

EAST LOTHIAN

Meeting 25 January 2018 at 10:00am in , Council Chambers, Town House, 56 High Street, Haddington, East Lothian

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
1	BUENOS AIRES CAFE AND GRILL 76 HIGH STREET MUSSELBURGH EH21 7BX	MOHAMMAD NAZIM AHMED C/O MACDONALD LICENSING LIMITED 21A RUTLAND SQUARE EDINBURGH EH1 2BB	20 November 2017	Premises offering alcohol for consumption on and off the premises and offering restaurant facilities, receptions such as weddings, funerals, birthdays, retirement etc, recorded music.

ELO 352

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR PREMISES LICENCE/PROVISIONAL PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

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

Question 1

Name, address and postcode of premises to be licensed.

Buenos Aires Cafe and Grill
76 High Street
Musselburgh
EH21 7BX

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.*

Mohammad Nazim Ahmed

Telephone number – [REDACTED]

Date of Birth – [REDACTED]

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

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

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

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

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

Question 3

Previous applications

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

If YES – provide full details

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Question 4

Previous convictions

4 <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)</i>	YES/NO*
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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 & position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

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

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

Question 5

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

Restaurant located on ground floor of building on High Street, Musselburgh
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Question 6


6 *To be completed by members' clubs only*

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

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature * (see note below)

Date 16/11/17

Capacity APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory

.....

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

*** Data Protection Act 1998**

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

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

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

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

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Buenos Aires Cafe and Grill
76 High Street
Musselburgh, EH21 7BX

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>	11am	11pm
<i>Tuesday</i>	11am	11pm
<i>Wednesday</i>	11am	11pm
<i>Thursday</i>	11am	Midnight
<i>Friday</i>	11am	1am
<i>Saturday</i>	11am	1am
<i>Sunday</i>	11am	Midnight

Question 3

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

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

Question 4

SEASONAL VARIATIONS

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

<p>Would like to take advantage of any general extensions issued by the Licensing Board and may apply for specific extensions for certain events.</p>

Question 5

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

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

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

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

The Premises may open from 8am for breakfasts, snacks, takeaways etc., but no alcohol will be sold or supplied until the commencement of Licensed Hours.

Activities answered YES in column 4 may take place during such periods, and also during periods of extended hours, either by general or specific extensions.

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.

Deliveries (Alcohol will only be sold for off sale purposes when accompanying an order for food)
Takeaways (Alcohol will only be sold for off sale purposes when accompanying an order for food)
Outside Catering

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

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

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

Children and Young Persons will be allowed access to the Premises when accompanied by an adult.

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

No restrictions (0-17 years)

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

Children will require to vacate the Premises by 10pm and Young Persons by midnight.

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

All Public Areas

Question 7

CAPACITY OF PREMISES

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

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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*

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8(c) *Contact address*

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8(d) *Email address and telephone number*

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8(e) *Personal licence*

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

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature  * (see note below)

Date (6/4/1)

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

*** Data Protection Act 1998**

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

EAST LoTHIAN COUNCIL

LICENSING ADMINISTRATION AND DEMOCRATIC SERVICES

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 12 Dec. 17

Subject: LICENSING SCOTLAND ACT 2005
PROVISIONAL PREMISES LICENCE APPLICATION

**Buenos Aires Café and Grill, 76 Bridge Street, Musselburgh,
East Lothian EH21 7BX**

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

R. Fruzynski
Licensing Standards Officer

Date 14th December 2017



**POLICE
SCOTLAND**

Keeping people safe

Your Ref:

Our Ref: J/LIC/3705/HB

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

Philip Gormley QPM
Chief Constable

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

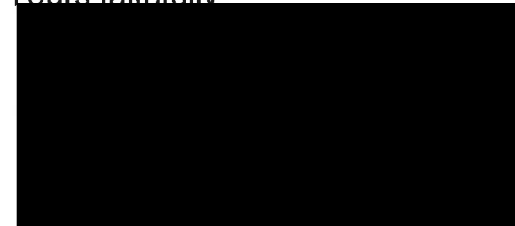
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE
BUENOS AIRES CAFE AND GRILL
76 HIGH STREET, MUSSELBURGH, EAST LOTHIAN, EH21 7BX.
MOHAMMAD NAZIM AHMED**

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 the applicant has not been convicted of any relevant offence.

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

Yours faithfully



Philip Gormley QPM
Chief Constable

For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

From: Herkes, Gillian on behalf of Licensing
Sent: 07 December 2017 14:31
To: Winter, Maree
Subject: FW: Provisional Premise Licence application - Buenos Aires Cafe and Grill, 76 High Street, Musselburgh
Attachments: Provisional licence application - Buenos Aires Cafe and Grill.pdf; provisional licence layout plan - Buenos Aires Cafe and Grill.pdf

From: Aitken, Beatrice
Sent: 07 December 2017 14:31
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Provisional Premise Licence application - Buenos Aires Cafe and Grill, 76 High Street, Musselburgh

Hi there,

I have no objections to this application, subject to the standard conditions.

Thanks,
Beatrice

Beatrice Aitken
Environmental Health Officer
East Lothian Council
John Muir House, Court Street, Haddington, EH41 3HA
Tel: 01620827332 Mobile:07713326029
email: baitken@eastlothian.gov.uk

From: Baikie, Karen On Behalf Of Environmental Health/Trading Standards
Sent: 05 December 2017 10:32
To: Aitken, Beatrice <baitken@eastlothian.gov.uk>
Subject: FW: Provisional Premise Licence application - Buenos Aires Cafe and Grill, 76 High Street, Musselburgh

Karen Baikie | Business Support Administrator | Unified Business Support | East Lothian Council | John Muir House | Brewery Park | Haddington | EH41 3HA
Direct Dial 01620 828755, (int) 6755 | kbaikie@eastlothian.gov.uk | www.eastlothian.gov.uk

From: Winter, Maree
Sent: 05 December 2017 10:01
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; [Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>](mailto:Fruzynski,Rudi@eastlothian.gov.uk); Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Devine, Brian <Brian.Devine@firescotland.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; Sherval, Jim <Jim.Sherval@nhslothian.scot.nhs.uk>; Oldcorn, Elizabeth <Elizabeth.Oldcorn@nhslothian.scot.nhs.uk>; irenetait <[REDACTED]>; [REDACTED]
Subject: Provisional Premise Licence application - Buenos Aires Cafe and Grill, 76 High Street, Musselburgh

Winter, Maree

From: Grant, Shona
Sent: 20 December 2017 11:15
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Provisional Premise Licence application - Buenos Aires Cafe and Grill, 76 High Street, Musselburgh
Attachments: Provisional licence application - Buenos Aires Cafe and Grill.pdf; provisional licence layout plan - Buenos Aires Cafe and Grill.pdf

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

Regards

Shona

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

From: Winter, Maree
Sent: 05 December 2017 10:01
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Devine, Brian <Brian.Devine@firescotland.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; Sherval, Jim <Jim.Sherval@nhslothian.scot.nhs.uk>; Oldcorn, Elizabeth <Elizabeth.Oldcorn@nhslothian.scot.nhs.uk>; irenetait <[REDACTED]>; [REDACTED]
Subject: Provisional Premise Licence application - Buenos Aires Cafe and Grill, 76 High Street, Musselburgh

Dear all,

Please find attached provisional premise licence application and layout plan for a new licence for Buenos Aires Café and Grill, 76 High Street, Musselburgh.

If you have any representations or objections to this application, please note that the last date for receiving these are 11th January 2018. We will accept objections by email or letter.

Kind regards
Maree

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