

**EAST LOTHIAN**

**Meeting 23 August 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 GLENKINCHIE DISTILLERY VISITOR  
CENTRE  
GLENKINCHIE DISTILLERY  
GLENKINCHIE  
PENCAITLAND  
TRANENT  
3 MACMERRY BOWLING CLUB  
WESTBANK ROAD  
MACMERRY  
EAST LOTHIAN  
EH33 1PL

DIAGEO SCOTLAND LIMITED  
C/O MESSRS. MORTON FRASER  
SOLICITORS  
QUATERMILE TWO  
2 LISTER SQUARE  
EDINBURGH  
MACMERRY BOWLING CLUB

17 July 2018

Increase Capacity from 140 to 230 - Visitor Centre to 130, Pavilion 60 and to add a filling store in the warehouse - capacity 25.

5 July 2018

Vary bowling club premise licenceto open status. Amend seasonal to open all year round rather than restricted April to October each year. Change the terminal hour on a Friday and Saturday from 12 Midnight to 1am and add a designated premise manager.

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

EL0340

2(b) Name and Address of Premises

Macmerry Bowling Club  
Westbank Road  
Macmerry,  
Tranent  
East Lothian

E.L.C.  
Customer Services

- 4 JUL 2018

RECEIVED

Post Code

EH33 1PL

Phone No.

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

Macmerry Bowling Club Westbank Road Macmerry, Tranent, East Lothian  
c/o David Dickson, club treasurer

Post Code

EH33 1PN

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

Macmerry Bowling would wish to change the status of the Premises Licence from a Club Licence to an Open Licence

**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)

It is proposed that the Club will be open all year round as opposed to being restricted to the seasonal bowling season which is from April to October each year.

We would wish to change the terminal core hours on a Friday and Saturday from 12 midnight to 1am on both nights.

The Designated Premises Manager is nominated as follows

David Dickson, [REDACTED] Personal Licence number EL816 issued 18/01/2012 expiry date 18/01/2022

**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.

No Changes

**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)

N/A

**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

# EAST LoTHIAN LICENSING BOARD

## OPERATING PLAN

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

*Name, address and postcode of premises to be licensed.*

<b>Macmerry Bowling Club</b> <b>Westbank Road</b> <b>Macmerry,</b> <b>Tranent</b> <b>East Lothian</b> <b>EH33 1PU</b>
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### 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>	<b>NO</b>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<b>NO</b>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<b>YES</b>
<i>*Delete as appropriate</i>	

### Question 2

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

<b>Day</b>	<b>ON Consumption</b>	
	<b>Opening time</b>	<b>Terminal hour</b>
<i>Monday</i>	11.00 am.	11.00 pm.
<i>Tuesday</i>	11.00 am.	11.00 pm.
<i>Wednesday</i>	11.00 am.	11.00 pm.
<i>Thursday</i>	11.00 am	11.00 pm.
<i>Friday</i>	11.00 am.	01,00 am.
<i>Saturday</i>	11.00 am.	01.00 am.
<i>Sunday</i>	11.00 am.	11.00 pm.

**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>	11.00 am.	10.00 pm.
<i>Tuesday</i>	11 00 am.	10.00 pm.
<i>Wednesday</i>	11.00 am.	10.00 pm.
<i>Thursday</i>	11.00 am.	10.00 pm.
<i>Friday</i>	11.00 am.	10.00 pm.
<i>Saturday</i>	11.00 am.	10.00 pm.
<i>Sunday</i>	11.00 am.	10.00 pm.

**Question 4**

*SEASONAL VARIATIONS*

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

Bar services will now be provided all year round, within Core hours.

The Club would like to take advantage of the grant of any general extension to core hours in respect of events of local or national importance and festive periods.

**Question 5**

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

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

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

Ambient background music may be played on the premises prior to the commencement of core hours, but not before 10am.

Outdoors sports, primarily the game of bowls, may be played prior to the commencement of core hours, but not before 10am.

**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.*

Quiz nights; Bingo and other types of games nights for fundraising activities on behalf of the club and the local community i.e. the local Gala and the like.

**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>	<b>NO</b>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<b>NO</b>
<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*

As a bowling club we have Junior and youth sections. However Club rules clearly state that they have to be accompanied by a parent/guardian or responsible person. They are also advised with regard licensing laws and signage and the 1.5mtr restriction area from bar area.

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

Children and youth members are from the ages of 12 to 17. They may attend the club for competition play or "bounce" games. When doing so they have to be accompanied with a parent and or guardian/responsible person and must vacate premises by 9.00pm. Young persons can enter the club unaccompanied and remain till close

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

The Club opens from 10.00 am and members are allowed access from this time. 0/17 year olds must be accompanied by a parent/guardian or responsible person and vacate the premises by 9.00pm. unless they are attending a pre-arranged function when they may remain until the end of the event. Young persons aged 16 Or 17 years may remain until close

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

Children and Young Persons are will be permitted in all Public Areas.  
Children are not permitted within 1.5 metres of the bar servery.

**Question 7**

**CAPACITY OF PREMISES**

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

**60 persons seated and standing**

**Question 8**

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

*Personal details*

8(a) Name

DAVID DICKSON

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

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>
18/01/2012	East Lothian Licensing Board	EL816

**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.

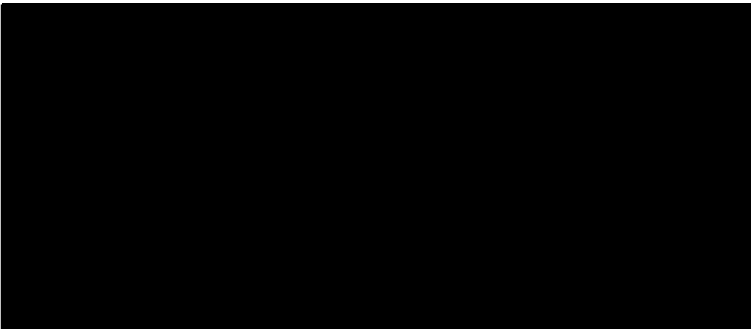
Signature  (see note below)

Date 11-07-18

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

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

DAVID DICKSON, Treasurer



**\* 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.

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

[Redacted Signature]

David Dickson, Treasurer

(See note 5 below)

Date

11-07-18

Capacity: APPLICANT (delete as appropriate)

**Note 1:**

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

**Note 2:**

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

**Note 3:**

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

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

**Note 4:**

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

**Note 5:**

**Data Protection Act 1998**

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

**Contact Us:**

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

**Phone:** 01620 827217 / 827867 / 820114  
**Fax:** 01620 827253  
**Email:** [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)

**FOR OFFICE USE ONLY**

<i>Received &amp; Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

East Lothian Council  
50 JUL 2018  
Received

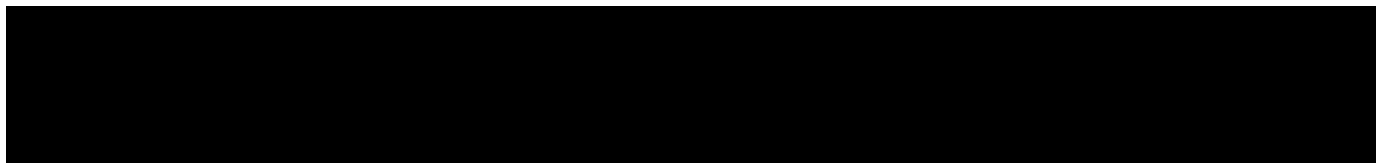


24 July 2018

Dear Kirstie MacNeill

**OBJECTION TO EXTENSION OF LICENCE FOR MACMERRY BOWLING CLUB**

In reply to your letter dated 5 July 2018 regarding the above. I have a few concerns about the extension of this licence as follows:-




Access to the Bowling Club is via a footpath which runs at the side of 2 of the properties and the other access is by road which runs along side the other 2 properties causing more traffic. car doors banging, engines revving and head lights shining into homes. Two bungalows have their bedrooms to the back of the houses which is next to the entrance to the bowling club.

main concern is the noise factor at that time of the morning. Like the rest of the village this is a quiet area which elderly really appreciate. do NOT want to lose our peace and quiet being disturbed by revellers coming to, or more importantly, when leaving the club at that time of the morning. Not only is the noise factor a big concern but also litter possibly being caused by people going to Pizza Den. As I presume the club will not be providing food! There is no street lighting adjacent to the club therefore making that area very dark. This area also gives access to the park where the revellers could spill onto and the probability of them causing more disruption.

I would like to ask why does the club need an extension for an extra **2 hours a week?** and why do they need to have a licence for **all** the year round when there already is a perfectly good Miners Club just down the road and on the main street and has been good enough up until now for residents etc to make use off. How many pubs/clubs do

we need in a village? Is the bowling club therefore going to be open to **non-members**, hold social events eg. discos, bands etc? is this the real reason for the extension request? if so, I strongly disagree in regards to the noise factor to an extension.



To summerise - I do **NOT** agree to this application for an extension of their license. Reasons stated as above. I hope you will take all my concerns into consideration and refuse/recpnsider this request.

Yours faithfully



Resident

Winter, Maree

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**From:** LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk  
**Sent:** 20 July 2018 14:27  
**To:** Licensing  
**Subject:** RE: Major Variation - Macmerry Bowling Club [OFFICIAL: POLICE AND PARTNERS]

**OFFICIAL: POLICE AND PARTNERS**

Afternoon,

No objection or adverse comment.

Thanks

John

**PC John Fortune (J5943) | Divisional Licensing Officer (Dalkeith) | 0131 561 6141  
Police Scotland | Dalkeith Police Station | Newbattle Road | EH22 3AX |**

email: [john.fortune@scotland.pnn.police.uk](mailto:john.fortune@scotland.pnn.police.uk)  
team email: [LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk)  
website: [www.scotland.police.uk](http://www.scotland.police.uk)  
twitter: [@policescotland](https://twitter.com/policescotland)  
facebook: [www.facebook.com/policescotland](https://www.facebook.com/policescotland)



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**From:** Winter, Maree [mailto:[mwinter@eastlothian.gcsx.gov.uk](mailto:mwinter@eastlothian.gcsx.gov.uk)]  
**Sent:** 05 July 2018 10:49  
**To:** Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi  
**Subject:** Major Variation - Macmerry Bowling Club

[Routed via PSN Network]  
Hi

Please find the attached major variation for Macmerry Bowling Club for report. The last day for representations/objections is Wednesday 1<sup>st</sup> August 2018.

Kind regards  
Maree

Maree Winter  
Licensing Officer  
East Lothian Council  
01620 827867

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Email Disclaimer - East Lothian Council  
This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they

# EAST LoTHIAN COUNCIL

## LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

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

**To: K. MacNeill**  
Clerk to the Licensing Board

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Date: 20 July 2018

**LICENSING SCOTLAND ACT 2005**  
**PREMISES LICENCE VARIATION APPLICATION**

**Macmerry Bowling Club, Westbank Road, Macmerry, EAST LoTHIAN EH33 1PL**

I refer to the above subject and can confirm that the LSO has visited the premises and met with Mr David Dickson, Treasurer, Macmerry Bowling Club.

This small club is well run by a group of dedicated volunteers. Although the premises are predominantly used by members of the bowling club, local groups are also encouraged to make use of the premises for meetings, functions and fundraising activities.

Like most non-profit making clubs, annual membership subscriptions alone do not realise enough income to provide for the maintenance of the fabric of the building or the bowling facilities for which the club is constituted. Therefore, in order to generate enough money to sustain the quality of this local community amenity it is sought after to move to an open licence where more fuller use of the premises can be made all year round.

I can confirm that since the Premises Licence was granted on 24 November 2016 no complaints have been received in relation to the operation of the licence. I can also confirm that the site notice in relation to this application was clearly posted on the entrance gate of the premises.

I support this application.

R. Fruzynski  
Licensing Standards Officer