TO THE GARDEN FOR THE PURPOSE OF PARTAKING OF FOOD AND DRINK AS FROM TIME TO TIME WEATHER PERMITS

~~THE PREMISES MAY FROM TIME TO TIME HOST WEDDINGS AND OTHER EVENTS IN A MARQUEE IN THE GROUNDS~~

OFF SALES WILL BE ANCILLARY TO THE MAIN RESIDENTIAL USE ON THE PREMISES WILL ONLY BE OF SPECIALIST WINES, WHISKIES, GINS AND OTHER SPIRITS OFFERED FOR SALE ON THE PREMISES AND WILL ONLY BE ABLE TO BE SOLD TO RESIDENTS AND GUESTS THERE IS NO INTENTION TO OPEN A RETAIL UNIT ON THE PREMISES AND THE GENERAL PUBLIC WILL NOT BE ABLE TO AVAIL THEMSELVES OF THIS ACTIVITY

COOKERY EVENTS, FOOD AND DRINK TASTINGS AND MATCHING EVENTS WILL FROM TIME TO TIME TAKE PLACE FOR THE ENTERTAINMENT OF RESIDENTS AND GUESTS

BBQs WILL TAKE PLACE FOR RESIDENTS AND GUESTS AS FROM TIME TO TIME IS REQUESTED

HOT TUB IS AVAILABLE FOR RESIDENTS

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?	NO
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<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*

<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</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*

<p>All persons under the age of 18 must be accompanied by an adult</p> <p>Under 18 Access will only be permitted if the persons aged under 18 are in the company of adult residents or guests of residents or dining adults or attending an authorised event with an adult</p>
--

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

birth - 17 - a baby change facility will be placed in the disabled toilet

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

All times the premises are open to the public

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

All public parts of the premises except the hot tub which shall be reserved from adults only

### **Question 7**

#### ***CAPACITY OF PREMISES***

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

**Residents Lounge 20 Dining room 36 total 56**

**Marquee 120**

### **Question 8**

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

*Personal details*

8(a) *Name*

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8(b) *Date of birth*

--

8(c) *Contact address*

--

8(d) *Email address and telephone number*

--

8(e) *Personal licence*

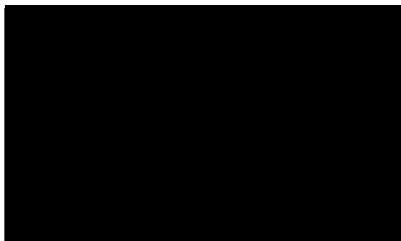
<i>Date of issue</i>	<i>Name of Licensing Board is- suing</i>	<i>Reference no. of personal li- cence</i>

**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



Janet Hood

Date 4 September 2017

Capacity ..... AGENT

Janet Hood Training and Consulting Limited

SC534109

Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

T: 01356 648966

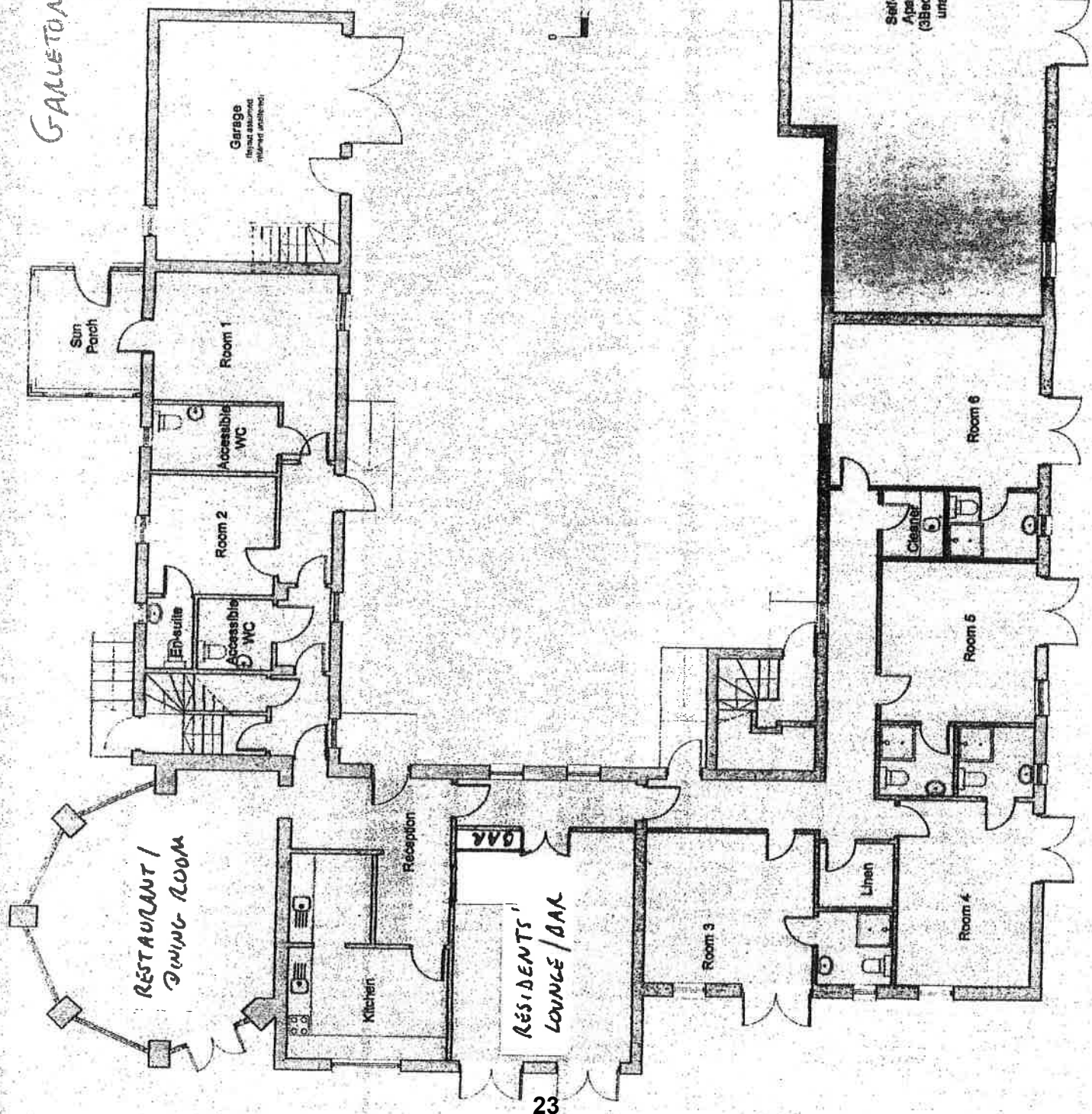
M: [Redacted]

E: [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.

GARLETON LODGE



**General Notes:**

- Drawing to be read in conjunction with other relevant drawings.
- Drawing based on information provided by others and digital measured survey of the property is required.

**Key:**

- Private house
- Guest house
- Self-catering accommodation

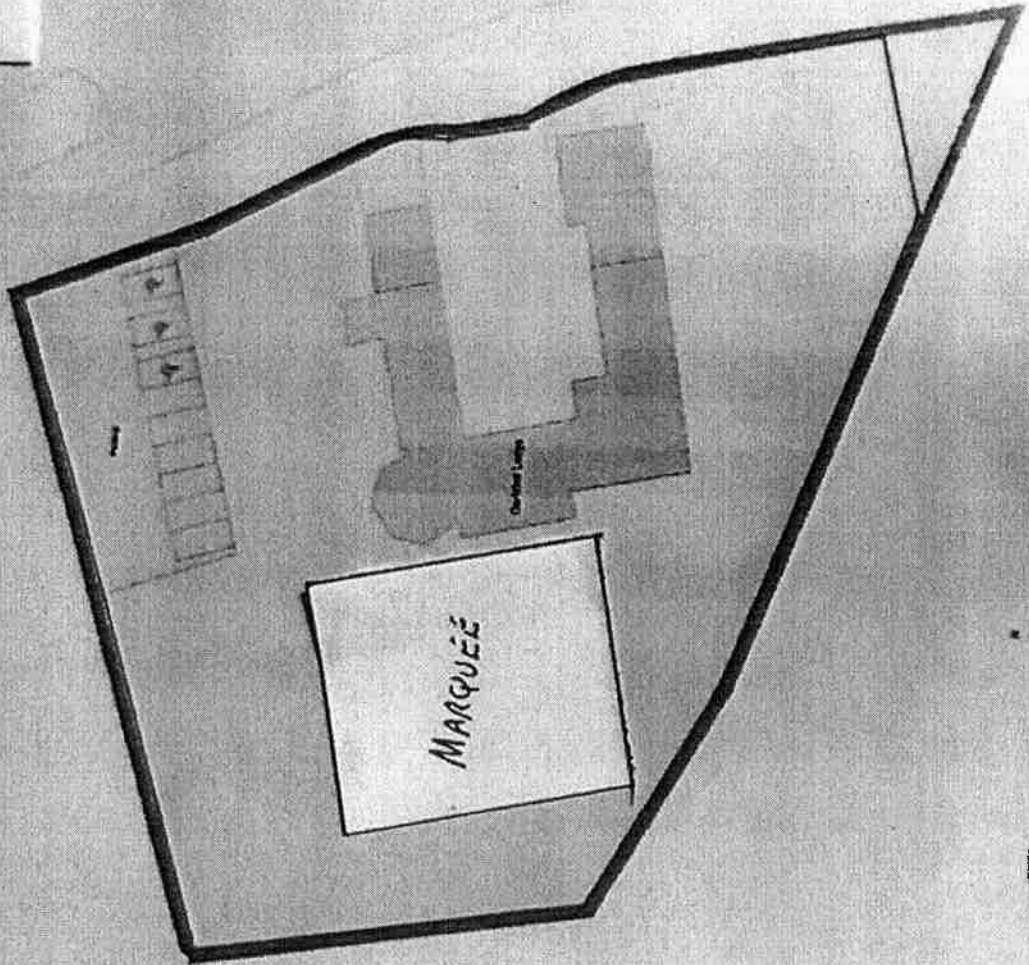
167002001

Planning

Project Title	Garleton Lodge, Hedderington
Drawing Title	Ground floor plan for self-catering dining area
	MORGAN McDONNELL
	Date: 08/07/2020 Scale: 1:50 Job no.: P13-020 Dwg. no.: L-P-11

NOTE: ALL ROOMS FITTED WITH SMOKE DETECTORS

GARLETON LODGE  
(EXTERNAL AREA)



M MORGAN MCDONNELL



Garleton Lodge  
3 West Garleton Holdings  
Haddington  
EH41 3SL

3 August 2017

Licensing Board  
East Lothian Council  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Dear Sirs

### **Application for Provisional Premises Licence**

I am writing to address the potential rejection of our application for a Provisional Premises Licence on the grounds of overprovision.

Our licence application is made on the basis of supplying our resident guests with alcoholic drinks on the premises to be enjoyed with their evening meals or while relaxing on the premises. There will be occasions where non resident guests enjoying a meal in the restaurant will wish to purchase drinks to accompany their food.

While there will be occasions where there will be larger groups of people on the property we envisage that our main business will be from the following demographic:

- Couples enjoying a luxury break
- Golfers visiting the area and using the Lodge as a base
- Family/Friends getting together to celebrate eg birthdays

As such we feel that our proposition would not lead to any increase in alcohol related crime or injury as our target audience will not be looking to consume large quantities of cheap alcohol and in the majority of cases they will be staying overnight within the premises.

We have made substantial investment in our refurbishment of the property and the clientele we are attracting expect to be able to purchase wines and spirits as part of their stay. Our main competition comes from small luxury hotels within Edinburgh. As such we offer a very unique proposition to visitors to the area and in doing so attract visitors to East Lothian who might otherwise go elsewhere.

We are working hard to secure guests from outwith the region, both UK and international, in an attempt to support the tourism initiative and if our application is successful we would hope to see an increase in such trade. We are also looking to support the local community ,

both in offering an alternative venue for celebrations and also local employment, both directly and indirectly, through the purchase of food and drink from local suppliers and producers.

There is no similar establishment in the immediate vicinity and as such we would ask that you allow our application.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

Angela J Coker (Mrs)

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

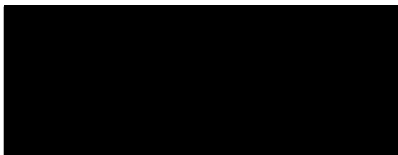
**APPLICATION FOR PROVISIONAL PREMISES LICENSE:  
GARLETON LODGE, 3 WEST GARLETON HOLDINGS, HADDINGTON EH41 3SL**

On behalf of NHS Lothian we would like to make a representation concerning the off-sales aspect of this application to the Licensing Board.

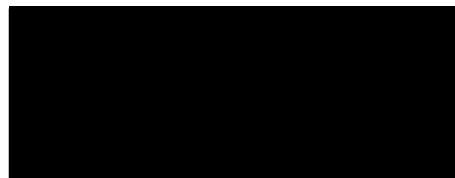
We question why residents need an off-sales facility if they are resident at the premise, unless it's to take home alcohol products at the end of their stay. The Health Board is concerned about the levels of alcohol being purchased via off-sales, which form 74% of all sales of alcohol in Scotland. We are also mindful of the overprovision statement that applies to the whole of East Lothian.

We would respectfully request that either the off-sales aspect of this application is refused, or at least that it is made a condition of the license that off-sales are for residents only and only for the sale of specialist wines, whiskies, gins and other spirits as specified in the application. We do however query how a 'specialist wine' is defined.

Yours sincerely



**JIM SHERVAL FFPH**  
Consultant in Public Health



**ELIZABETH OLDCORN**  
Senior Specialist in Health Promotion

Date 12<sup>th</sup> September 2017



# POLICE SCOTLAND

Keeping people safe

Philip Gormley QPM  
Chief Constable

Your Ref: EL350

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  
GARLETON LODGE  
3 WEST GARLETON HOLDINGS, HADDINGTON, EAST LOTHIAN, EH41 3SL.  
ANGELA COCKERTON**

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.

Whilst the police have no objection to the grant of this licence, it is pertinent to point out that it 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 licence would outweigh the presumption against in terms of the overprovision statement.

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:** 25 September 2017

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

**Garleton Lodge, 3 West Garleton Holdings, Haddington, East Lothian EH41 3SL**

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 have been operated infrequently as an events and wedding venue for some years and licensed to sell and supply alcohol to guests by way of Occasional Licences. To date, there have been no complaints received or any identified issues or problems surrounding the operation of these licences.

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

R. Fruzynski  
Licensing Standards Officer



Garleton Lodge

3 West Garleton Holdings

EH41 3SL

Overprovision Statement

East Lothian Licensing Board



## Introduction

This overprovision statement has been prepared by Janet Hood, Solicitor, in consultation and with the approval of the applicant Angela Jane Cockerton, Garleton Lodge, 3 West Garleton Holdings, Haddington, EH41 3SL. The aim of the statement is to support Mrs Cockerton's application for a provisional premises licence for the premises known as Garleton Lodge, 3 West Garleton Holdings, Haddington, EH41 3SL. She is a personal licence holder and will become the premises manager should the application for provisional premises licence be granted. Her husband and daughter have made application for personal licences as well which will ensure all key staff have personal licences. Together the family comprise the management team from the business.

The premises are situated at the top of a small hill, in their own grounds in a stunning location with extensive views over the East Lothian countryside and the Firth of Forth. There are no near or visible neighbours. The premises are located approximately 30 minutes from both Edinburgh City Centre & Airport, less than 5 minutes off the A1 and 10 minutes from the local railway station (Longniddry), easily accessible to the applicant's guests.

Garleton Lodge was initially developed by the applicant's predecessors as a hostel and was very run down when taken over by the applicant. The premises have been lovingly redesigned and refurbished as a luxury boutique bed & breakfast and restaurant complete with external hot tub, golf practice facilities including three hole putting green & bunker and Finnish barbecue hut. There is ample car parking and the applicant regularly arranges to collect customers from and return them to the nearest railway station and local bus stops actively encouraging the use of public transport.

The applicant has benefited from a number of occasional licences for small events on the premises and these events have been hugely successful and carried off with no issues in terms of the 5 objectives. A wine list and sample menus have been attached for your information.



The applicant and her family offer warm hospitality. They have achieved 4 star Visit Scotland rating in less than one year. They are top of TripAdvisor for the area and also feature as a MUST STAY with Must Visit Scotland. The food offering is superb. The premises are well run and welcoming.

Photographs of the premises are attached for your information.

As well as being active members of the East Lothian Golf & Tourism Alliance, my clients have become keen supporters of and are actively engaged in East Lothian's "Scotland's Food and Drink County" initiative - and as far as possible they aim to source food and drink products offered for sale on the premises from within the county. This is also reflected in the Taste Our Best Award provided as part of the recent Visit Scotland accreditation.

The individual bedrooms are named for malt whiskies. A nip of the named whisky is included as part of the price of each room except where the room is to be occupied by persons under the age of 18. The small bar has a well balanced selection of malts reflecting the names of the rooms but not restricted to only those named. In addition craft gins and other top quality spirits are on offer as are local beers. Fine wines, sherries and brandies complete the alcoholic drinks offering and there is a wide selection of soft drinks. Cocktails and mocktails can be requested.

#### Overprovision

My clients understand that your honours have declared the entire county over provided with licensed premises and that you require an overprovision statement to be produced to justify any further grant of premises licences in the area. I understand you have included hours of operation as part of the overprovision decision making.

These premises are unique - they sit in the heart of East Lothian countryside and yet lie close to Haddington and offer hospitality at a very high standard in stunning surroundings.

The offering is food and accommodation led with alcohol being a required ancillary to satisfy the demands of modern day tourists and locals who wish to dine out in beautiful surroundings.

It is the intention to offer off sales of the high quality products on sale on the premises - this offering will only be made available to residents and guests. This helps promote hospitality in East Lothian and Scotland. There is no intention to open a shop or offer off sales to casual passers by.

I believe this meets the terms of the NHS objection and trust it meets with your honours approval. Sample of the food menu and drinks offering are attached for your consideration. You will see that my clients are not offering low end alcohol at cheap prices which is recognised as causing harm. The price points in these premises are such as to prevent alcohol abuse on the premises and to encourage purchasers to appreciate their purchases in a civilised manner. A specialised offering of high end spirits and fine wines and local beers is part of the mix.

The hours proposed meet the boundaries of your honours policy statement being

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

and there are no nearby premises with which to make an overprovision comparison.

The premises have a beautiful dining room and comfortable lounge in which a small bar can be found.

As stated I have attached some photographs of the premises to demonstrate the premises unique character and high standards of accommodation and food and drink offering.

My clients understand that proper use of risk assessments assist greatly in control and management of licensed premises

## Preventing Crime and Disorder

Risk High/Medium/Low	Action	Inform/Remind/Update	Date
<b>Low Service of alcohol to persons under age</b>	All staff trained re challenge 25 All persons under age of 18 accompanied by an adult	Staff advised	Reminder
<b>Low Violence</b>	Premises are run as a food led boutique hotel; majority of guests are residential and others attend premises for purpose of small events and dining; there is no public bar Staff trained to monitor guests; to refuse alcohol if concerned about level of alcohol taken by customers Incident and refusal books available on premises	Staff advised	Reminder

## Preventing Public Nuisance

Risk High/Medium/Low	Action	Inform/Remind/Update	Date
<b>Low Noise in neighbouring properties</b>	Premises situated in a quite rural setting with no near neighbours. There is no late night noise generating activity. Staff have access to taxi numbers to assist in efficient dispersal of patrons and often offer lifts to patrons who reside near at hand.	Staff advised	Reminder

## Securing Public Safety

Risk High/Medium/Low	Action	Inform/Remind/Update	Date
<b>Low Violence</b>	Premises are food and accommodation led; there is no public bar. Staff trained to monitor guests; to refuse alcohol if concerned about level of alcohol taken by customers Incident and refusal books available on premises	Staff advised	Reminder
<b>Low Dispersal problems</b>	Staff instructed to call taxis to assist patrons get home safely	Staff advised	Reminder

## Protecting Children and Young Persons from Harm

Risk High/Medium/Low	Action	Inform/Remind/Update	Date
<b>Low Service of alcohol to persons under age</b>	<p>The premises operators aim at an adult market. Under 18s are likely to be on the premises are residents.</p> <p>All staff trained re challenge 25</p> <p>All persons under age of 18 accompanied by an adult in public areas where alcohol is consumed.</p>	Staff advised	Reminder

### Protecting and Improving Public Health

Risk High/Medium/Low	Action	Inform/Remind/Update	Date
<b>Low alcohol harm</b>	<p>Patrons monitored by staff to prevent over indulgence</p> <p>Food / accommodation led premises</p> <p>Under 18s accompanied by adults</p> <p>Good range soft drinks and non alcoholic beverages</p> <p>The off sale facility is aimed at residents and guests only and is of such a price point level as to discourage abuse of alcohol</p> <p>There will be no shop or public off sale facility on the premises.</p>	Staff advised	Reminder

Photos of premises







**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.





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
-----------	----------	-----------	-------------

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
-----------	----------	-----------	-------------

**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** 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

<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.*

<p><b>Ross High Rugby Football Club</b></p> <p><b>91 Blawearie Road</b></p> <p><b>Tranent</b></p> <p><b>EH33 2DB</b></p>
--

### 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	<del>23:00</del> <i>midnight</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>	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>
--	------------

*\*If YES –provide details*

<p>WE WOULD LIKE TO TAKE ADVANTAGE OF ANY EXTENSIONS TO CORE HOURS GRANTED BY THE LICENSING 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	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>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	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	<del>NO</del> YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
<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	<del>NO</del> YES .
<i>Live performances – see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	YES	YES	<del>NO</del> 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	<del>NO</del> YES
<b>5(d)</b>	<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
<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>	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*
---	---------

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 CVHANGE 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: 2<sup>nd</sup> 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

23 SEP 2017

RECEIVED

Dear Kristie McNeill

I Am replying to The letter Variation (Amason) premises - Ross High Rugby Club.

I Don't 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 13<sup>th</sup> 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



**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 WINTERFIELD GOLF AND SPORTS CLUB ST MARGARETS WINTERFIELD GOLF CLUB BACK ROAD 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*

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

**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 licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>COL. 4</b> <b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <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> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<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
<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 licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<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>	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> <i>Activity</i>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<i>Outdoor drinking facilities</i>	YES	YES	YES
<b>5(e)</b> <i>Activity</i>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours – please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <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

---

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

---

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

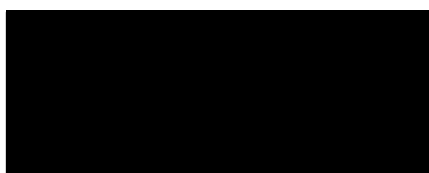
Dear Ms Winter

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

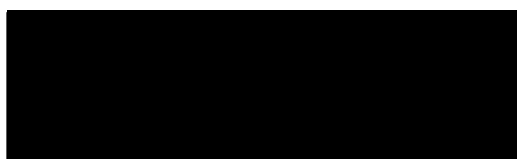
On behalf of NHS Lothian we would like to make a representation concerning the opening time for on-sales in this application. The proposed time of 10 am directly contravenes the Board policy of 11 am for the commencement of on-sales. No justification has been provided as to why this start time is necessary, 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.

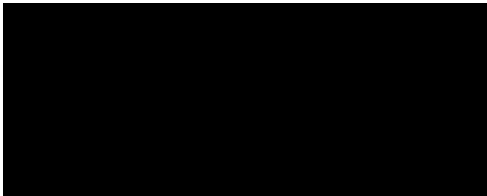
To amend the capacity from 130 to 150.

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