



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

1

**THURSDAY 22 MARCH 2018
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON**

Board Members Present:

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

Clerk of the Licensing Board:

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

Attending:

Mr C Grilli, Service Manager – Legal and Procurement, and Depute Clerk of the Licensing Board
Ms C Shiel, Licensing Officer
Ms G Herkes, Licensing Officer
Insp A Harborow, Police Scotland
PC H Bowsher, Police Scotland
Ms E Oldcorn, NHS Lothian
Mr G Hood, Convener, East Lothian Licensing Forum

Committee Clerk:

Ms J Totney, Team Manager – Democratic Services

Apologies:

Councillor J Goodfellow
Councillor J McMillan

Declarations of Interest:

None

1 MINUTES FOR APPROVAL – 22 February 2018

The minutes of the East Lothian Licensing Board meeting of 22 February were approved as a true record.

**2 PROVISIONAL PREMISES LICENCE
171-173 North High Street, Musselburgh**

The Clerk advised that three public objections had been received; Board members agreed to consider the one which had been received after the deadline. None of the objectors were present. A representation had also been received from Police Scotland.

Mr A Macdonald, Macdonald Licensing was present to represent the applicant. Carlo and Katia Crolla, company owners and directors, were also present.

Mr Macdonald provided background information about the premises, including planning permissions, and outlined the development plans for the building. He highlighted that the food offering would be different from the current chip shop menu and that the premises would be family orientated. He noted that Police Scotland are suggesting a terminal hour of 20.00 hrs for the outside drinking area although the Board's policy allows for a terminal hour of 22.00 hrs, which is being applied for. Mr Macdonald acknowledged the letters of objection, gave assurances that any live music would be acoustic in nature; advised that his clients own the building above the restaurant; and indicated that he did not anticipate any issues arising from this establishment.

In response to questions from members, Mr Macdonald clarified that the outside drinking area is to the front of the premises. He agreed to remove the area at the rear from the operating plan as it would not be used as an outside drinking area and would not be accessible to patrons.

Insp Harborow referred to the Police Scotland letter dated 21 February 2017. He explained that there can be a high level of pedestrian traffic in the area, with many people under the influence of alcohol potentially passing close to the outside drinking area. He added that there has been a lot of anti-social behaviour in the area but made it clear that this was in no way linked to the management of the restaurant. He asked the Board to give due consideration to an outside terminal hour of 20.00 hrs.

There were no comments from NHS Lothian.

Councillor McGinn stated that the operators are well respected; that this is a good application; but that he favoured a terminal hour of 20.00 hrs for the outside drinking area.

Mr Crolla commented that it was unfair to restrict the terminal hour, due to external influences, as this would restrict business progress. He suggested raising the height of the fence at the front of the premises to increase privacy, in what is already an enclosed area. In answer to questions from members, he stressed that smokers would not have access to the rear of the premises; and off sales of alcohol would only be permitted where food had been purchased.

Councillor Dugdale suggested that the terminal hour for the outside drinking area be set at 21.00 hrs; to be monitored by Police Scotland and the Licensing Standards Officer (LSO); that there is no customer access to the outside area at the rear of the premises; and that off sales of alcohol can only be made if food has been purchased. These suggestions were unanimously supported, and agreed, by Board members.

Decision

East Lothian Licensing Board agreed to grant the provisional premises licence subject to the following conditions:

- i. The terminal hour for the outside drinking are to be 21.00 hrs.
- ii. There is to be no customer access to the open courtyard at the rear of the building.
- iii. The off sale of alcohol will only be permitted with the sale of food.

3 MAJOR VARIATION OF PREMISES LICENCE

3a Rocketeer, 26 Victoria Road, North Berwick

The Clerk advised that the application seeks to change from a seasonal to all year round licence; vary the terminal core hour from 20.00 hrs to 22.00 hrs each night; and to record that the layout, which remains unchanged, will be enclosed in glass. She reported that public objections had been received although none of the objectors were present; the Council's Planning Department had reported that there is no planning permission to operate during the additional two hours; and that there are no objections from Police Scotland, the LSO or members of the public.

Mr S Stewart, operator/owner of The Rocketeer was present.

Mr Stewart provided background information and acknowledged the concerns raised by the objectors. He explained that he has previously opened later during "Fringe by the Sea" and there had been no issues. He informed members that he has now submitted an application to vary the planning consent to open for the extra two hours.

There were no comments from Police Scotland.

In response to questions from Board members, Mr Stewart advised that the glass is doubled glazed and will provide more sound-proofing than at present; there have been no complaints from residents since the premises opened; there is a slight increase in the internal capacity; there will no longer be an outdoor drinking area; off sales of alcohol will only be permitted with the purchase of food; recorded music should be included in the application; and confirmed that staff training and the management of customers leaving the premises have been discussed with the LSO.

Councillor Henderson stated that she was very comfortable with the application and was minded to grant the application. This view was echoed individually by Councillors Dugdale, Bruce and McGinn.

Decision

East Lothian Licensing Board agreed to grant the major variation to the premises licence.

3b The Clubhouse, Thurston Manor Leisure Park, Innerwick, Dunbar

The Clerk advised that the application seeks to amend off-sales from 7 pm to 11 am; allow bar meals outwith core hours; amend children's/young persons' access to permit access at all times in all public areas (ages 0 – 17 years); amend the combined internal and external capacity to 670; and amend the description to multi-purpose leisure facilities.

She reported that no objections had been received from the LSO, members of the public or the community council, but representations had been received from Police Scotland and NHS Lothian.

Niall Hassard, TLT Solicitors, was present to represent the applicant. Mr M Nicholas, General Manager of the holiday park, was also present.

Mr Hassard clarified that the capacity should read: 670 internally plus 90 externally, and apologised for the error. He summarised the variations that were being sought; provided detailed background information about the recent investment in the premises; and issued photographs of the refurbished facilities. He explained that there is also a licenced convenience store on the site and outlined the types of events that would take place in the hospitality centre. Mr Hassard highlighted that there is a strong desire to relax the access arrangements for children and young people, and stressed that this a family focused holiday park with strict internal rules.

Insp Harborow referred to the letter from Police Scotland dated 14 February 2018 and was satisfied with the clarification Mr Hassard provided about the delineation in the bar area in respect of children and young persons.

Ms Oldcorn, referred to the written representation from NHS Lothian, adding that it was not appropriate for children and young persons to have repeated, late-hours exposure to alcohol. She expressed concern that the later the hour, the greater is the likelihood that parents will be intoxicated; commenting that the representation is more concerned about children than young persons.

Members debated the application at length, with Councillor McGinn raising concern about the extent of the increase in the terminal hour, despite the premises being well-run.

Mr Nicholas stressed that there is zero tolerance towards anti-social behaviour and outlined the measures that are in place to deal with any such issues; confirmed that SIA approved door stewards are employed on the premises; explained the areas where children's entertainment takes place, along with the hours that this is provided; assured members that patrons cannot move between the public areas and the swimming pool; advised that the gaming machines are available from 9 am, and that children have access to the gaming arcade; and provided a breakdown of the numbers of owners, hire fleet and touring caravans that are on-site, with the vast majority being owners.

The Board adjourned in private to consider the application.

On reconvening, Councillor Dugdale thanked everyone for their contributions, which had been carefully considered. She reported that the Board unanimously agreed to grant the application subject to the undernoted conditions, in order to protect children from harm.

Decision

East Lothian Licensing Board agreed to grant the major variation to the premises licence subject to the following conditions:

- i. Children under the age of 16 years can enter licenced areas of the premises, up to a terminal hour of midnight
- ii. The off-sales of alcohol to be priced at an identical level to the on-sale alcohol prices

4. PERSONAL LICENCE Mei Mei Ni

Ms Mei Mei Ni was present.

The Clerk advised that objections had been received from Police Scotland that were not in the public domain. The applicant confirmed that she had seen the report from Police Scotland.

Insp Harborow advised the Board that there is a pending case in relation to the applicant and requested that the application be refused on the grounds of preventing crime and disorder. He stressed that there should be no conversation about the pending case as that could be prejudicial to proceedings, and advised that no court date had yet been set.

The applicant stated that she considered that situation to be unfair as the incident was three years ago and she is still waiting on an outcome.

In response to Councillor McGinn, Insp Harborow advised that in the past, the Board has refused to consider an application until the outcome of the court case is known. He added that he could not anticipate the timescale as to when the case would be heard in court.

Councillor McGinn indicated he felt uncomfortable making a decision today; Councillor Henderson was of the view that the Board should await the outcome of the court case, a view shared by Councillor Bruce; and Councillor Dugdale suggested that it was not possible to make a decision today.

The Board adjourned in private to consider the application.

On reconvening, Councillor Dugdale thanked everyone for their contributions, stating that this is a difficult situation for the applicant and for the Board. She advised, that in the circumstances, the Board would continue the application.

The Clerk informed members and the applicant that the application would be reviewed in six months' time. She requested that the applicant inform the Licensing Office staff if she becomes aware before then that the charges are not proceeding.

Decision

East Lothian Licensing Board agreed to continue the application for six months.

5. PREMISE LICENCE APPLICATION FEES – PROPOSED INCREASE

The Clerk presented a report, seeking approval from the Board, to increase the fees for applications for premises licences. She explained the background to the current fee levels; outlined the proposed new fees; and highlighted the need to cover all related administrative costs through fee income.

Ms Oldcorn, speaking as a member of East Lothian Licensing Forum (the Forum), noted that there is no change to the fee level for occasional alcohol licences. The Clerk informed members that the fee amount, of £10, is set by statute. Ms Oldcorn advised that the Forum had recently written to Scottish Government to continue their lobbying to have this fee level increased.

Decision

East Lothian Licensing Board agreed that, effective from 22 March 2018, the premises licence application fees should be set at the maximum amount specified in The Licensing (Fees) Scotland Regulations 2007 (553) ("the Regulations") as specified in section 3.3 of the report, rather than at 75% of that figure as is currently charged.

Signed

Councillor Fiona Dugdale
Convener of East Lothian Licensing Board

DRAFT

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Applicant

Date Received

Comments

1 ICELAND FOODS LIMITED
ICELAND FOODS PLC
NEWHAILES ROAD
NEWHAILES
MUSSELBURGH
EAST LOTHIAN

ICELAND FOODS LIMITED

18 February 2018

To increase off-sales area from 6.6m2 to 15.4m2. Vary licensing hours Monday -Sunday 10am to 8pm to 10am to 10pm. Sale of groceries and other non-food items(alcohol only within core hours) in and outwith core hours. Home delivery and ecommerce services and shall use the premises to launch new products, product sampling and food tasting events.

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

EL0123

2(b) Name and Address of Premises

Iceland Foods Limited
Newhailes Road
Newhailes
Musselburgh

Post Code EH21 6RE

Phone No.

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

Iceland Foods Limited
Second Avenue
Deeside Industrial Park
Deeside
Flintshire

Post Code CH5 2NW

Phone No. 01244 843699

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

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)

As part of a planned £550,000 refurbishment of the premises, the applicant is requesting an increase of 8.8m² in respect of the alcohol display capacity figure listed under Q7 of the Operating Plan. The applicant is also requesting a change to the opening hours and licensing hours as follows:

Opening Hours

Monday – Saturday 8am to 10pm
Sunday 8am – 6pm

Licensing Hours

Monday – Sunday 10am to 10pm

Also at Q5(f) add the following –

"Sale of groceries, including fresh and frozen foods and other non-food items to be provided both in and outwith the core licensing hours.

The sale of alcohol by retail for consumption off the premises is ancillary to the sale of groceries and other non-food items.

The above shall include deliveries made using our home delivery and ecommerce services, subject to compliance with sections 119 & 120 Licensing (Scotland) Act 2005

The premises will also on occasion be used to launch new products, have product sampling and food tasting events and host friends and family evenings"

On the above being incorporated on to the Premises Licence, Q4 in respect of seasonal variations shall be redundant and has therefore been deleted.

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.

In addition to the increase in alcohol capacity listed in question 3(b) the applicant is also moving the display area slightly so as to accommodate store furniture being installed during the refurbishment.

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 £ is enclosed.

Signature  (See note 5 below)

Date 14th February 2017
.....

Capacity: APPLICANT / ~~AGENT~~ (delete as appropriate)

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

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

FOR OFFICE USE ONLY		
<i>Received & 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.

Iceland Foods Limited
Newhailes Road
Newhailes
Musselburgh
EH21 6RE

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>YES</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>	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
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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>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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**If YES – provide details*

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
5(a) <i>Activity</i>	<i>Please confirm</i> 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
<i>Accommodation</i>	N/A	N/A	N/A
<i>Conference facilities</i>	N/A	N/A	N/A
<i>Restaurant facilities</i>	N/A	N/A	N/A
<i>Bar meals</i>	N/A	N/A	N/A
5(b) <i>Activity</i> <i>Social functions including:</i>	<i>Please confirm</i> 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
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	N/A	N/A	N/A
<i>Club or other group meetings etc.</i>	N/A	N/A	N/A
5(c) <i>Activity</i> <i>Entertainment including:</i>	<i>Please confirm</i> 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
<i>Recorded music – see 5(g)</i>	N/A	N/A	N/A
<i>Live performances – see 5(g)</i>	N/A	N/A	N/A
<i>Dance facilities</i>	N/A	N/A	N/A
<i>Theatre</i>	N/A	N/A	N/A
<i>Films</i>	N/A	N/A	N/A
<i>Gaming</i>	N/A	N/A	N/A
<i>Indoor/outdoor sports</i>	N/A	N/A	N/A

<i>Televised sport</i>	N/A	N/A	N/A
<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>	N/A	N/A	N/A
<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>	N/A	N/A	N/A

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

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.

Sale of groceries, including fresh and frozen foods and other non-food items to be provided both in and outwith the core licensing hours.

The sale of alcohol by retail for consumption off the premises is ancillary to the sale of groceries and other non-food items.

The above shall include deliveries made using our home delivery and ecommerce services, subject to compliance with section 120 Licensing (Scotland) Act 2005.

The premises will also on occasion be used to launch new products, have product sampling and food tasting events and host friends and family evenings.

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>N/A</i>
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>N/A</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>	<i>N/A</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*

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

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

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

[Empty response box for question 6(e)]

Question 7

CAPACITY OF PREMISES

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

15.4m2 Off Sales

Question 8

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

Personal details

8(a) Name

Andrew Gray

8(b) Date of birth

[Redacted response box for question 8(b)]

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 issuing</i>	<i>Reference no. of personal licence</i>
01/09/2009	City of Edinburgh Council	09/07473

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 *14th february 2018*

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

Telephone number and email address of signatory [REDACTED]
robert.hayes@iceland.co.uk

* 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.

**Statement of how the Licensing Objectives will be upheld by Iceland Foods Ltd,
Newhailes Road, Musselburgh, EH21 6RE (Ref: EL0123)**

Background to the applicant –

Iceland Foods Ltd is a unique British food retailer which launched with one shop in 1970 (in Shropshire). It now sits with over 900 stores throughout the UK – one store currently trading in East Lothian -

- Newhailes Road, Musselburgh, EH21 6RE (Ref: EL0123)

The East Lothian store and indeed the 70+ other stores in Scotland do not cause Boards or their officers any significant issues.

Iceland Musselburgh -

Iceland has had a presence in Musselburgh for 20 years trading in the traditional high street Iceland format. It has held a premises licence since 1 September 2009 and was licensed prior to that under the 1976 Act Iceland have earmarked the store for a significant investment (circa £550,000). This investment will see the store revamped both internally and externally.

Attached to this statement is a brochure of the recently completed refurbishment of a similar unit in Clapham.

The result will be a modern, bright, accessible and customer friendly store with a focus on quality. This will transcend all ranges and lines including alcohol. Whilst alcohol is very much ancillary to the overall offer there is a desire to incorporate premium wines and craft beers. In particular, (see page 6 of the brochure) the way wine is displayed requires an increase in shelving space.

Notwithstanding the requested increase, alcohol will continue to form a small part of the business. At 15.4m² this translates to approximately 5.7% of the retail display frontage and the remaining 94.3% remains other products

For a project of this type Iceland will usually employ in the region of 15 local workers across the different trades required. The refurbishment will underline Iceland's commitment to this store and safeguard the existing retail jobs. The store currently employs 20 staff on a mix of fulltime and part-time contracts.

Iceland is a celebrated employer retaining the Number 11 position in the list of the "30 Best Big Companies to Work for in the UK" (2017 Sunday Times Best Companies Awards). They have been ranked among the 30 Best Big Companies to Work For, for over 11 consecutive years topping the list in both 2012 & 2014.

Iceland is committed to responsible retailing. This was recently underlined by being the first major retailer to commit to eliminate plastic packaging for all its own-brand products by 2023.

Iceland have always been committed to providing safe, healthy and ethically sourced food and beverage for their customers. They led the way throughout the 1980's and 1990's to remove artificial colours and flavourings from their products.

Iceland are an official partner of the UK Government's Public Health Responsibility Deal and have committed to the required pledges including:

- Removing artificial trans-fats from foods
- Active promotion of fruit and vegetables

- Responsible advertising and marketing of alcohol
- Promoting physical activity guidelines

In terms of respecting local communities and the environment in which they operate, they aim to reduce energy consumption and waste throughout the supply chain, support local regeneration, create local jobs and support local and national good causes via the Iceland Foods Charitable Foundation.

Iceland also does a significant amount of charity work, which unlike its employment accolades, it is more reserved about publicising.

Following the introduction of the Scottish 5p carrier bag charge in October 2014, the six months by financial year end at March 2017 they had raised a total of £911,945 and this money has been donated to our children's charity partners (Children's Food Trust, National Youth Advocacy Service and When You Wish Upon a Star) as well as UCL Dementia Research.

Iceland has a presence in over 860 communities throughout the United Kingdom (71 in Scotland) and Iceland host an annual in store charity week, during which store colleagues are given the opportunity participate in fundraising activities, during working hours, all paid for by the company. Previous charities who have benefitted as a result include Help for Heroes, Alzheimer's Research UK, Royal British Legion and Dementia Research.

On top of the national charity work and annual charity days, the store teams are given the autonomy and flexibility to help support local causes. The process for this is quite straight forward, a store can put a proposal to the trustees of the Iceland Foods Charitable

Foundation and based on the case put forward it can be validated and the store can begin to fundraise or offer support some other support. Some recent examples of this in action include:

- sanction for a store to donation to the their local Christmas Lights appeal
- Allowing the local Girl Guides to pack bags in store ,in order to raise funds for their annual camping trip
- Donation of vouchers and prizes to local charities etc for raffles and the like, to aid a myriad of fundraising initiatives.

Iceland are a very diligent employer and an active company within local communities.

A statement regarding how each licensing objective will be upheld –

General

- 1 Iceland are accredited grade 1 trainers and have an accredited training centre for the provision of the SCPLH.
- 2 Iceland have detailed written policies kept under review by their in-house professionals. This supports the business on legal, security, HR, H&S and licensing. This is run out of their professional support division at their Headquarters in Deeside.
- 3 The company have a comprehensive training programme for all staff which goes beyond the mandatory 2 hours training required under the 2005 Act and includes six monthly refresher training in relation to the sale of alcohol and other age restricted products.
- 4 Iceland have multiple personal licence holders in each store to support the DPM (minimum of 3 per store).

Preventing crime and disorder

- 1 The premises are a supermarket selling a wide range of food and other goods. No alcohol is consumed on the premises. The premises will be carefully managed and any incidents of crime and disorder are extremely rare. All incidents are recorded in an incident book routinely checked by both the store manager and area manager and the incident records can be made available for inspection on request.
- 2 The premises operate a Challenge 25 policy.

- 3 Staff monitor the age of customers seeking to purchase alcohol and will challenge anyone who appears to be under the age of 25 to produce ID.
- 4 A refusal log is kept with staff required to update it with details of any challenges made relating to age restricted products.
- 5 Automatic EPOS till prompts alert staff to age restricted products and require them to consider the age of the purchaser and follow an on screen process to complete the sale.
- 6 The premises security needs will be assessed on an on-going basis and increased security, such as security guards, will be added as required.

Securing public safety

- 1 Procedures will be in place for evacuation and accident/incident reporting.
- 2 The premises will comply with appropriate regulations and have approved exit routes, signage, and emergency lighting.
- 3 There will be fire extinguishers in the premises and a fire risk assessment is carried out in terms of the relevant legislation.
- 4 The premises will have a new, comprehensive 14 camera, CCTV system installed with cameras covering the store, in particular, the alcohol display area and the tills.

Preventing public nuisance

- 1 Iceland does not open late and the normal operation of the premises does not give rise to public nuisance.

Protecting and improving public health

- 1 Material promoting responsible drinking is displayed.
- 2 Staff will be trained to refuse service of alcohol to anyone who appears intoxicated.
- 3 All relevant environment health regulations will be observed.

Protecting children and young persons from harm

- 1 Procedures for prevention of the sale of alcohol to persons under the age of 18 years will be in place (see above).
- 2 The company utilise till systems which issue a prompt at the till for the checkout operators to check the age of the purchaser and also the time of sale.

E-commerce

Iceland has over the years built a successful ecommerce business. They have robust safeguards and an exceptional track record.

- Home deliveries are via an online ordering system just like any other supermarket and payable by credit/ debit card at the time of order.
- Iceland have hundreds of licensed stores across the UK offering alcohol by home delivery via online shopping and this has been operated without any issues anywhere in the UK
- The alcohol is delivered by an Iceland van driver, not a third party, so they are 100% within Iceland's control. All Iceland van drivers are given the 2 hour staff training under the 2005 Act and this is refreshed every 6 months along with all other staff
- Iceland's terms and conditions capture the rules surrounding issues like age verification and Challenge 25
- No alcohol delivery is fulfilled unless the person opening the door can prove they are 18 or over and Iceland will only accept approved forms of ID specified by legislation (primarily passports or driver's licences). If the person looks under 25 and cannot produce ID, the whole order not just alcohol will be returned to the store before a re-delivery is attempted. If this fails, the customer can be refunded.
- Overall sales are alcohol, are relatively low thus home deliveries of alcohol are very low.
- There is no evidence of anyone using the Iceland website to just order alcohol. It is not a brand associated with alcohol and not attractive to persons seeking to buy alcohol to consume it irresponsibly. If you look in the terms and conditions, there is a minimum spend of £25 online so customers are largely unable to order a single bottle for example.
- The customer profile is typically people ordering a full weekly shop.

Lothian NHS Board

Public Health and Health Policy

Telephone: 0131 465 5460

www.nhslothian.scot.nhs.uk



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

Date 29 March 2018

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: Iceland Food Stores, Newhailes Road, Musselburgh, EH21 6RE

On behalf of NHS Lothian we would like to object to this application to increase the display capacity in this store on the basis of overprovision and protecting and improving public health.

We welcome the full nature of the application and the detail included in the accompanying paperwork. The increase in capacity is a substantial one in percentage terms (an increase of 8.8 square metres to a total of 15.4 square metres). We note that one reason for this is a different way of displaying wine. The Board may wish to understand to what extent this accounts for the whole increase.

The NHS is particularly concerned about the impact of off-sales, with over 70% of alcohol purchased from these outlets in Scotland. While the display is for premium wines and craft beers we would point out that the addition of premium or craft does not mean the products are incapable of abuse or the resultant harm.

We also note the request for deliveries and are confident that the Board will ensure that the regulations and procedures already in place are adhered to in this case.

This premises is situated in an area that has the highest density of outlets selling alcohol compared to both the local authority and Scottish averages (CReSH 2016). This area is therefore already well-provided for. The links between density of outlets selling alcohol and alcohol-related health harm are well-documented.



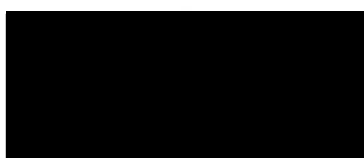
Headquarters
Waverley Gate
2-4 Waterloo Place
Edinburgh EH1 3EG

Chair Brian G. Houston
Chief Executive Tim Davison

Lothian NHS Board is the common name of Lothian Health Board

We therefore request that the Board considers this application very carefully in terms of overprovision and the impact on public health in East Lothian.

Yours sincerely



JIM SHERVAL FFPH
Consultant in Public Health



ELIZABETH OLDCORN
Senior Specialist in Health Promotion

Date 5th March 2018

Your Ref: EL0123

Our Ref: J/LIC/3705/HB



**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
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ICELAND FOODS LIMITED
OLIVEBANK RETAIL PARK, NEWHAILES ROAD, NEWHAILES,
MUSSELBURGH, EAST LOTHIAN, EH21 6RE.
ICELAND FOODS LIMITED**

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 an increase of 8.8m² in respect of the alcohol display, bring it up to 15.4m² (currently 6.6m²).

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

Having visited the store and examined the layout I would request the following conditions be considered under the 'preventing crime' licensing objective:

- CCTV covering the whole of the alcohol display area, at all times
- Use of security tags on all spirits
- Staff to report all alcohol theft to the Police

In terms of the refurbishment of the premises I would recommend that the checkout closest to the alcohol display area we turned around so that the operator

is facing the alcohol display area. As it stands, I am led to believe the checkout operator will have their back to the alcohol display area.

This representation is submitted for your attention in considering this application.

Yours faithfully



Iain Livingstone QPM
Deputy Chief Constable Designate

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: 02 Mar. 18

Subject: LICENSING SCOTLAND ACT 2005

PREMISES LICENCE APPLICATION (MAJOR VARIATION)

**Iceland Foods Limited, Newhailes Road, Newhailes, Musselburgh, East Lothian
EH21 6RE**

I refer to the above subject and can confirm that the premises have been visited in relation to application for a Premises Licence. I am satisfied that the Operating and Layout Plans are in accordance with the Licensing Board's policy and the Act.

In recent times, it is known that supermarkets in general have been the target of multiple unreported thefts of alcohol. I would therefore recommend the introduction of the following to prevent crime and disorder:

- That the CCTV camera shown in the alcohol display area be dedicated to the monitoring of that area. The camera currently located above the existing display area is ineffective, as it only actually monitors the aisle beyond the alcohol layout.
- All bottles of spirits should be security tagged.
- All thefts of alcohol should be notified to the police.
- To facilitate additional monitoring of the alcohol display area the nearby checkout operator should be seated facing the display, with a view to deterring/preventing theft of alcohol.

This report is submitted for the consideration of the Licensing Board.

R. Fruzynski
Licensing Standards Officer

Herkes, Gillian

From: Grant, Shona
Sent: 26 February 2018 15:18
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Major Variation Application - Iceland Food Stores, Newhailes Road, Musselburgh
Attachments: Musselburgh 375 - Statement of Licensing Objectives.pdf; Musselburgh 375 - Draft CCTV Locations (Refit).pdf; Musselburgh 375 - Alcohol Licensing Plan.pdf; Musselburgh 375 - Variation Application.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: 22 February 2018 16:21
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; Devine, Brian <Brian.Devine@firescotland.gov.uk>; Sherval, Jim <Jim.Sherval@nhslothian.scot.nhs.uk>; Oldcorn, Elizabeth <Elizabeth.Oldcorn@nhslothian.scot.nhs.uk>; [REDACTED]
Subject: Major Variation Application - Iceland Food Stores, Newhailes Road, Musselburgh

Dear all,

Please find attached major variation for Iceland Stores. Could I please have any objections/representations you may care to make by 30th March 2018.

Kind regards
Maree.

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

01620 827867
mwinter@eastlothian.gov.uk

Herkes, Gillian

From: Slight, Lynn
Sent: 23 February 2018 10:42
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Major Variation Application - Iceland Food Stores, Newhailes Road, Musselburgh
Attachments: Musselburgh 375 - Statement of Licensing Objectives.pdf; Musselburgh 375 - Draft CCTV Locations (Refit).pdf; Musselburgh 375 - Alcohol Licensing Plan.pdf; Musselburgh 375 - Variation Application.pdf

No objections to this application

Senior Environmental Health Officer
East Lothian Council
John Muir House
Haddington
EH41 3AH
01620 827374

From: Environmental Health/Trading Standards
Sent: 23 February 2018 10:04
To: Slight, Lynn <lsight@eastlothian.gov.uk>
Subject: FW: Major Variation Application - Iceland Food Stores, Newhailes Road, Musselburgh

From: Winter, Maree
Sent: 22 February 2018 16:21
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; Devine, Brian <Brian.Devine@firescotland.gov.uk>; Sherval, Jim <Jim.Sherval@nhslothian.scot.nhs.uk>; Oldcorn, Elizabeth <Elizabeth.Oldcorn@nhslothian.scot.nhs.uk>; [REDACTED]
Subject: Major Variation Application - Iceland Food Stores, Newhailes Road, Musselburgh

Dear all,

Please find attached major variation for Iceland Stores. Could I please have any objections/representations you may care to make by 30th March 2018.

Kind regards
Maree.

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

EAST LoTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery
Per: Neil Millar
To: Clerk to the Licensing Board
Per: Licensing Board
Cc:

Date: 15th March 2018

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Iceland Foods Limited, Newhailes Road, Musselburgh
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.

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Date Received

Comments

2 LOCKETT BROS
133 HIGH STREET
NORTH BERWICK
EAST LOTHIAN
EH39 4HB

CHRISTOPHER WILLIAM LOCKETT

16 February 2018

Change from offsales to on & off Sales. On-consumption to 20 persons, add children & young persons, include facility of clubs, group meetings, talks, formation & tastings of specialist gin/whisky & wine societies. Include live entertainment to allow for a solo music artist or duet at small local events i.e. Fringe by the Sea and the like.

EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

R
CW
RF
File
CC
CW R.
AMS

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)

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

(Provide Details)

Change from off-sales only to include on-consumption facilities with amendment to layout plan

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL062

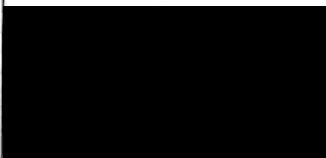
2(b) Name and Address of Premises

Lockett Bros
133 High Street
North Berwick
East Lothian

Post Code	EH39 4HB	Phone No.	01620890799
-----------	----------	-----------	-------------

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

Christopher William Lockett



Post Code		Phone No.	
-----------	--	-----------	--

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 from off-sales only to both on consumption and off-sales. Facilities.

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)

We would wish to change the licence from off-sales only to both on and off-sales.
 We would wish to show the capacity of persons occupying the on-consumption area as 20 persons.
 We would wish to now add in details of children and young persons access as highlighted in the operating plan.
 We would wish to include the facility of clubs, group meetings etc to facilitate talks, formation and tastings of specialist gin/whisky wine societies.
 We would wish to include live entertainment to allow for a solo music artist or duet at small local events such as Fringe by the Sea and the like.

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.

Our intention is to keep the layout the same but to provide some additional seating for customers to enjoy their experience of sampling and tasting.

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
- 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 3.11.18

Capacity: APPLICANT ~~/AGENT~~ (delete as appropriate)

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

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

FOR OFFICE USE ONLY		
<i>Received & 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.

Lockett Bros 133 High Street North Berwick East Lothian
--

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>	NO*
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO*
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES
<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	22.00
<i>Tuesday</i>	11.00	22.00
<i>Wednesday</i>	11.00	22.00
<i>Thursday</i>	11.00	22.00

<i>Friday</i>	11.00	22.00
<i>Saturday</i>	11.00	22.00
<i>Sunday</i>	11.00	22.00

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

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	NO
--	-----------

**If YES – provide details*

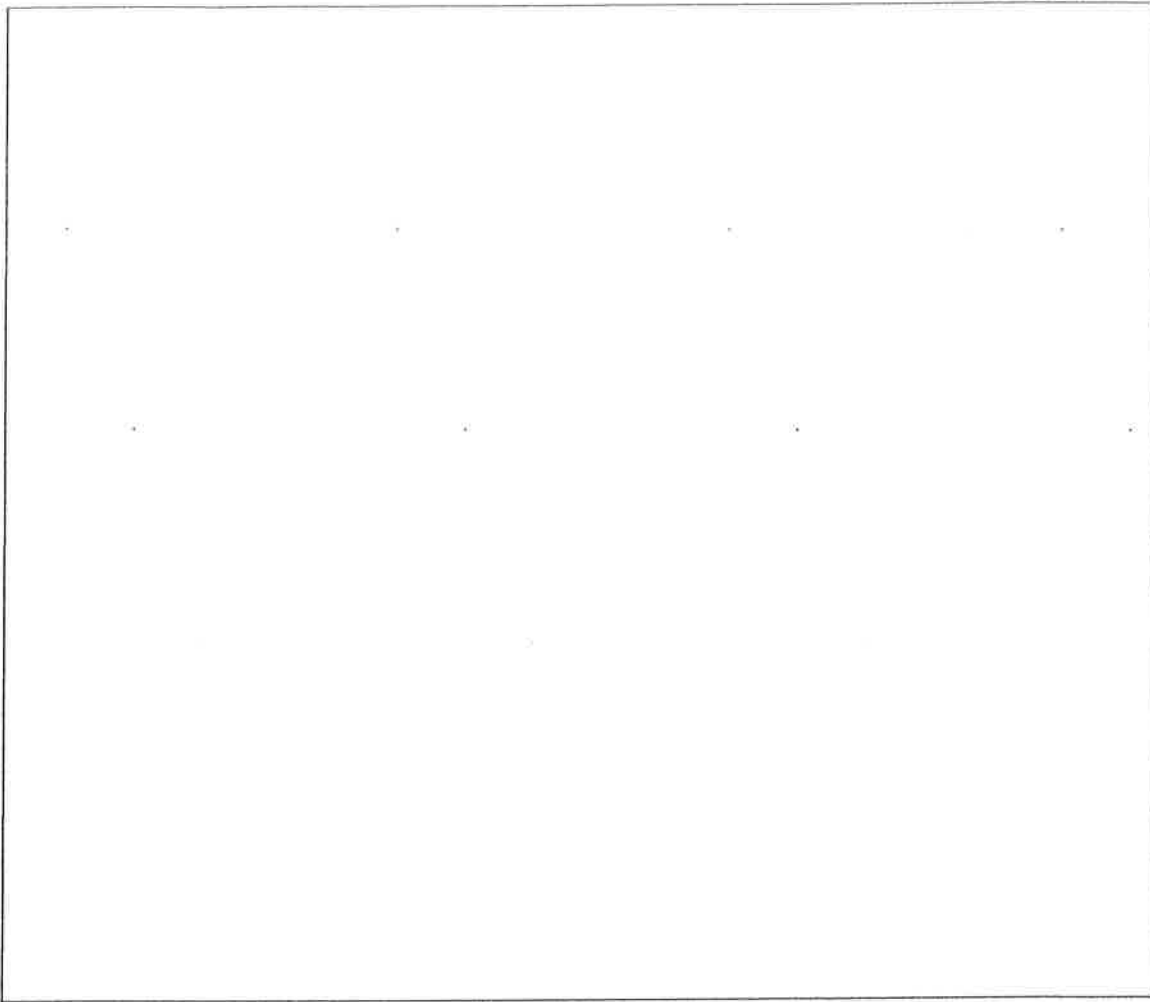
Question 5

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		
Restaurant facilities	NO		
Bar meals	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.	NO		
Club or other group meetings etc.	YES	YES	NO
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	NO
Live performances – see 5(g)	YES	YES	NO
Dance facilities	NO		
Theatre	NO		
Films	NO		

<i>Gaming</i>	NO		
<i>Indoor/outdoor sports</i>	NO		
<i>Televised sport</i>	NO		
5(d) <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</i> <i>facilities</i>	NO		
5(e) <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>	NO		

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



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.

The shop is predominantly an off-sales, but we would like to offer our customers tastings of our produce on payment.

We would also wish to sell tickets for talks on a variety of alcohol products.

It is likely that we will move towards and facilitate the formation of a local whisky society, wine club and the like.

On occasion we would wish to participate in local events, such as Fringe by the Sea, and host a solo music artist or duet to accompany our tasting events and group events.

Charity nights and promotional events.

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>	NO
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	NO
<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 will be permitted on the premises in the company of an adult.

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

Children age 5 – 15 years, and young persons will be permitted on the premises in the company of an adult.

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

Children will be allowed entry during normal off-trade hours in the company of an adult.

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 Consumption area – 20 persons

Off-sales display - 17.5m²

Question 8

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

Personal details

8(a) Name

Christopher William Lockett

8(b) Date of birth

[Redacted]

8(c) Contact address

133 High Street
North Berwick
EH39 4HB

8(d) Email address and telephone number

info@lockettbros.co.uk
01620 890799

8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
1 SEPTEMBER 2009	EAST LOTHIAN LICENSING BOARD	EL213

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)

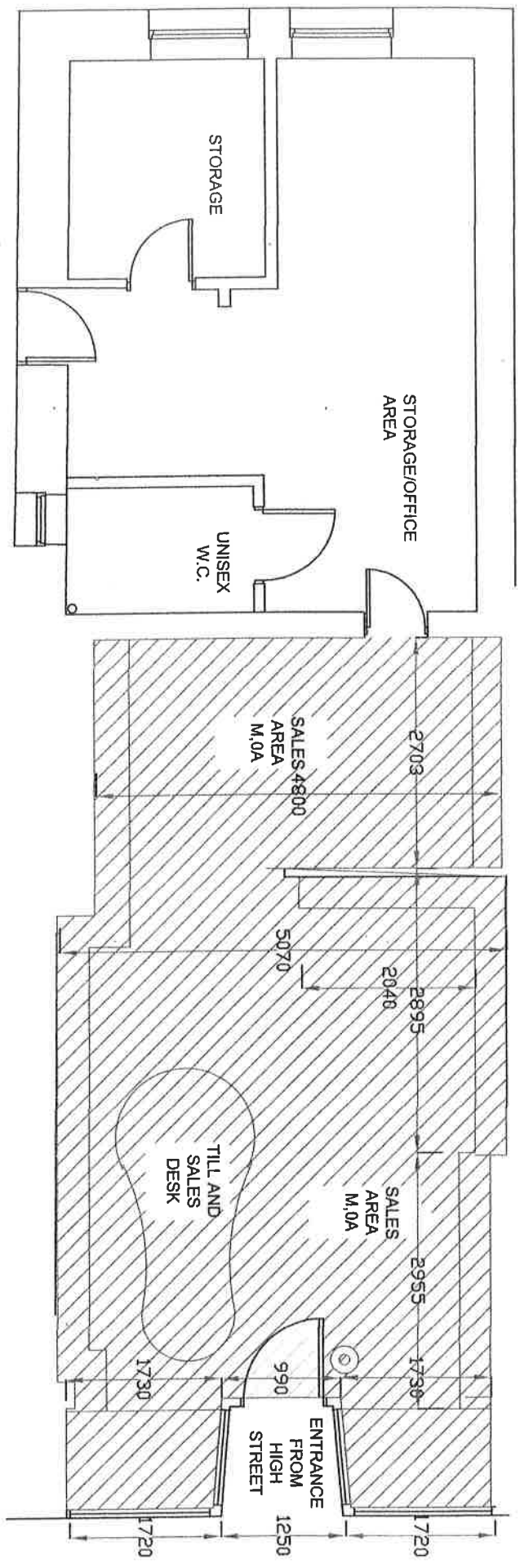
Date



Capacity APPLICANT/AGENT (delete as appropriate).

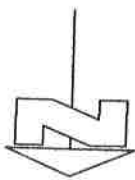
Telephone number and email address of signatory

*** 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.



xx	Alcohol display dimensions. Max display height 2.42m. Maximum display widths as marked on plans
M	Recorded music
OA	Wine tasting, charity nights and promotional events
	Fire extinguisher
	Alcohol display area



PROJECT
 LOCKETT BROTHERS
 WINE AND WHISKEY SPECIALIST,
 133 HIGH STREET
 NORTH BERWICK
 EH39 4HB
DRAWING TITLE
 GROUND FLOOR LAYOUT

DATE 19/001 **SCALE** 1:500@A3 **DRAWN BY** KT
 Drafted: JAN '18 Project No. 001 Date No. B

NB: Children and young people have access to all public areas.

Overprovision Statement from Lockett Bros

Lockett Bros have had a presence on North Berwick High Street since 2004 and are well established as one of East Lothian's and Scotland's top wine and whisky specialists. We've seen growth year on year as peoples interests in quality Wine/Whisky/Gin etc continues to see a rapid increase. We've always offered tastings as part of the service to allow customers the opportunity to try before they buy but recently we've been thinking about how we could utilise the shop (which we use for this purpose) more effectively and provide another valuable service which many of our customers will undoubtedly appreciate and enjoy.

The intention is to allow around 20 people the opportunity to enjoy and experience the consumption of wine and whisky in an area that we feel is a unique atmospheric part of the shop. The main thing that would differentiate us from all of the other on premise establishments would be that it will be a strictly limited space and allow people to taste a number of products that they would never have the opportunity to do. Due to the limited availability of space, our intention is to provide a facility for customers to book hour long slots in order to allow greater control and a more manageable level. We will always remain first and foremost a specialist retailer but we feel the time is right to take the business to a slightly different level with allowing customers to relax somewhere really bespoke, enjoy some high-end and specialist products and give the customer a great experience and an education that they wouldn't ordinarily get.

With keeping it to a controlled level, this will allow little impact on our priority which is as a retailer. As we are hoping to allow for on premise consumption it is important to highlight that the emphasis is about a tasting experience and would not see the premises transform into a pub style scenario which would attract disturbance and disorder and there would definitely be no drunkenness. Similarly with public nuisance and noise, we simply don't see this as an issue with what we're offering. Rubbish will be put out as usual during daytime hours and bottles will be boxed and recycled at the local depot.

It is also worth pointing out that the current nature of our business is about quality produce and advising people who are eager to learn and consume wine/whisky etc in a way that it is meant to be consumed, to a controlled level and perhaps even contribute to a reduction in the problem our country has with overconsumption. This could knock on to educating children and the younger generation (who will be allowed on the premises) to the values of seeing parents and adults consuming alcohol respectfully and responsibly.

Kind regards

Chris Lockett

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

Date 16 March 2018

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

MAJOR VARIATION APPLICATION: LOCKETT BROS

On behalf of NHS Lothian we would like to make a representation regarding this application.

We note this is an off licence that now wishes to enable people to purchase and consume alcohol on the premises in certain limited circumstances. We are unclear exactly how that might work with events and how the hour long booking system would work with taking part in such things as Fringe by the Sea.

Since the intention is not to create a pub style environment we respectfully suggest that the license specifically mentions the parameters for on-sales including the facility for club and group meetings, talks, charity, promotional and live entertainment events, and the booking system for time-limited slots with a maximum capacity for tasting experiences.

We are also interested in the arguments about children's access. Currently as an off license customers will no doubt come in with children to purchase products. However, we are not convinced of the educational value of witnessing adults consuming high strength alcohol, even in moderation at a tasting event. This is different to the consumption say in a restaurant, where it is ancillary to eating a meal.

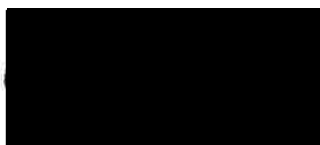
While it is a reasonable hypothesis that "seeing parents and adults consuming alcohol respectfully and responsibly" could have some kind of educational effect on children, it is not the only possible one and it is difficult to predict how, for example, a five year old will interpret this behaviour. We do not feel that it is appropriate for children to accompany adults to an event that is specifically focused on the consumption of alcohol. Another way of casting this is whether it is right to introduce children to recreational substance use? We would urge the Board to consider a more restricted children's access policy to the on-sales aspect of this license.

The Health Board is therefore making these representations on the grounds of upholding the licensing principles of protecting and improving public health and protecting children and young persons from harm.

Yours sincerely



JIM SHERVAL FFPH
Consultant in Public Health



ELIZABETH OLDCORN
Senior Specialist in Health Promotion

Date 26th February 2018

Your Ref: EL062

Our Ref: J/LIC/3705/HB



**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,

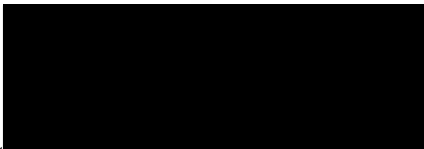
**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
LOCKETT BROS, 133 HIGH STREET, NORTH BERWICK, EAST LOTHIAN,
EH39 4HB.
CHRISTOPHER LOCKETT**

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 a change to the operating plan to facilitate 'on sales' and the terms at which children and young persons will have access.

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

Yours faithfully



Iain Livingstone QPM
Deputy Chief Constable Designate

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: 01 Mar. 18

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

Lockett Bros, 133 High Street, North Berwick, East Lothian EH39 4HB

I am satisfied that the revised Layout and Operating Plans are in accordance with the Licensing Board's policy, and the Act, and, therefore, have no objections to the granting of this application.

R. Fruzynski
Licensing Standards Officer

Winter, Maree

From: Kathryn Smith [REDACTED]
Sent: 07 March 2018 12:08
To: Winter, Maree
Subject: RE: Lockett Bros - Major variation application

Maree

This major variation application was discussed at last night's community council meeting.

We are happy to support the application.

Kathryn

Kathryn E Smith
Secretary, NBCC

From: Winter, Maree [mailto:mwinter@eastlothian.gov.uk]
Sent: 19 February 2018 14:07
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Grant, Shona; Sherval, Jim; Oldcorn, Elizabeth; Kathryn Smith; Devine, Brian
Subject: Lockett Bros - Major variation application

Dear all,

Please find attached major variation application from Lockett Bros to make changes to their operating plan and layout plan.

Could you please make any objections/representations by Friday 16th March 2018.

Kind regards
Maree.

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

01620 827867
mwinter@eastlothian.gov.uk

Herkes, Gillian

From: Gunning, Laura
Sent: 08 March 2018 09:15
To: Winter, Maree; Licensing
Cc: Environmental Health/Trading Standards
Subject: RE: Lockett Bros - Major variation application

Good morning,

I have no adverse comments to make on behalf of Environmental Health.

Kind regards,

Laura Gunning
Senior Environmental Health Officer

From: Winter, Maree
Sent: 19 February 2018 14:07
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>; Grant, Shona <sgrant@eastlothian.gov.uk>; Sherval, Jim <Jim.Sherval@nhslothian.scot.nhs.uk>; Oldcorn, Elizabeth <Elizabeth.Oldcorn@nhslothian.scot.nhs.uk>; Kathryn Smith [REDACTED]; Devine, Brian <Brian.Devine@firescotland.gov.uk>
Subject: Lockett Bros - Major variation application

Dear all,

Please find attached major variation application from Lockett Bros to make changes to their operating plan and layout plan.

Could you please make any objections/representations by Friday 16th March 2018.

Kind regards
Maree.

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

01620 827867
mwinter@eastlothian.gov.uk

Herkes, Gillian

From: Grant, Shona
Sent: 26 February 2018 15:14
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Lockett Bros - Major variation application
Attachments: Lockett Bros - Major Variation application and layout plan.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: 19 February 2018 14:07
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>; Grant, Shona <sgrant@eastlothian.gov.uk>; Sherval, Jim <Jim.Sherval@nhslothian.scot.nhs.uk>; Oldcorn, Elizabeth <Elizabeth.Oldcorn@nhslothian.scot.nhs.uk>; Kathryn Smith <[REDACTED]>; Devine, Brian <Brian.Devine@firescotland.gov.uk>
Subject: Lockett Bros - Major variation application

Dear all,

Please find attached major variation application from Lockett Bros to make changes to their operating plan and layout plan.

Could you please make any objections/representations by Friday 16th March 2018.

Kind regards
Maree.

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

01620 827867
mwinter@eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery

To: Clerk to the Licensing Board

Per: Neil Millar

Per: Licensing Board

Cc:

Date: 21st February 2018

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: The Lockett Bros, 133 High Street, North Berwick

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.

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

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>
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



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

From: McQueen, Stephanie
Sent: 12 April 2018 09:18
To: Winter, Maree <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

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

BROXMOUTh HOUSE,
BROXMOUTh 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	
<ul style="list-style-type: none"> 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

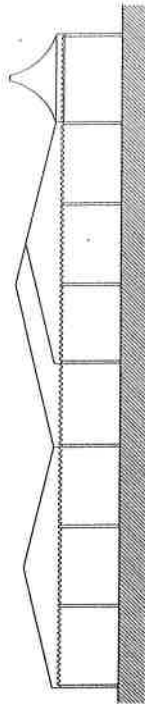
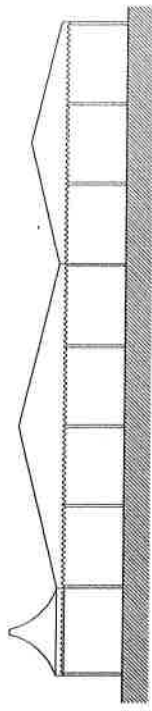
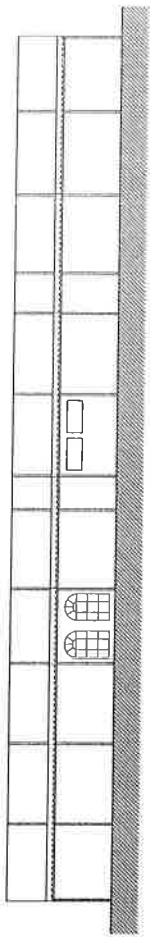
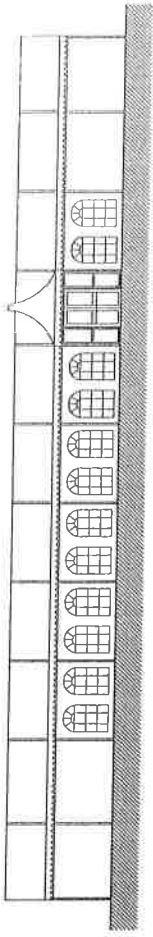
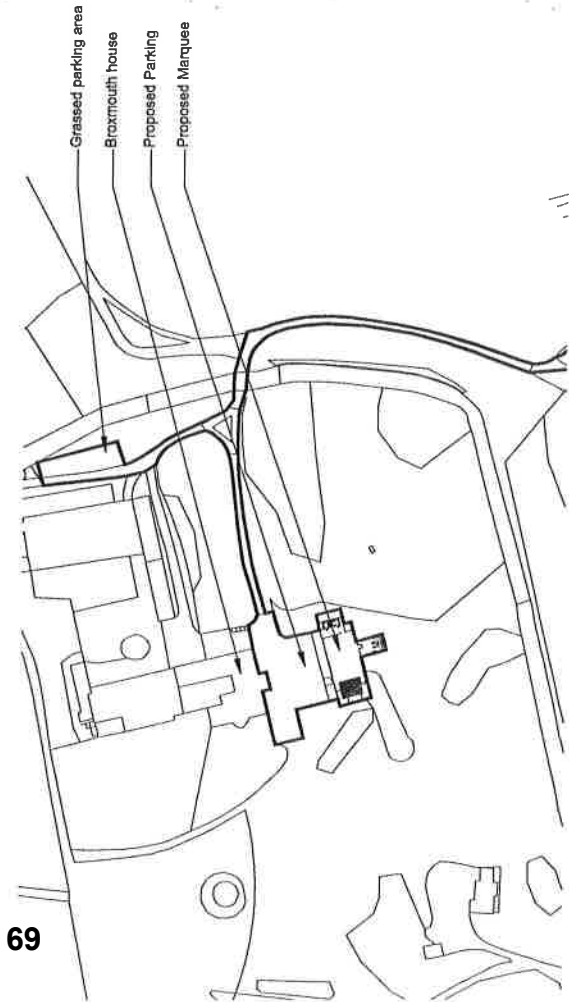
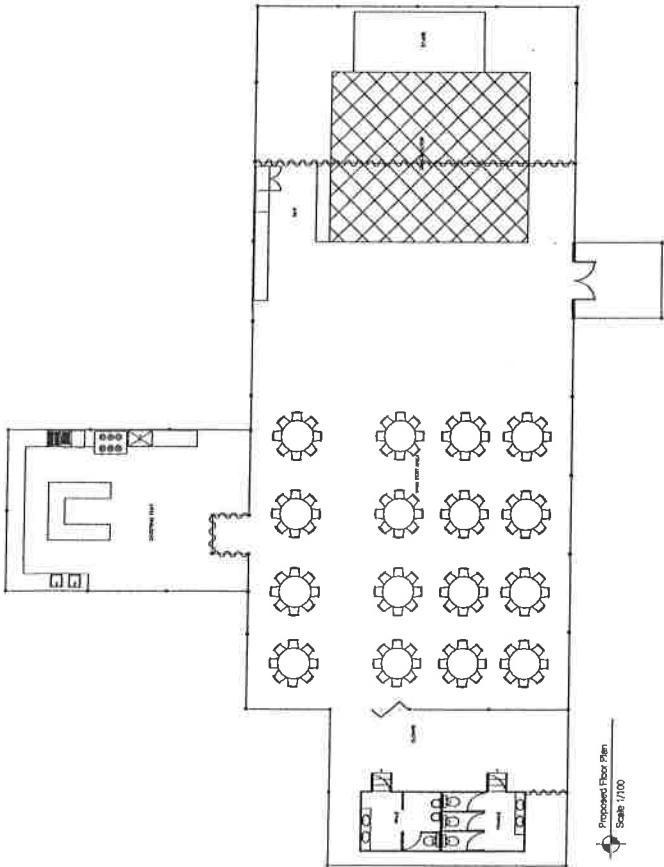
is eligible to apply for an occasional licence

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	by	rev	date	by	rev	date	by

THIS DRAWING WAS PREPARED TO OBTAIN BUILDING CONTROL AND/OR PLANNING PERMISSION AND CAN ONLY BE USED AS A WORKING DRAWING WITH PERMISSION FROM FORMAT BUILDING DESIGN. THIS OFFICE'S LIABILITY ENDS UPON THE RECEIPT OF A DECISION FROM BUILDING CONTROL AND/OR THE PLANNING DEPARTMENT.

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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: Broxmouth Park, Dunbar.
 Client: Simon Flame
 Status: Planning
 Drawn: MJ
 Date: 13.01.18
 Drawing No: 11
 Forming No: 10.12.13.01

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

◆ EDINBURGH ◆

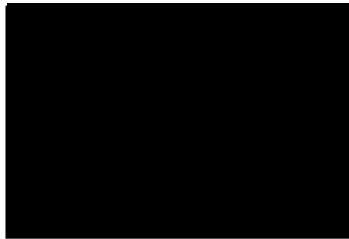
LICENSING BOARD

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 <broxmouth@googlemail.com>

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

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 www.formatbuildingdesign.com

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

From: McQueen, Stephanie <smcqueen@eastlothian.gov.uk>

To: formatdesign <formatdesign@aol.com>

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 Visit our website at 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 28th 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: BROXMOOUTH ESTATE, BROXMOOUTH 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'.

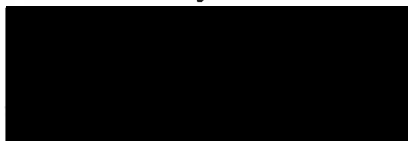
Decision: The Board agreed to grant the occasional licence.

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

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

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 28th 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>
Subject: Attached Image

Herkes, Gillian

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 | Visit our website at www.eastlothian.gov.uk

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

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

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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>
Subject: Attached Image

Herkes, Gillian

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

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 |
www.eastlothian.gov.uk

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Sent: 27 March 2018 11:31
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; [Fruzynski, Rudi <fruzynski@eastlothian.gov.uk>](mailto:fruzynski@eastlothian.gov.uk);
Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>
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Sent: 27 March 2018 11:25
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

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

4 BROXMOUTH HOUSE
BROXMOUTH PARK
DUNBAR
EAST LOTHIAN
EH42 1QW

JOEL GHODKE

27 March 2018

Start date of event:
04/05/2018

End Date of Event: 06/05/2018
Wedding Reception For

100 Day Guests And 20 Evening
Guests (booked December 2016)
Application Made For
Occasional Licence As Unable
To Progress Full Licence Until
Planning For Marquee Is

Received - See Attached Email
Children and young persons are
permitted during the following
times: At all times.

OCC145/18
Adv 29/3

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

E.L.C.
Customer Services
26 MAR 2018
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	GHODKE		
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 STATELY HOME.

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

WEDDING RECEPTION FOR [REDACTED]

100 DAY GUESTS + 20 EVENING GUESTS.
(BOOKED) DECEMBER 2016).

APPLICATION MADE FOR OCCASIONAL LICENSE AS UNABLE TO PROGRESS FULL LICENSE UNTIL PLANNING FOR MARQUEE RECEIVING - SEE ATTACHED EMAIL.

Full postal address of premises which this application refers to

PROXMOU TH HOUSE
PROXMOU PARC
DUNBAR

EH42 1QW.

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

From: FRIDAY 4TH MAY. 7PM TO 12 PM
To: SATURDAY 5TH MAY 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

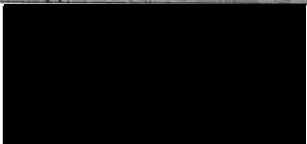
N/A

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 YRS	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	
<ul style="list-style-type: none"> 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>)

◆ EDINBURGH ◆

LICENSING BOARD

PERSONAL LICENCE

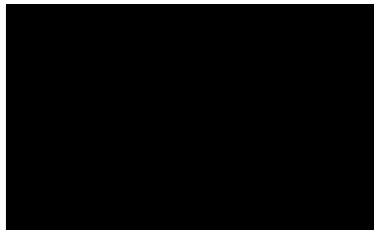
The holder of this licence is qualified and permitted to sell alcohol under the terms of the Licensing (Scotland) Act 2005.

Licence Number

365040

Name and address of licence holder

Mr Joel Ghodke



Name of issuing Licensing Board

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

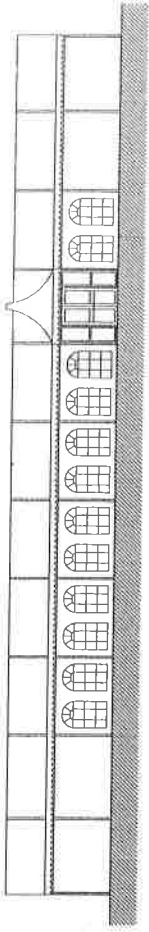
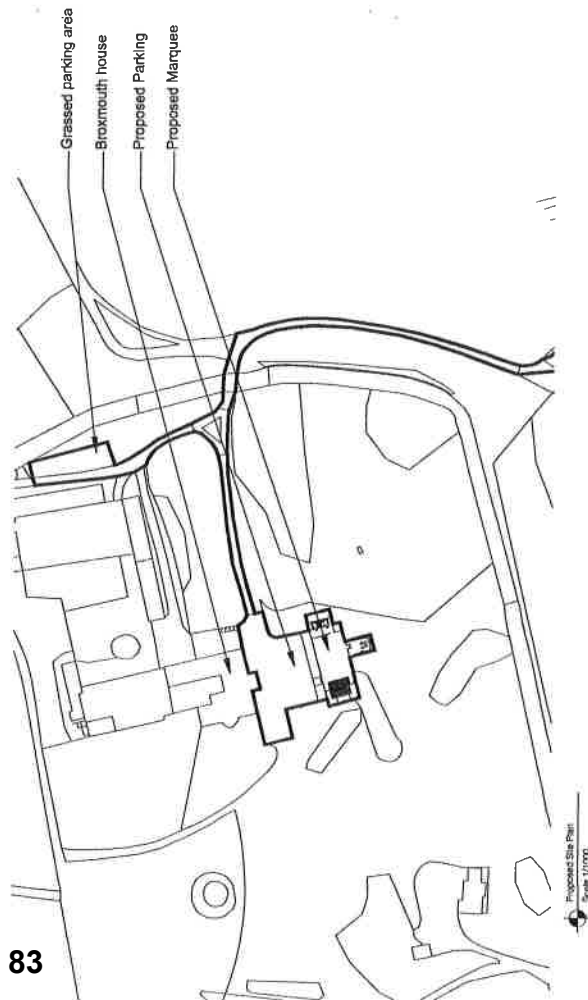
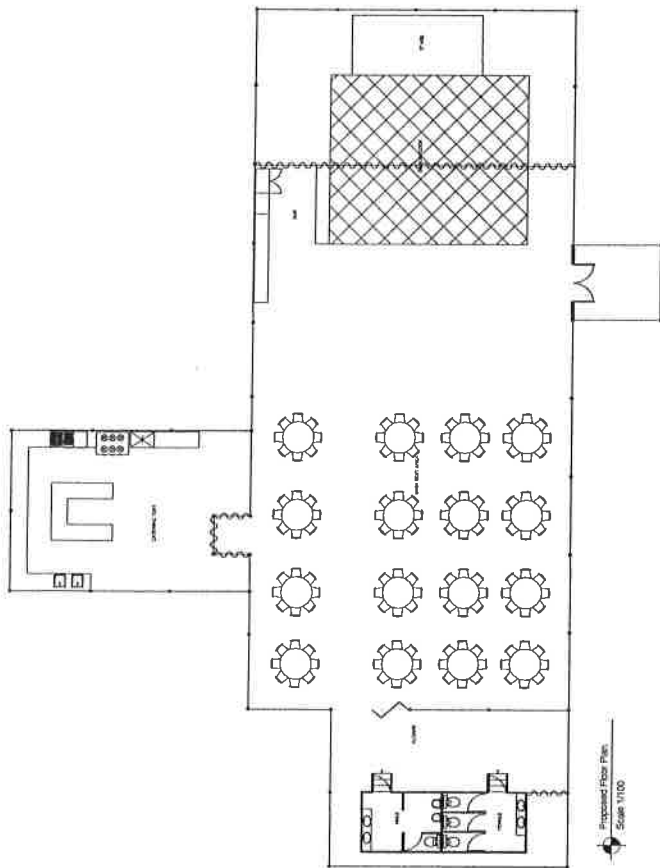
Licensing Board logo



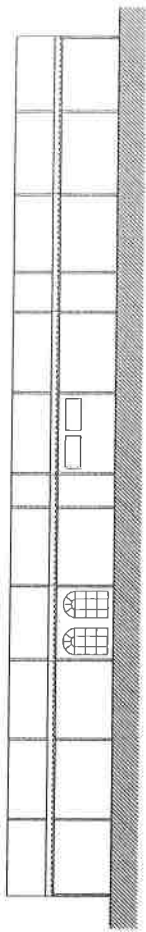
Expiry date

13 August 2027

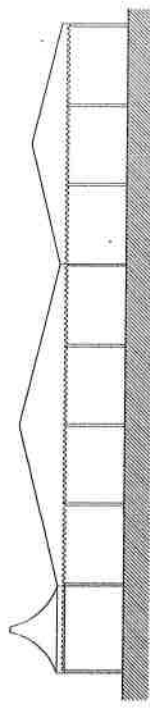




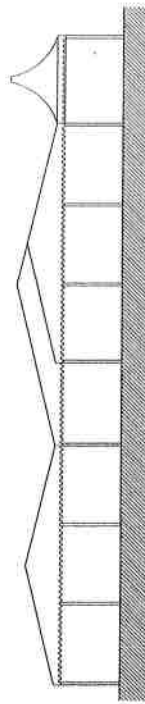
Proposed Front Elevation
Scale 1/100



Proposed Rear Elevation
Scale 1/100



Proposed Side Elevation
Scale 1/100



Proposed Side Elevation
Scale 1/100

rev	date	details	by	rev	date	details	by

<p>SERVICES OFFERED: MEASURED SURVEYS PLANNING CONSULTANTS MOBILITY STUDIES NEW BUILDS PLANNING APPLICATIONS LISTED BUILDING APPLICATIONS BUILDING WARRANT APPLICATIONS WORKING DRAWINGS DEED PLANS</p>	<p>drawing title: Proposed Plans, Elevations & Site Plan job title: Brookmouth Park, Dunbar. client: Simon Flame date: 13.01.16 scale: A1 drawing no: 10721 03 01 date: 13.01.16 name: MJ</p>
---	--

THIS DRAWING WAS PREPARED TO OBTAIN BUILDING CONTROL AND/OR PLANNING PERMISSION AND CAN ONLY BE USED AS A WORKING DRAWING WITH PERMISSION FROM FORMAT DESIGN.
 THIS OFFICE'S LIABILITY ENDS UPON THE RECEIPT OF A DECISION FROM BUILDING CONTROL AND/OR THE PLANNING DEPARTMENT.
 THIS DRAWING IS NOT TO BE REPRODUCED WITHOUT PERMISSION.
 CONTRACTOR NOT TO DEVIATE FROM THE APPROVED DRAWING WITHOUT INFORMING FORMAT DESIGN.
 ALL SIZES AND DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR AND MANUFACTURER.

format design
 FADADS Limited
 Holyrood Business Park 145 Duddingston Road West Edinburgh EH16 4AP

TEL: 0131 6617566
 FAX: 0131 6539003
 Email: info@formatdesign.com
 Web: www.formatdesign.com



Simon Flame <broxmouth@googlemail.com>

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

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 www.formatbuildingdesign.com

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

From: McQueen, Stephanie <smcqueen@eastlothian.gov.uk>

To: formatdesign <formatdesign@aol.com>

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 your 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 Visit our website at 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**84**

Date 28th 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]
[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 redaction box covering the signature of Iain Livingstone QPM.

Iain Livingstone QPM
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

From: Fruzynski, Rudi
Sent: 05 April 2018 09:22
To: Herkes, Gillian; Licensing
Subject: RE: Attached Image OCC145/18

This is a case with the Licensing Board. I have no comment on the matter.

Rudi Fruzynski
Licensing Standards Officer
Accredited Paralegal
East Lothian Council



01620827363

From: Herkes, Gillian
Sent: 27 March 2018 11:41
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 OCC145/18

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Subject: Attached Image

Herkes, Gillian

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Cc: Environmental Health/Trading Standards
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Attachments: LILAC_QXM04806_3872_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

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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

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Herkes, Gillian

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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 |
www.eastlothian.gov.uk

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Sent: 27 March 2018 11:40
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

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

5 BROXMOUTH HOUSE
BROXMOUTH PARK
DUNBAR
EAST LOTHIAN
EH42 1QW

JOEL GHODKE

27 March 2018

Start date of event:
12/05/2018
End Date of Event: 13/05/2018
Wedding Reception - 70 Guests
During The Day And 25 Evening
Guests (booked May 2017).
Application Made For
Occasional Licence As Unable
To Progress Full Licence Until
Planning For Marquee Has Been
Received - See Attached Email
Children and young persons are
permitted during the following
times: At all times.

OCC 146/18
ADU 29/3

EAST LOTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

E.L.C.
Customer Services

26 MAR 2018

RECEIVED

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

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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	GHODICE
Forenames	JOEL
DATE OF BIRTH	DATE [REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED ADDRESS]	
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)	
manaju@bayswell.com	

3. THE PREMISES

Description of premises

FULLY EQUIPPED MARQUEE IN GROUNDS OF STATELY HOME

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

WEDDING RECEPTION FOR [REDACTED]

70 GUESTS + 25 ADDITIONAL EVENING GUESTS (BOOKED MAY 2017).

APPLICATION MADE FOR OCCASIONAL LICENSE AS UNABLE TO PROGRESS FULL LICENSE UNTIL PLANNING FOR MARQUEE HAS BEEN RECEIVED.
-SEE ATTACHED EMAIL

Full postal address of premises which this application refers to

GROYNOWSE HSE
GROYNOWSE LAEG
DUMBAR EH22 1DW

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

From:

To:

SATURDAY 12TH MAY 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

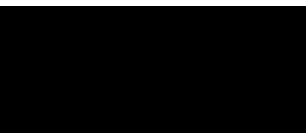
N/A

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N/A

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This section must be completed where alcohol is for sale for consumption on the premises	
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Ages of children or young persons permitted entry 0 - 17 YRS	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	
<ul style="list-style-type: none"> 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

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

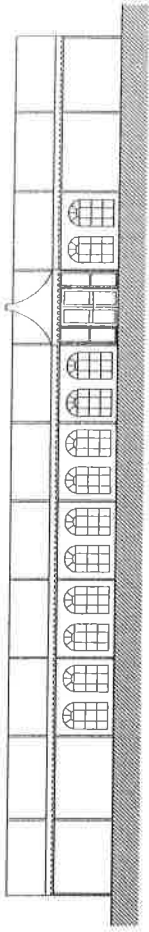
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2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

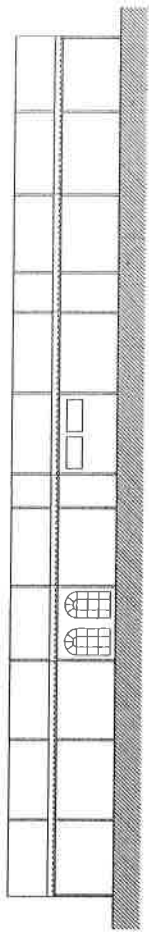
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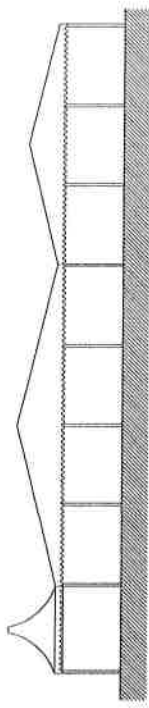
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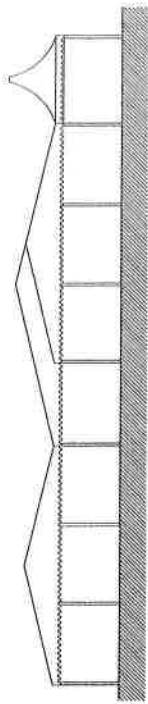
Proposed Front Elevation
Scale 1/100



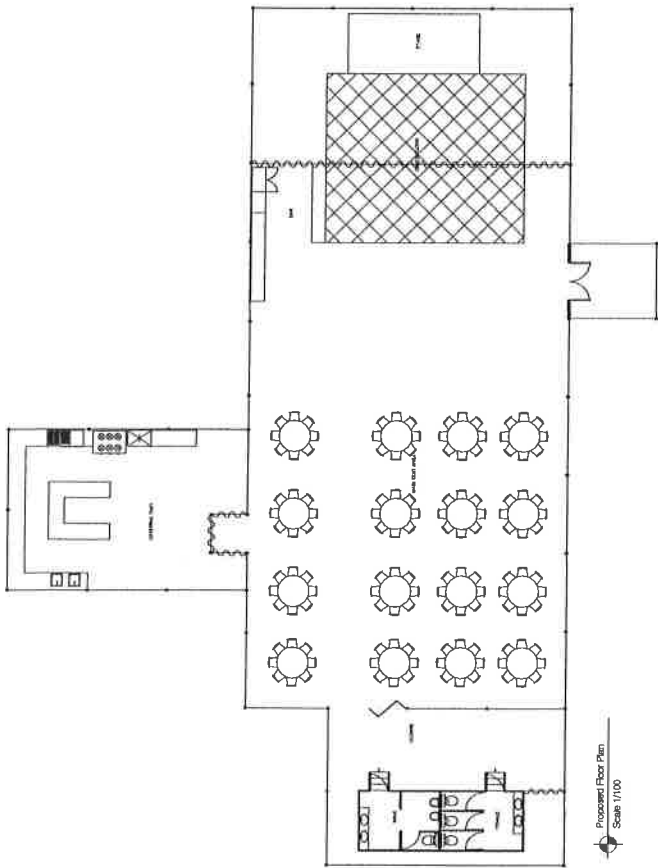
Proposed Rear Elevation
Scale 1/100



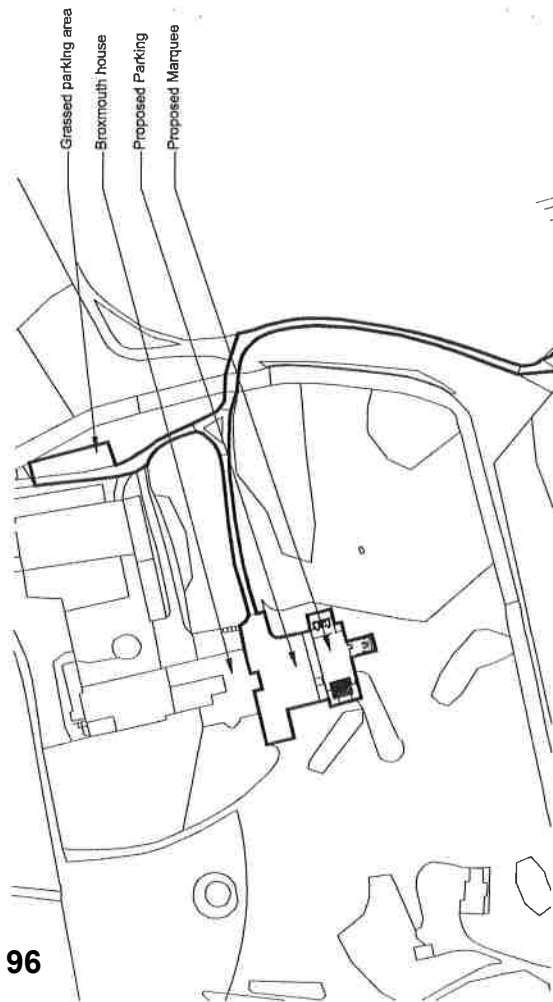
Proposed Side Elevation
Scale 1/100



Proposed Side Elevation
Scale 1/100



Proposed Floor Plan
Scale 1/100



Proposed Site Plan
Scale 1/1000

rev	date	details	by	date	details	by

<p>SERVICES OFFERED: MEASURED SURVEYS PLANNING CONSULTANTS FEASIBILITY STUDIES NEW BUILDS PLANNING APPLICATIONS LISTED BUILDING APPLICATIONS BUILDING WARRANT APPLICATIONS ARCHITECTURAL DRAWINGS DEED PLANS</p>	<p>drawing title: Proposed Plans, Elevations & Site plan job title: Broxmouth Park, Dunbar. client: Shop Flairs status: Planning scale: @A1 drawing no: 10/21/03 01 date: 13.01.18 drawn: MJ</p>
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•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

Mr Joel Ghodke



Name of issuing Licensing Board

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

Licensing Board logo



Expiry date

13 August 2027





Simon Flame <broxmouth@googlemail.com>

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

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 www.formatbuildingdesign.com

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

From: McQueen, Stephanie <smcqueen@eastlothian.gov.uk>

To: formatdesign <formatdesign@aol.com>

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 your 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 Visit our website at 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**98**

Date 28th 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'.

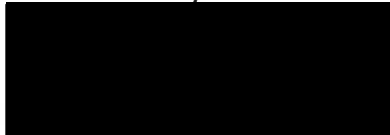
Decision: The Board agreed to grant the occasional licence.

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



Iain Livingstone QPM
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

Herkes, Gillian

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

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 <ehs@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 28th 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>
Subject: Attached Image

Herkes, Gillian

From: Grant, Shona
Sent: 28 March 2018 11:46
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Attached Image OCC146/18
Attachments: LILAC_QXM04806_3874_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 | Visit our website at www.eastlothian.gov.uk

From: Herkes, Gillian
Sent: 27 March 2018 11:59
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi <rfuzynski@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>
Subject: FW: Attached Image OCC146/18

Hi

Please find attached occasional licence for wedding at Broxmouth on 12th May 2018 for report.

Gillian

From: "Herkes, Gillian" [<mailto:gherkes@eastlothian.gov.uk>]
Sent: 27 March 2018 11:49
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

Herkes, Gillian

From: Johnson, Darren
Sent: 27 March 2018 12:31
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Attached Image OCC146/18
Attachments: LILAC_QXM04806_3874_001.pdf

No objections, standard conditions,

Darren

From: Baikie, Karen **On Behalf Of** Environmental Health/Trading Standards
Sent: 27 March 2018 12:26
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: Attached Image OCC146/18

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
www.eastlothian.gov.uk

From: Herkes, Gillian
Sent: 27 March 2018 11:59
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>
Subject: FW: Attached Image OCC146/18

Hi

Please find attached occasional licence for wedding at Broxmouth on 12th May 2018 for report.

Gillian

From: "Herkes, Gillian" [<mailto:gherkes@eastlothian.gov.uk>]
Sent: 27 March 2018 11:49
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image



The Scottish Parliament
Pàrlamaid na h-Alba

Local Government and Communities Committee **4**
T3.60

By email only

The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 6244

Calls via RNID Tynetalk: 18001 0131 348 6244

Email: localgovernmentandcommunities@parliament.scot

6 April 2018

Dear Chief Executive,

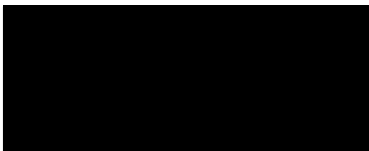
At its meeting on 28 March 2018, the Local Government and Communities Committee agreed to hold a one-off roundtable evidence session on Alcohol Licensing in Scotland. This session will focus on the ability of communities to engage with and influence alcohol licensing decisions in their areas and will take place on Wednesday 23 May 2018.

The Committee has invited a range of stakeholders to participate in the round table including representatives from two Licensing Boards and Local Licensing Forums from different parts of Scotland. The main themes of the roundtable will be:

- the transparency, accountability and public participation in the decision making processes for the licensing system,
- how LLFs operate across Scotland, and
- how appropriate levels of licensed premises in local areas are determined.

We are keen that Licensing Boards and Local Licensing Forums have an opportunity to submit any comments on the above themes should they wish to and I would therefore be grateful if you could forward this letter to your Licensing Boards and Licensing Forums for their consideration. Any comments should be provided to the Committee by **Thursday 10 May 2018**. I have set out in an Annexe to this letter information on how any written views received will be treated. If you have any queries or wish to discuss this further then please do not hesitate to contact Graeme Donoghue, the Assistant Clerk to the Committee.

Kind regards,



Bob Doris

Convener to the Local Government and Communities Committee

Written Evidence

The Committee would welcome written views from you to the Committee ahead of the session. Any submission should be sent to the Committee clerking team (in MS Word format) to LocalGovernmentandCommunities@parliament.scot by **close of business on Wednesday 10 May**. Please let me know as soon as possible if it will cause you any difficulties.

All submissions to the Parliament are published in line with its policy on the treatment of written evidence. A link to the policy is attached below – please let us know whether you are content for any submission to be published in line with this policy.

[Policy on treatment of written evidence by subject and mandatory committees](#)