

**EAST LOTHIAN**

**Meeting 26 April 2018 at 10:00am in Council Chambers, Town House, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

Occasional(s)	Premises	Applicant	Date Received	Comments
3	BROXMOUTH HOUSE BROXMOUTH PARK DUNBAR EAST LOTHIAN EH42 1QW	JOEL GHODKE	27 March 2018	Start date of event: 28/04/2018 End Date of Event: 29/04/2018 Wedding Reception For [REDACTED] [REDACTED] 120 Guests (booked In March 2017). Application Made For Occasional Licence As Unable To Progress Full Licence Until Planning For Marquee Received (see Attached Email) Children and young persons are permitted during the following times: At all times.

## Totney, Jill

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**From:** Winter, Maree  
**Sent:** 13 April 2018 11:36  
**To:** MacNeill, Kirstie  
**Cc:** Totney, Jill; Herkes, Gillian; Fruzynski, Rudi  
**Subject:** FW: Broxmouth

**From:** McQueen, Stephanie  
**Sent:** 13 April 2018 11:33  
**To:** Winter, Maree <[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)>  
**Subject:** FW: Broxmouth

Maree

Just to let you know that there is still one small issue with the information I have received regarding the application. I've raised it with the agent (Format Design) and they will look to address it but I would not be looking to report the application until this has been resolved.

Regards,  
Stephanie

Stephanie McQueen | Planner | Planning Delivery |  
Ext: 7210 Email: [smcqueen@eastlothian.gov.uk](mailto:smcqueen@eastlothian.gov.uk)



 **Consider the environment. Please don't print this e-mail unless you really need to.**

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**From:** McQueen, Stephanie  
**Sent:** 12 April 2018 09:18  
**To:** Winter, Maree <[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)>  
**Subject:** RE: Broxmouth

Hi Maree,

Sorry, I've been on annual leave for a couple of days and I'm trying to catch up. I thought I'd replied to your email of last week so apologies again. I've received updated information from the agent for the application, though I've not had the chance to go through it yet. I'm hoping to do that later today. If that information addresses the last couple of points I'd raised with them then I should be in a position to report the application for its decision with a recommendation for approval. The application has to be reported through the Scheme of Delegation procedures as there is public objection to it so I'm not able to say at this stage what the outcome would be, as Councillors would have the opportunity to call the application to be decided by the Planning Committee should they feel that was appropriate. I'll give you a further update once I've been through the information received from the Agent.

Regards,  
Stephanie

Stephanie McQueen | Planner | Planning Delivery |  
Ext: 7210 Email: [smcqueen@eastlothian.gov.uk](mailto:smcqueen@eastlothian.gov.uk)

OCC144118  
ADV 2913

EAST LoTHIAN LICENSING BOARD

E.L.C.  
Customer Services

26 MAR 2018

APPLICATION FOR OCCASIONAL LICENCE

RECEIVED

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	365040 (EDINBURGH)
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)			
Surname	CHODKE		
Forenames	JOEL.		
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post town	Post code [REDACTED]		
TELEPHONE NUMBERS			
Daytime	[REDACTED]		
Evening	[REDACTED]		
Mobile	[REDACTED]		
FAX NUMBER /			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			
manager@bayswell.com			

3. THE PREMISES

Description of premises

FULLY EQUIPPED MARQUEE IN GROUNDS OF STABLEY HOME

Description of activities to be carried on in the premises - (including number of persons expected to attend)

WEDDING RECEPTION FOR [REDACTED]

[REDACTED]  
120 GUESTS (BOOKED IN MARCH 2017).  
APPLICATION MADE FOR OCCASIONAL  
LICENSE AS UNABLE TO PROGRESS FULL  
LICENSE UNTIL PLANNING FOR MARQUEE  
RECEIVED. SEE ATTACHED EMAIL.

Full postal address of premises which this application refers to

BROXMOOUTH HOUSE,  
BROXMOOUTH PARK  
DUNBAR EH42 1QW

4. DURATION OF LICENCE - (include dates and times required for event)

From:

To:

SATURDAY 28TH APRIL 11AM TO 1AM

5. Is alcohol to be sold on & off the premises YES/NO - Provide relevant details as to hours requested when alcohol will be sold on/off the premises - delete as appropriate

Times for sale of alcohol for consumption on premises

AS ABOVE

Times for sale of alcohol for consumption off premises

N/A

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry

0-17 YES

Times at which children or young persons permitted entry

AT ALL TIMES

Parts of premises to which children or young persons permitted entry

NO CHILD WILL BE PERMITTED WITHIN 1.5M OF THE BAR AT ANY TIME.

7. CHECKLIST

I have - Please tick for yes

- Made or enclosed payment of the fee for the application

8. Signature and declaration by applicant (see note 3)

DECLARATION

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

SIGNATURE

DATE

21.3.18

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only:-

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

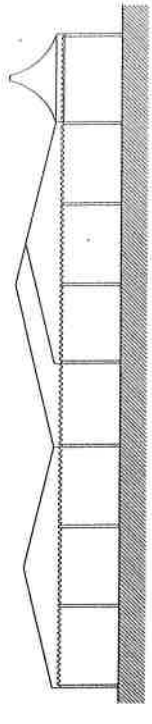
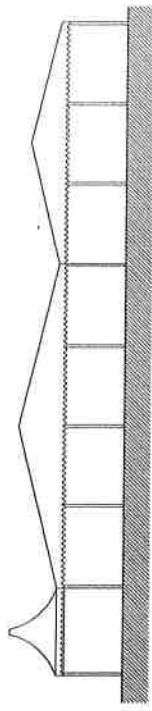
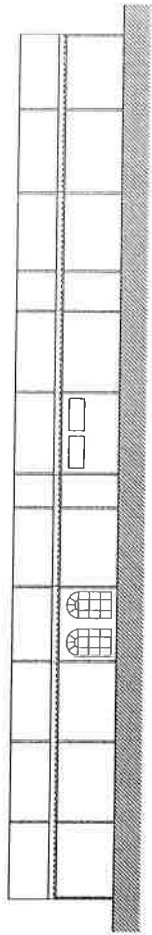
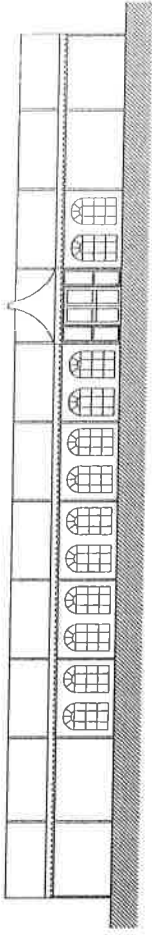
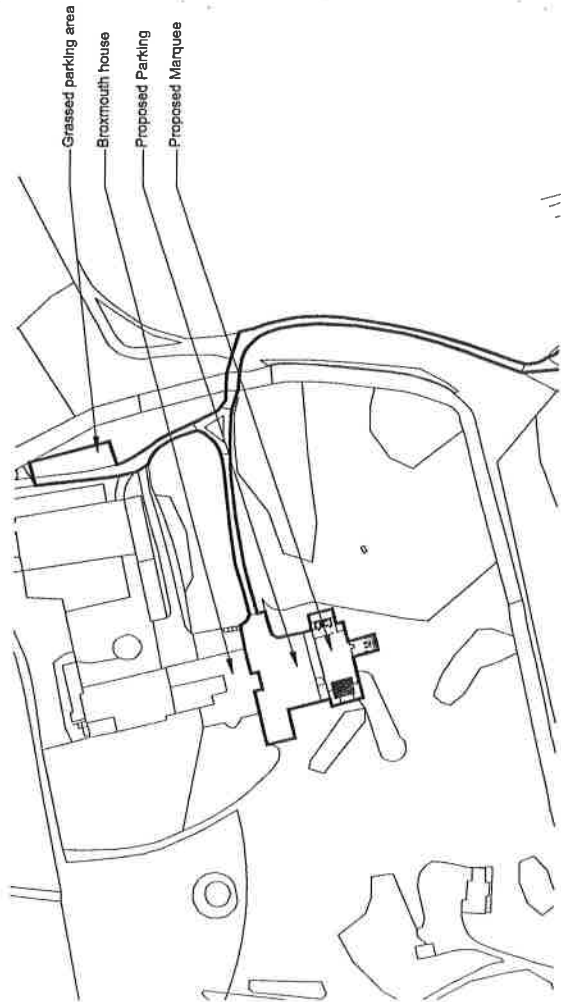
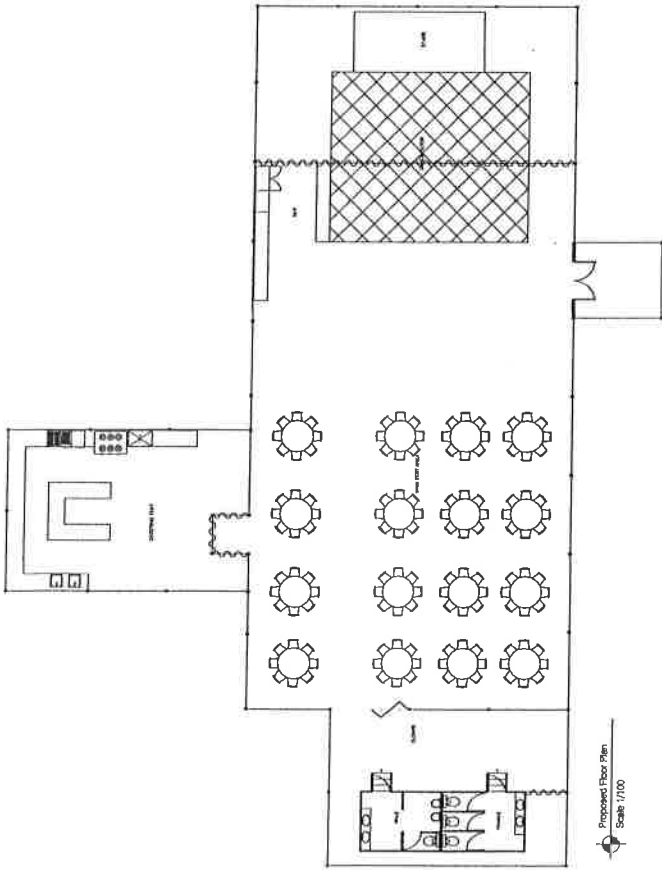
is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 1998

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)



rev	date	details	by	rev	date	details	by

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**SERVICES OFFERED:**  
 MEASURED SURVEYS  
 PLANNING CONSULTANTS  
 FEASIBILITY STUDIES  
 NEW BUILDS

PLANNING APPLICATIONS  
 LISTED BUILDING APPLICATIONS  
 BUILDING WARRANT APPLICATIONS  
 ARCHITECTURAL DRAWINGS  
 DEED PLANS

Drawing title: Proposed Plans, Elevations & Site plan  
 Job title: Brommouth Park, Dunbar.  
 Client: Simon Flame  
 Status: Planning  
 Drawn: MJ

Scale: 1/1  
 Printing size: 10.21 x 13.01  
 Date: 13.01.18

format design  
 FADACS Limited  
 Tel: 0131 667 7656  
 Fax: 0131 659 8033  
 Email: info@formatdesign.co.uk  
 Web: www.formatdesign.co.uk

# ◆ EDINBURGH ◆

LICENSING BOARD

## PERSONAL LICENCE

The holder of this licence is qualified and permitted to sell alcohol under the terms of the Licensing (Scotland) Act 2005.

*Licence Number*

365040

*Name and address of licence holder*



*Name of issuing Licensing Board*

The City of Edinburgh Licensing Board  
City Chambers  
High Street  
Edinburgh, EH1 1YJ

*Licensing Board logo*

◆ EDINBURGH ◆  
LICENSING BOARD

*Expiry date*

13 August 2027





Simon Flame &lt;broxmouth@googlemail.com&gt;

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**Fwd: Planning application 15/00343/P - Broxmouth House., Broxmouth Park, Dunbar**

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formatdesign@aol.com <formatdesign@aol.com>  
To: simon@broxmouth.com

Thu, Mar 22, 2018 at 11:53 AM

Hi Simon

Please see below response from Stephanie, I am afraid this seems to be the norm with all Planning Departments at the moment, I will chase her up again early next week.

Kind regards,

Shona

**Shona Mackay****format** DESIGN

Holyrood Business Park, 146 Duddingston Road West, Edinburgh, EH16 4AP

Tel: 0131 661 7666 Fax: 0131 659 6033 [formatdesign@aol.com](mailto:formatdesign@aol.com) [www.formatbuildingdesign.com](http://www.formatbuildingdesign.com)

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-----Original Message-----

From: McQueen, Stephanie &lt;smcqueen@eastlothian.gov.uk&gt;

To: formatdesign &lt;formatdesign@aol.com&gt;

Sent: Thu, 22 Mar 2018 11:47

Subject: RE: Planning application 15/00343/P - Broxmouth House., Broxmouth Park, Dunbar

Good Morning Shona,

Thank you for your email.

Apologies for not responding to you sooner. I appreciate the applicant's urgency on this matter however, I have a very busy workload at the moment so have not had the opportunity to consider the submitted information as yet. I am hoping to get to read it through today and would hope to give you an update next week. I would appreciate your patience on this matter.

I trust that this is of assistance to you.

Regards,

Stephanie

Stephanie McQueen | Planner | Planning Delivery | East Lothian Council | John Muir House |  
Haddington EH41 3HAT. 01620 827210 | E. [smcqueen@eastlothian.gov.uk](mailto:smcqueen@eastlothian.gov.uk) Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)**Consider the environment. Please don't print this e-mail unless you really need to.****From:** formatdesign@aol.com [mailto:formatdesign@aol.com]**Sent:** 21 March 2018 11:21



Date 28<sup>th</sup> March 2018

Your Ref:

Our Ref: 311429



**POLICE  
SCOTLAND**

Keeping people safe

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

Iain Livingstone QPM  
Deputy Chief Constable Designate

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  
OCCASIONAL LICENCE APPLICATION 144, 145 and 146  
PREMISES: BROXMOUTH ESTATE, BROXMOUTH PARK, DUNBAR, EH42  
1QW.  
APPLICANT: JOEL GHODKE, [REDACTED]**

I refer to the above applications and in terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, I make the following representation in relation to the application:

At the Licensing Board on the 28th September 2017, following similar applications, it was agreed that no further occasional licences would be granted in respect of these premises.

Minutes of the meeting are quoted as follows:

*"Councillor Goodfellow expressed extreme disappointment at a further occasional licence from the premises, despite indicating at a previous Board meeting that he would not be minded to grant further occasional licences. He made it very clear that the Board would take a serious view if there was any suggestion in promotional material that the business holds a full licence.*

*Councillor Henderson voiced her concern in relation to the Board being 'held to ransom', given that the wedding was already booked.*

*Councillor McMillan stressed that it was important that occasional licence applications 'never happen again'.*

*Councillor McGinn made it clear that applications for occasional licences 'had to end'.*

*Councillor Bruce stated that he was minded to grant this application but that it would 'not be the case for future occasional licence applications'.*

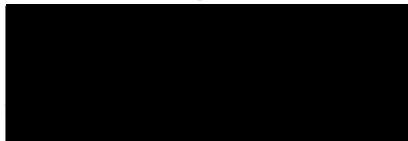
*Decision: The Board agreed to grant the occasional licence.*

I therefore refer all of the above applications to the Board for their consideration.

Police Scotland are of the opinion that the responsibility for confirming the identity of the applicant, and the validity and current status of any Premises or Personal Licence (including details of any previous or existing suspensions, variations, written warnings or endorsements) quoted on the application form where it was issued in another Board area, rests with the Local Authority and the Licensing Board, not with the Police. When the Police receive such applications we will assume that these checks have been adequately conducted at the point of application and prior to the enquiry being submitted to Police Scotland.

This representation is submitted for your attention in consideration of this application.

Yours faithfully

A black rectangular box redacting the signature of the Deputy Chief Constable Designate.

Iain Livingstone QPM  
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

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**From:** Fruzynski, Rudi  
**Sent:** 05 April 2018 09:17  
**To:** Herkes, Gillian; Licensing  
**Subject:** RE: Attached Image OCC144/18

This case is in the hands of the Licensing Board. I have no comment to make on the matter.

Rudi Fruzynski  
Licensing Standards Officer  
Accredited Paralegal  
East Lothian Council



01620827363

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**From:** Herkes, Gillian  
**Sent:** 27 March 2018 11:31  
**To:** LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>  
**Subject:** FW: Attached Image OCC144/18

Hi

Please find attached occasional licence from Joel Ghodke for Wedding at Broxmouth House on 28<sup>th</sup> April, 2018 for report.

Gillian

**From:** "Herkes, Gillian" [<mailto:gherkes@eastlothian.gov.uk>]  
**Sent:** 27 March 2018 11:25  
**To:** Herkes, Gillian <[gherkes@eastlothian.gov.uk](mailto:gherkes@eastlothian.gov.uk)>  
**Subject:** Attached Image

**Herkes, Gillian**

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**From:** Grant, Shona  
**Sent:** 28 March 2018 11:44  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Attached Image OCC144/18  
**Attachments:** LILAC\_QXM04806\_3869\_001.pdf

I have no objections to this application however I would recommend that the standard noise condition and the standard conditions relating to the use of a marquee 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:** Herkes, Gillian  
**Sent:** 27 March 2018 11:31  
**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)>; Grant, Shona <[sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk)>  
**Subject:** FW: Attached Image OCC144/18

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**From:** "Herkes, Gillian" [<mailto:gherkes@eastlothian.gov.uk>]  
**Sent:** 27 March 2018 11:25  
**To:** Herkes, Gillian <[gherkes@eastlothian.gov.uk](mailto:gherkes@eastlothian.gov.uk)>  
**Subject:** Attached Image

**Herkes, Gillian**

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**From:** Johnson, Darren  
**Sent:** 27 March 2018 12:17  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Attached Image OCC144/18  
**Attachments:** LILAC\_QXM04806\_3869\_001.pdf

No objections, standard conditions,

Darren

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**From:** Baikie, Karen **On Behalf Of** Environmental Health/Trading Standards  
**Sent:** 27 March 2018 11:35  
**To:** Johnson, Darren <djohnson@eastlothian.gov.uk>  
**Subject:** FW: Attached Image OCC144/18

Karen Baikie | Business Support Administrator | Council Support | East Lothian Council | John Muir House | Brewery Park | Haddington | East Lothian EH41 3HA  
Direct Dial 01620 828755, ext 6755 | [kbaikie@eastlothian.gov.uk](mailto:kbaikie@eastlothian.gov.uk) |  
[www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

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**From:** Herkes, Gillian  
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**To:** [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk); [Fruzynski, Rudi <fruzynski@eastlothian.gov.uk>](mailto:fruzynski@eastlothian.gov.uk);  
Environmental Health/Trading Standards <[ehts@eastlothian.gov.uk](mailto:ehts@eastlothian.gov.uk)>; Grant, Shona <[sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk)>  
**Subject:** FW: Attached Image OCC144/18

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**Sent:** 27 March 2018 11:25  
**To:** Herkes, Gillian <[gherkes@eastlothian.gov.uk](mailto:gherkes@eastlothian.gov.uk)>  
**Subject:** Attached Image