

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

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.

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

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.
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) Change of premises description

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0269

2(b) Name and Address of Premises

The Clubhouse Thurston Manor Leisure Park
Innerwick
Dunbar
East Lothian

Post Code EH42 1SA

Phone No.

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

Verdant Leisure Limited
Thurston Manor
Innerwick
Dunbar

Post Code EH42 1SA

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

N/A

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

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

Q3 – amend off sale hours to 11am to 10pm Monday to Sunday
Q5 – allow bar meals and receptions outwith core hours
Q5 (further information) – remove following wording: no alcohol would be served before[.] 12 noon Sunday
Q6 – amend children and young person's access
Q6b) Children and young persons will be permitted access at all times to all public areas
Q6c) Children and young persons aged between 0-17 years
Q6d) At all times
Q6e) All public areas
Q7 Combine capacities to make total of 670

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.

Minor variation to follow separately

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)

Amend description of premises:

Multi- purpose leisure facility

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 19.01.18
.....

Capacity: APPLICANT / AGENT (delete as appropriate)

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

Stephen J. McGowan
Partner - Head of Licensing.(Scotland).....
TLT LLP
140 West George Street, Glasgow, G2 2HG
+44 (0)333 006 1203.....
Stephen.McGowan@TLTsolicitors.com
.....

Note 1:

Please note that the proposed Operating Plan **must** contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:

Data Protection Act 1998

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:

East Lothian Licensing Board
Licensing Office
John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114
Fax: 01620 827253
Email: licensing@eastlothian.gov.uk

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.

Question 1

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

OPERATING PLAN

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

Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11AM	12MN
<i>Tuesday</i>	11AM	12MN
<i>Wednesday</i>	11AM	12MN
<i>Thursday</i>	11AM	1AM
<i>Friday</i>	11AM	1AM
<i>Saturday</i>	11AM	1AM
<i>Sunday</i>	11AM	12MN

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>	11AM	10PM
<i>Tuesday</i>	11AM	10PM
<i>Wednesday</i>	11AM	10PM
<i>Thursday</i>	11AM	10PM
<i>Friday</i>	11AM	10PM
<i>Saturday</i>	11AM	10PM
<i>Sunday</i>	11AM	10PM

Question 4

SEASONAL VARIATIONS

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

Such additional hours as may be allowed under the East Lothian Licensing Board policy including festive trading.

Question 5

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

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

<i>Films</i>	YES	YES	YES
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
5(d) <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>Outdoor drinking facilities</i>	YES	YES	YES
5(e) <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>Adult entertainment</i>	NO	NO	NO

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

Breakfast and pre 11am snacks etc. would be available from 9am. No alcohol would be served, conferences start at 9am.

Club meetings may take place from 9am. No alcohol available before 11am.

There may be recorded music in family room and the function room from 9am, but no alcohol would be served before 11am.

Films, sports and TV take place outwith core hours (e.g. 9am). No alcohol served. The swimming pool opens at 8am daily.

This relates to gaming machines (not gaming activity) which may be used from 9am.

Outdoor seating facilities will be available outwith core hours for use of patrons but no alcohol will be served outwith core hours.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

Sports activities are available, for example, swimming pool and fitness room.

The premises are located within a holiday home park where holiday and residential accommodation is provided.

Quiz and charity events.

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?	N/A
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When fully occupied, are there likely to be more customers standing than seated?	N/A
*Delete as appropriate	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

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 access at all times to all public areas.

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

Children and young persons aged between 0-17 years.

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

At all times.

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 sales – 670

Question 8


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

Personal details

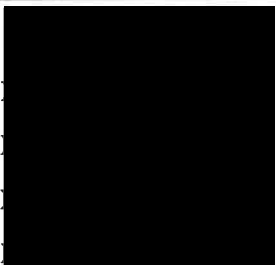
8(a) Name

Ian Crawford

8(b) Date of birth



8(c) Contact address



8(d) Email address

--


8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
01.09.09	East Lothian Licensing Board	EL444

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 19.01.18

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

Telephone number and email address of signatory Stephen J. McGowan
Partner - Head of Licensing (Scotland)
TLT LLP
140 West George Street, Glasgow, G2 2HG
+44 (0)333 006 1203
Stephen.McGowan@TLTsolicitors.com

*** Data Protection Act 1998**

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

EAST LoTHIAN COUNCIL

LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: **03/2/2018**
~~08 October 2015~~

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

The Clubhouse, Thurston Manor Leisure, Dunbar, East Lothian EH42 1SA

Licensing Standards has no objection to the proposed changes in this application.

R. Fruzynski
Licensing Standards Officer

Date 14th February 2018



**POLICE
SCOTLAND**

Keeping people safe

Your Ref: EL0269

Our Ref: J/LIC/3705/HB

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

Lesley Clark
Chief Superintendent

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 - REPRESENTATION
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THURSTON MANOR LEISURE PARK (CLUBHOUSE)
THURSTON MANOR, INNERWICK, DUNBAR, EAST LOTHIAN, EH42 1SA.
VERDANT LEISURE 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 a change in the operating plan with regards to an increase in 'off sale' hours and a change to children and young persons access.

Whilst the police have no objection to this variation, it is pertinent to point out that any increase in licenced hours is out with the current Board Policy with regards to the overprovision statement.

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

Yours faithfully

Lesley Clark
Chief Superintendent
Local Police Commander

For enquiries please contact the Licensing Department on 01620 826147

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 26 February 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

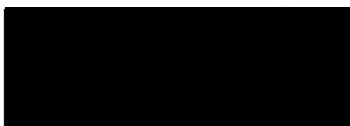
Dear Ms Winter

VARIATION OF PREMISE LICENSE: The Clubhouse, Thurston Manor Leisure Park, Innerwick, Dunbar, East Lothian EH42 1SA

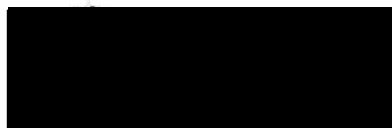
On behalf of NHS Lothian we would like to make a representation concerning the access for children and young persons in this application as outlined in section 6b which states 'Children and Young Persons will be permitted access to all areas at all times'.

Whilst we appreciate that the premises is located within a leisure park, we consider the terminal hours for on-sales and potential additional hours for festive trading to be counter to the licensing objectives of protecting children and young persons from harm and protecting and improving public health. We therefore request that an earlier terminal hour for children up to the age of 15 is included in the conditions of the license.

Yours sincerely



JIM SHERVAL FFPH
Consultant in Public Health



ELIZABETH OLDCORN
Senior Specialist in Health Promotion



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