

**EAST LOTHIAN**

**Meeting 22 February 2018 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

**Variation (Major)(s)**

**Premises**

**Applicant**

**Date Received**

**Comments**

1 THE MAIN COURSE  
40 MAIN STREET  
GULLANE  
EAST LOTHIAN  
EH31 2AP

U. CROLLA & SONS LTD  
C/O MACDONALD LICENSING  
LIMITED  
21A RUTLAND SQUARE  
EDINBURGH  
EH1 2BB

15 January 2018

Increase of capacity for on sale to 87. Variation to layout plan showing extension to the premises for Kitchen, and existing kitchen area to be an increased seating area.

EAST LoTHIAN LICENSING BOARD

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 Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

*2(a) Licence Number of Premises*

EL0181

*2(b) Name and Address of Premises*

The Main Course  
40 Main Street  
Gullane  
East Lothian

Post Code EH31 2AP

Phone No.

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

U. Crolla & Sons Ltd  
1a Torphichen Street  
Edinburgh

Post Code EH3 8HX

Phone No. [REDACTED]

### SECTION 3: NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought:-

#### **3(a) Variation to the Conditions to which the Premises Licence is subject**

Provide details of the Condition(s) to be varied and the variation being sought

N/A

#### **3(b) Variation to the information contained within the Operating Plan of the Premises Licence**

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

To increase the on sale capacity to 87

#### **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.

To substitute a new Layout Plan showing the extension to the Premises, in which will be located the kitchen, and the area previously occupied by the kitchen will be an increased seating area.

#### **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 **£150** (see note 4 below)

If submitted with an application for transfer, please specify the order in which the applications are to be considered-

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £150 is enclosed.

Signature



..... (See note 5 below)

Date

12/1/18

Capacity: APPLICANT / AGENT (delete as appropriate)

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

.....  
Macdonald Licensing  
21a Rutland Square  
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com

**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.*

40 Main Street  
Gullane  
East Lothian  
EH31 2AP

### 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>	11.00am	23.00pm
<i>Tuesday</i>	11.00am	23.00pm
<i>Wednesday</i>	11.00am	23.00pm
<i>Thursday</i>	11.00am	00.00midnight
<i>Friday</i>	11.00am	00.00midnight
<i>Saturday</i>	11.00am	00.00midnight
<i>Sunday</i>	11.00am	00.00midnight

**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>	10.00am	22.00pm
<i>Tuesday</i>	10.00am	22.00pm
<i>Wednesday</i>	10.00am	22.00pm
<i>Thursday</i>	10.00am	22.00pm
<i>Friday</i>	10.00am	22.00pm
<i>Saturday</i>	10.00am	22.00pm
<i>Sunday</i>	10.00am	22.00pm

**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 may benefit from Seasonal Variations as decided by the Board for certain general events and specific occasions.

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



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

Certain Activities answered “yes” in column 4 may take place during periods of Seasonal Variations or Extensions to Permitted 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.*

Deliveries  
Takeaways  
Outside Catering  
Live Performances will be acoustic music and no later 11pm.

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

**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 are welcome on the premises. Children require to be accompanied by an adult.

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

No restriction (0-17 years).

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

No restriction.

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?*

On Sale 87 Off Sale 7.7 m <sup>2</sup>
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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*

Luciano Crolla
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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>
01 September 2009	Edinburgh	277642

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 ..... 14/11/18 .....

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

Telephone number and email address of signatory .....

Macdonald Licensing  
21a Rutland Square  
Edinburgh, EH1 2BB

0131 229 6181, [alistair@macdonaldlicensing.com](mailto:alistair@macdonaldlicensing.com)

**\* 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.

Date 24<sup>th</sup> January 2018

Your Ref: EL0181

Our Ref: J/LIC/3705/HB

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



**POLICE  
SCOTLAND**

Keeping people safe

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 Madam,

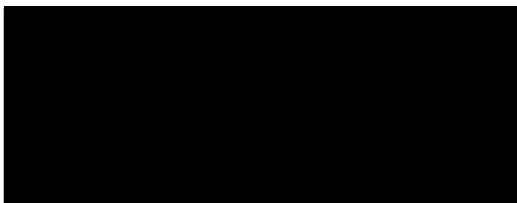
**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
Main Course, 40 Main Street, Gullane, East Lothian, EH31 2AP.  
U.Crolla & Sons Ltd**

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

The variation requested consists of an increase to the 'on sale' capacity from 53 to 87. This is as a result of a new extension to the restaurant area.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



Philip Gormley QPM  
Chief Constable

For enquiries please contact the Licensing Department on 01620 826147

# **EAST LoTHIAN COUNCIL**

## **LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES**

**From: R. Fruzynski**  
**Licensing Standards Officer**

**To: Kirstie MacNeill**  
**Clerk to the Licensing Board**

**Date: 02 Feb. 18**

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

**The Main Course, 40 Main Street, Gullane, North Berwick, EH31 2AP**

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

I have no objection to the grant of this application.

**R. Fruzynski**  
**Licensing Standards Officer**

## Herkes, Gillian

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**From:** Grant, Shona  
**Sent:** 16 January 2018 16:47  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Application for Major Variation for The Main Course, Gullane  
**Attachments:** major variation - The main Course, Gullane - operating plan.pdf; The Main Course, gullane - Layout plan - major variation.pdf

**Importance:** High

I have no objections to this application however I would recommend that the standard noise condition be attached to any approval given.

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](mailto:sgrant@eastlothian.gov.uk) | Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

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**From:** Winter, Maree  
**Sent:** 16 January 2018 14:26  
**To:** LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi <[rfruzynski@eastlothian.gov.uk](mailto:rfruzynski@eastlothian.gov.uk)>; Environmental Health/Trading Standards <[ehts@eastlothian.gov.uk](mailto:ehts@eastlothian.gov.uk)>; Environment Reception <[environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk)>; Grant, Shona <[sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk)>; Devine, Brian <[Brian.Devine@firescotland.gov.uk](mailto:Brian.Devine@firescotland.gov.uk)>; Sherval, Jim <[Jim.Sherval@nhslothian.scot.nhs.uk](mailto:Jim.Sherval@nhslothian.scot.nhs.uk)>; Oldcorn, Elizabeth <[Elizabeth.Oldcorn@nhslothian.scot.nhs.uk](mailto:Elizabeth.Oldcorn@nhslothian.scot.nhs.uk)>; [gaccsecretary@gmail.com](mailto:gaccsecretary@gmail.com)  
**Subject:** Application for Major Variation for The Main Course, Gullane  
**Importance:** High

Hi

Please find attached application form and layout plan received for a major variation to The Main Course, 40 Main Street, Gullane. Please could I have any representations/objections by Thursday 8<sup>th</sup> February 2018.

Regards  
Maree

Maree Winter  
Licensing Officer  
East Lothian Council  
01620 827867

**EAST LoTHIAN COUNCIL**

**Internal Memorandum**

**From:** Planning Delivery

**To:** Clerk to the Licensing Board

**Per:** Neil Millar

**Per:** Licensing Board

**Cc:**

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**Date:** 26<sup>th</sup> January 2018

**LICENSING (SCOTLAND) ACT 2005**

**Re: Consultation response**

**Address:** The Main Course, 40 Main Street, Gullane

**Application type:** Variation other than a minor variation of premises licence

I have no objections to the variations applied for, as is detailed in the application forms for them, with regards to the above premise. Planning permission is not required for the sale of alcohol on the premises.



## Herkes, Gillian

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**From:** Johnson, Darren  
**Sent:** 16 January 2018 15:11  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Application for Major Variation for The Main Course, Gullane  
**Attachments:** major variation - The main Course, Gullane - operating plan.pdf; The Main Course, gullane - Layout plan - major variation.pdf

**Importance:** High

No objections,

Darren

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**From:** Environmental Health/Trading Standards  
**Sent:** 16 January 2018 14:29  
**To:** Johnson, Darren <djohnson@eastlothian.gov.uk>  
**Subject:** FW: Application for Major Variation for The Main Course, Gullane  
**Importance:** High

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**From:** Winter, Maree  
**Sent:** 16 January 2018 14:26  
**To:** [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk); [Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>](mailto:Fruzynski@eastlothian.gov.uk); Environmental Health/Trading Standards <[ehs@eastlothian.gov.uk](mailto:ehs@eastlothian.gov.uk)>; Environment Reception <[environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk)>; Grant, Shona <[sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk)>; Devine, Brian <[Brian.Devine@firescotland.gov.uk](mailto:Brian.Devine@firescotland.gov.uk)>; Sherval, Jim <[Jim.Sherval@nhslothian.scot.nhs.uk](mailto:Jim.Sherval@nhslothian.scot.nhs.uk)>; Oldcorn, Elizabeth <[Elizabeth.Oldcorn@nhslothian.scot.nhs.uk](mailto:Elizabeth.Oldcorn@nhslothian.scot.nhs.uk)>; [gaccsecretary@gmail.com](mailto:gaccsecretary@gmail.com)  
**Subject:** Application for Major Variation for The Main Course, Gullane  
**Importance:** High

Hi

Please find attached application form and layout plan received for a major variation to The Main Course, 40 Main Street, Gullane. Please could I have any representations/objections by Thursday 8<sup>th</sup> February 2018.

Regards  
Maree

Maree Winter  
Licensing Officer  
East Lothian Council  
01620 827867