

EAST LOTHIAN

Meeting 22 March 2018 at 10:00am in Council Chambers, Town House, Haddington, East Lothian

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
2 ROCKETEER RESTAURANT (FORMERLY COASTGUARD STATION) 26 VICTORIA ROAD NORTH BERWICK EAST LOTHIAN EH39 4JL	STIRLING HUNTER STEWART	22 January 2018	Change from Seasonal to all year round. Vary termination of core hours from 8pm to 10pm each night. Layout remains the same, but will be enclosed in Glass. amend off-sales from 7pm to 11am, allow bar meas & receptions outwith core hours. Amend childrens/young persons access to permit access at all times in all public areas, Ages between 0-17 years. Amend internal and external capacity to 670.
3 THE CLUBHOUSE THURSTON MANOR LEISURE PARK THE CLUBHOUSE THURSTON MANOR LEISURE PARK INNERWICK	VERDANT LEISURE LIMITED C/O TLT LLP 140 WEST GEORGE STREET GLASGOW G2 2HG	22 January 2018	Amend description to Multi-purpose leisure facility.

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

EL308

2(b) Name and Address of Premises

ROCKETEER RESTAURANT
26 VICTORIA ROAD
NORTH BERWICK

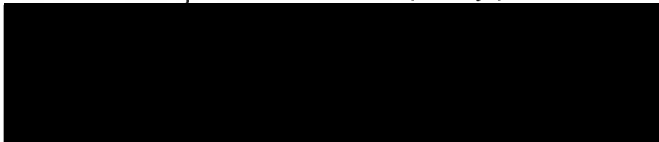
East Lothian Council
Licensing
22 JAN 2013
Received

Post Code EH39 4JL

Phone No. 01620 892802

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

STIRLING HUNTER STEWART



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

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)

CHANGE TO OPENING HOURS
TO CHANGE FROM SEASONAL TO OPEN ALL YEAR
ORIGINAL CLOSING TIME WAS 8pm, WOULD LIKE
TO CHANGE CLOSING TIME TO 10PM

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.

THE LAYOUT REMAINS THE SAME. IT WILL BE
ENCLOSED IN GLASS

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence
(e.g. Alteration to the description of the premises contained within the Premises Licence)

SECTION 4: LICENCE TO BE AMENDED

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because...

- The licence has not yet been issued by the Board
 - The licence has already been returned to the Board in respect of an earlier application for variation or transfer
 - Other (provide details)
-

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

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

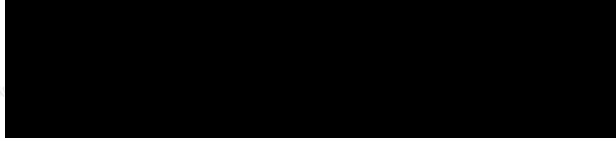
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature



..... (See note 5 below)

Date

18/1/2018

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.

THE ROCKETEER RESTAURANT
 26 VICTORIA ROAD
 NORTH BERWICK EH39 4JL

Question 1

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

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

Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11.00 AM	10.00 PM
Tuesday	11.00 AM	10.00 PM
Wednesday	11.00 AM	10.00 PM
Thursday	11.00 AM	10.00 PM
Friday	11.00 AM	10.00 PM
Saturday	11.00 AM	10.00 PM
Sunday	11.00 AM	10.00 PM

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11-00 AM	10-00 PM
Tuesday	11-00 AM	10-00 PM
Wednesday	11-00 AM	10-00 PM
Thursday	11-00 AM	10-00 PM
Friday	11-00 AM	10-00 PM
Saturday	11-00 AM	10-00 PM
Sunday	11-00 AM	10-00 PM

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	<input checked="" type="radio"/> YES <input type="radio"/> NO
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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 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours - please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	YES	YES	NO
Bar meals	NO	NO	NO
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	NO	NO	NO
Club or other group meetings etc.	NO	NO	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)	NO	NO	NO
Live performances - see 5(g)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO

5(d) Activity	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
Outdoor drinking facilities	YES	YES	NO
5(e) Activity	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
Adult entertainment	NO	NO	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.

--

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES/ NO
	<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 WILL BE ADMITTED ONLY
WHEN ACCOMPANIED BY AN ADULT

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

0-18

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

CHILDREN AND YOUNG PERSONS MAY BE ADMITTED
UNTIL 2100 HOURS OR UNTIL THE END OF THEIR MEAL

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

CHILDREN AND YOUNG PERSONS WILL BE
ADMITTED TO ALL PUBLIC AREAS

Question 7

CAPACITY OF PREMISES

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

APPROX. 40

Question 8

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

Personal details

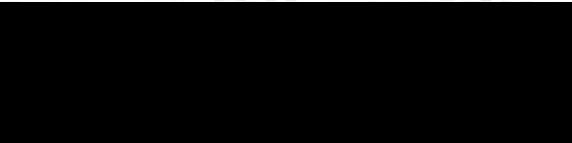
8(a) Name

RICHARD JOHN ROBERTSON

8(b) Date of birth



8(c) Contact address



8(d) Email address and telephone number

bookings@netherabbey.co.uk


8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
12 MARCH 2015	EAST LOTHIAN LICENSING BOARD	EL1162

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 18 / 11 / 2018

Capacity APPLICANT 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.

Date 24th January 2018



**POLICE
SCOTLAND**

Keeping people safe

Philip Gormley QPM
Chief Constable

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

Your Ref: EL0308

Our Ref: J/LIC/3705/HB

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

Dear Madam,

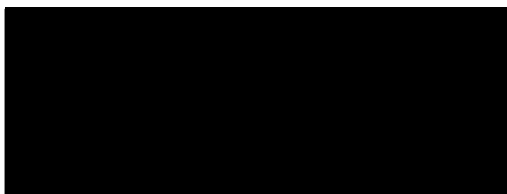
**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
ROCKETEER RESTAURANT, 26 VICTORIA ROAD, NORTH BERWICK, EAST
LOTHIAN, EH39 4JL.
STIRLING HUNTER STEWART**

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

The variation requested consists of an increase in the opening hours and a change from seasonal trading to all year round. The licensed outside area will also be enclosed in glass.

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

Yours faithfully



Philip Gormley QPM
Chief Constable

For enquiries please contact the Licensing Department on 01620 826147

EAST LoTHIAN COUNCIL

LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 02 Feb. 18

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

The Rocketeer Restaurant, 26 Victoria Road, North Berwick, East Lothian EH39 4JR

I am satisfied that the revised Operating Plan is 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

EAST LoTHIAN COUNCIL

Internal Memorandum

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

Date: 2nd February 2018

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Rocketeer, 26 Victoria Road, North Berwick

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

I note that this licensing application seeks variations comprising of (i) a change in the hours of operation to allow the business to operate from 11am to 10pm, and (ii) an extension with glazed walls and a glazed roof to be wrapped around the north, east, south and west elevations of the building.

As of today, planning permission 17/00746/P was granted for 'Alteration, extension to building, installation of lighting, resurfacing of footpath/ramp and repositioning of BT pole'. This planning consent covers the glazed extension and thus we raise no objection to this part of the variations applied for in the licensing application forms.

In January 2012, planning permission (Ref: 11/00064/P) was granted for the change of use of the former coastguard station to a servery/takeaway with external decked seating area, installation of vents and flue, and erection of bin store subject to a number of conditions. In particular, Condition 3 states that, *'The hours of operation of the servery/takeaway hereby approved shall be restricted to 10:00 hours to 20:00 hours on each day of the week inclusive. The use shall not occur at any other time without the prior approval of the Planning Authority'*. The reason for this condition was *'To restrict the hours of operation in the interests of safeguarding the amenity of neighbouring residential properties'*.

We therefore raise an objection to the proposed variation in the hours of operation for this premise as is specified in the licensing application forms. We also suggest that the applicant be informed that planning permission is required for the variation of Condition 3 of planning permission 11/00064/P to extend the opening hours of the servery/takeaway between 11am and 10pm.

Winter, Maree

From: [REDACTED]
Sent: 07 February 2018 11:16
To: Winter, Maree
Subject: RE: Major Variation application - Rocketeer, 26 Victoria Road, North Berwick

Dear Maree

This major variation application was discussed at last night's Community Council meeting.

Although concerns were expressed by some members about the impact on the environment if the application is granted, after a vote, it was decided not to object.

Regards

[REDACTED]
[REDACTED]
Secretary, NBCC

From: Winter, Maree [mailto:mwinter@eastlothian.gov.uk]
Sent: 22 January 2018 13:48
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Devine, Brian; Grant, Shona; Sherval, Jim; Oldcorn, Elizabeth; [REDACTED]
Subject: Major Variation application - Rocketeer, 26 Victoria Road, North Berwick

Hi,

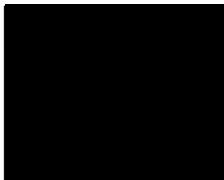
Please find attached application for a major variation to the above premise licence, variation to change from seasonal to all year, change closing time from 8pm to 10pm and enclose premises in glass.

The last date for objections/representations is Friday 19th February 2018.

Regards
Maree

Maree Winter
Licensing Officer
East Lothian Council
01620 827867

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15 February 2018

Dear Ms MacNeill

**OBJECTION To Variation To Premises Licence
Rocketeer Restaurant, 26 Victoria Road, North Berwick, EH39 4JL**

I am writing to object to the above application.

In opening The Rocketeer, the owner immediately contravened many of the terms of the planning permission and the East Lothian Enforcement Officer has had to become involved. This showed a level of disregard to the planning officials who had granted permission for the restaurant/take-away, and a level of arrogance towards both the planning officials and local residents who had expressed concerns at the outset. I note that the Rocketeer Restaurant is classed as a "Bad Neighbour Development" ref 17/00746/P.

Concerns were expressed at the time that the change-of-use of this building was incompatible with the site and its role and position within the Conservation Area, and the impact such changes would have on the adjoining historically important buildings.

The fact that the applicant has contravened planning conditions and regulations already fills me with no confidence that they will operate within whatever reasonable restrictions are placed upon them;

I object to the variation of operating hours and change from seasonal opening to all year round for the following reasons:

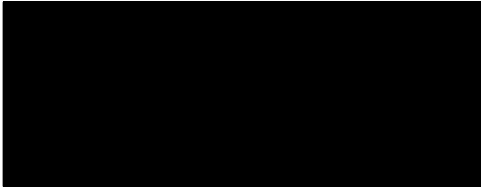
1. Policy ENV2 states that businesses with a significant environmental impact should not be permitted. In my opinion allowing later opening hours from 8pm to 10pm all year round will have a negative impact on the residential area. Light pollution, noise from diners/ air conditioning/ cooking smells and increased road traffic. The houses opposite will be disturbed by a busy restaurant/ off licence operating until 10pm, 7 days a week and 365 days all year round. Noise from diners leaving and takeaway meals and alcohol will cause an unreasonable disturbance to the residents, especially as bedrooms face the restaurant/ off licence.
2. The application is for alcohol sales in the restaurant and off the premises too. This will encourage customers to eat and drink outside all day and evening. This is not behaviour that should be allowed in a quiet residential area. I question the need for this and wonder what outdoor drinking and dining facilities will be provided? If the intention is to provide outdoor drinking and dining facilities from 11am to 10 pm the noise and disturbance to residents will be significant as this would presumably be in addition to the 40 covers inside the restaurant. This would be a new offering by the business and a very unwelcome one.

3. The applicant's request for the creation of licensed premises will turn an occasional/ seasonal eatery and takeaway into an all day, all year round bar/ restaurant with off licence services. This is a completely different business and absolutely inappropriate for the surrounding residential area. There are many bars, restaurants and off licenses in the centre of North Berwick which serve the public and extending this into a residential area is unnecessary and inappropriate. I don't understand why planning permission for this was not required as the business changes completely. An outdoor seasonal eatery/ takeaway is completely different from a licensed bar/ restaurant/ off license operating into the evening all year round. Thus by granting the variation the business changes without having to go through a more rigorous examination of the pros and cons.
4. The licence variation will turn this into a busy restaurant as 40 covers all day until 10pm all year round adds up to a significant number of people for noise and disturbance for the residents. Operating as a seasonal eatery/takeaway closing at 8pm reduces the impact on a residential area. In addition, the numbers of people buying alcohol to take away will increase the traffic.
5. Granting permission for this variation will set a precedent to allow busy off licenses, bars and restaurants in all parts of North Berwick's residential areas. This would spoil the ambience of North Berwick and reason for its' attractiveness to residents and visitors alike.

Should you have any questions, please do not hesitate to contact me, and in the meantime, I look forward to receiving confirmation of receipt of this letter, and to being kept informed of the progress of the application.

Yours sincerely





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

20 February 2018

Dear Sir/Madam

REF: Variation to Premises Licence – Rocketeer Restaurant

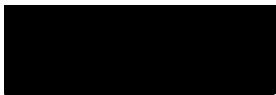
I am writing to object to the variation proposed to extend the closing time to 10 pm and vary seasonable to open all year round.

As a resident who lives in close proximity to the Rocketeer I am extremely concerned what this major change to its licence would bring in terms of the increased noise levels and light pollution. To put it in perspective, given the distance between the restaurant and the front windows of the properties on lower Victoria Road it would be the same as if one put a restaurant in the front garden of a house in Dirleton Avenue.

The harbour is a conservation area and due to careful management and planning, has retained its exquisite ambience for years. It's important to preserve the present dark space at Anchor Green. There is also concern about introducing a restaurant that might also function as a bar into the middle of what is at night clearly a residential area.

I hope you will take into account the residents who have to live next to the Rocketeer when making your decision.

Yours faithfully



Winter, Maree

From: [REDACTED]
Sent: 21 February 2018 11:38
To: Licensing
Subject: Rocketeer Take Away Victoria Rd North Berwick

I am writing as a neighbour to the Rocketeer no 32. Victoria Road My house is [REDACTED] the Cafe. I am very concerned about the safe parking in the street at night The noise of the traffic turning in the cul de sac of the Harbour and safety for pedestrians in the dark particularly if they get a licence. I would be very grateful if you would kindly advise me who I should contact to safe guard this problem of objection

Yours sincerely

[REDACTED]

Herkes, Gillian

From: [REDACTED]
Sent: 23 February 2018 10:07
To: Licensing
Subject: Rockateer

Dear Madam,

I am writing on behalf of the Harbour Residents to object to the proposed variations as detailed in your letter of the 24th January 2018.

This is a very quiet area of North Berwick in late evenings especially in the winter months and the noise of banging of car doors, people shouting to each other esp. after a function, taxi's coming and going etc. is very disturbing to the residents especially as our bedrooms back onto the Rockateer.

Hopefully the Board will take these points into consideration.

Yours Sincerely

[REDACTED]
Chairperson North Berwick Harbour Residents.

Sent from my iPad

Winter, Maree

From: Greenshields, Marshall
Sent: 23 February 2018 10:05
To: Winter, Maree
Cc: Gigourtaki, Eleni; Talac, Grant
Subject: RE: Rocketeer Take Away Victoria Rd North Berwick

Maree, I have no concerns with the proposal to extend the license from 8pm to 10 pm from a Road Safety perspective.

Best Regards,

Marshall

Marshall Greenshields
Senior Roads Officer
01620 827732

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

From: Gigourtaki, Eleni
Sent: 22 February 2018 15:39
To: Talac, Grant; Greenshields, Marshall
Cc: Winter, Maree
Subject: FW: Rocketeer Take Away Victoria Rd North Berwick

Marshall/ Grant,

Could you please respond to Maree regarding the safety/ parking concern below?

Thanks!

Regards,

Eleni Gigourtaki
Senior Roads Officer

East Lothian Council | Road Services | Infrastructure | Partnerships & Community Services John Muir House |
Haddington | East Lothian | EH41 3HA
01620 827540 0 | 01620 827710 7 | egigourtaki@eastlothian.gov.uk

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

From: Winter, Maree On Behalf Of Licensing
Sent: 22 February 2018 10:32
To: Gigourtaki, Eleni <egigourtaki@eastlothian.gov.uk>
Subject: FW: Rocketeer Take Away Victoria Rd North Berwick

Hi Eleni,

Herkes, Gillian

From: [REDACTED]
Sent: 25 February 2018 20:28
To: Licensing
Subject: Variation to Premises License: Rocketeer Restaurant, 26 Victoria Road, North Berwick EH39 4JL

Dear Sirs

My wife and I own [REDACTED] Victoria Road, [REDACTED] and wish to object in the strongest possible terms to the proposed variation to the license.

Five years ago we, and our neighbours, enjoyed life in what was essentially a residential area that had remained largely unchanged for decades. Obviously, during the summer months a steady stream of tourists would make their way to and from the harbour area, principally in the late morning and afternoon, and that was an accepted part of 'the deal' of purchasing a house in the area. Fringe By The Sea added a layer of disruption and noise, often into the evening, but that was quite acceptable, because it took place over a short period of time.

The gradual, but unrelenting, development of the Rocketeer has changed all that, by 'parachuting' what is intended to be a year round restaurant, open day and night, with the disruption, noise and smell that is associated with that, into our community.

Disappointingly, objections to the steady expansion and development of the Rocketeer have proved fruitless (and certainly bring a new meaning to the word 'conservation') and this latest application, if approved, would add to the erosion of our community.

Our deep concern with the current application to extend the licensing hours relates to the added noise and disruption that would occur at what would be unsociable hours. We have experience of that already with the Fringe By The Sea, and the occasional functions at East Lothian Yacht Club, and it can be very intrusive, and is acceptable simply because it is temporary, To experience that all year round would be unacceptable.

We note too that the application seeks approval to sell alcohol for consumption off the premises. Clearly this does not relate to supporting the main activity of serving of meals in the restaurant, and for that reason alone should be rejected. Approval would also seem particularly inappropriate given the byelaw that prohibits consumption of alcohol in the harbour and beach area after 6pm.

We very much hope that the licensing board have regard to the fact that the many residents, some elderly, living in the vicinity of the Rocketeer, have already been impacted by its development over the last five years, from the old Coastguard Station to a full blown restaurant, and the proposed variation to the license would extend the existing disruption into a period including unsociable hours.

Herkes, Gillian

From: Customer Services
Sent: 26 February 2018 13:59
To: Licensing
Subject: FW: Please forward to Licensing Board, 26/02/2018

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

From: v [REDACTED]
Sent: 26 February 2018 12:20
To: Customer Services <customerservices@eastlothian.gov.uk>
Subject: Please forward to Licensing Board, 26/02/2018

Objections to Rocketeer Restaurant application From [REDACTED]

I object to the proposed lengthy and inconsiderate hours for several reasons.

These business hours seem to alter the original planning agreement and show no consideration for the impact on the residents / neighbours who are not holiday makers.

Such a business proposal will require much increased delivery traffic and refuse removal which will come with associated noise disturbance and vehicular movements.

Increased customer movement, people stepping outside to smoke, nighttime lighting and movement will not only affect neighbours but will also alter the natural environment.

Supporters who do not live in the immediate area should be encouraged to consider all negative consequences before altering original hours.

How does this business extension fit within the Conservation of the historic and environmental appeal of the area?

Yours faithfully,
[REDACTED]

Sent from my iPad

BUSINESS PROFILE

The Rocketeer Restaurant was established in June 2012, the premises were previously a builder's store. The restaurant has 40 seats inside the walled garden and also serves carry out food. The purpose of the application is to allow us to remain open for an extra 2 hours i.e. from 8pm to 10pm.

ON/OFF CONSUMPTION

- a) The Rocketeer is a restaurant and ordinarily any alcohol served would be as an accompaniment to a meal.
- b) Carry out alcohol would only be served with a meal, or perhaps if somebody has purchased a bottle of wine with a meal but wanted to take the unfinished wine home with them.

CLARIFICATION OF OPERATING PLAN

The Rocketeer operates as a restaurant and has consent to build a glass structure enclosing the walled garden which will allow the restaurant to open all year round.

SOCIAL FUNCTIONS

The normal operation would be as a restaurant; however, people may choose to rent the whole restaurant for special occasions, this would be infrequent at best.

ENTERTAINMENT

We would envisage having some background music and do not plan to have any live music.

OUTDOOR DRINKING FACILITIES

There are none

ADULT ENTERTAINMENT

None

ACTIVITIES OUTWITH CORE HOURS

Tea and coffees in the morning from 10am

ANY OTHER ACTIVITIES

None

CHILDREN AND YOUNG PERSONS

They are allowed on the premises, we will provide baby changing facilities in the toilet

ADDITIONAL INFORMATION AND SUPPORTING COMMENTS

The new glass surround is double glazed which will limit any noise emanating from the building, we would also have a notice asking patrons on leaving the building to be as quiet as possible.

We would also enhance our training to help ensure that our staff were able to mitigate any potential problems.

Victoria Road is part of the town centre of North Berwick, we would be shutting before other bars and restaurants in the area.

We have opened until 10pm for Fringe by the Sea.

In six years we have not had a single complaint.

Any lighting is low level ambient and would be less intrusive than the existing street lighting.

The restaurant before was completely outdoors, noise should be less.

Has full planning consent for operation all year round, only seeking 2 extra hours of operation per day.

Will increase employment.

Already had an off sales licence for 6 years.

Would meet the 5 licensing objectives:

1. Preventing crime and disorder
2. Serving public safely
3. Preventing public nuisance
4. Protecting and improving public health
5. Protecting children from harm

We will not undermine boards policy on overprovision