

**EAST LOTHIAN**

**Meeting 27 September 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 THE BONNIE BADGER MAIN STREET GULLANE EAST LOTHIAN EH31 2AB	KINBURN (206) LIMITED C/O TLT LLP - EDINBURGH HOBART HOUSE 80 HANOVER STREET EDINBURGH EH2 1EL	27 July 2018	Change of name to be The Bonnie Badger Addition of Off Sales 10am to 10pm Variation of Seasonal Variations Addition of Conference Facilities, Theatre, Films, Indoor/Outdoor Sports. Change description to Restaurant with Rooms. Other activities pr

sent out to all dep's.  
31/7/18

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 name to be The Bonnie Badger

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0179

2(b) Name and Address of Premises

Golf Inn & Restaurant (To be known as The Bonnie Badger)  
 Golf Hotel  
 Main Street  
 Gullane  
 East Lothian

<b>Post Code</b>	EH31 2AB	<b>Phone No.</b>	
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2(c) Full Name and Address of Current Licence Holder

Kinburn (206) Limited  
 13 Melville Street  
 Edinburgh

<b>Post Code</b>	EH3 7PE	<b>Phone No.</b>	
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### 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)

Addition of off sales hours from 10.00am to 10.00pm  
Amendment to wording of Seasonal Variations  
Amendment to activities  
Amendment to statement re activities  
Addition of Conference Facilities; Theatre; Films; Indoor/Outdoor sports  
Addition of a statement in relation to the activities that are to be provided for in Qu 5(f)  
Amendment to Children and Young Persons  
Remove capacity breakdown and replace with a capacity figure (No change to capacity)

#### **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.

Amendment to layout plan due to the recent 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)*

Change to the description - Restaurant with rooms  
Change of name from The Golf Inn & Restaurant to The Bonnie Badger

**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 25.07.18

.....

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

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

TLT LLP  
Hobart House, 3<sup>rd</sup> Floor  
80 Hanover Street  
Edinburgh  
EH2 1EL  
Tel: 0333 006 1405  
Email: [Caroline.loudon@TLTsolicitors.com](mailto:Caroline.loudon@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](mailto:licensing@eastlothian.gov.uk)

<b>FOR OFFICE USE ONLY</b>		
<i>Received &amp; 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.*

Golf Inn & Restaurant, Golf Hotel, Main Street, Gullane, East Lothian, EH31 2AB  
To be known as The Bonnie Badger

## 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>	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	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	12 Midnight

**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>	YES
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*\*If YES – provide details*

Additional festive hours (Christmas/New Year) plus any additional hours as per Licensing Board may declare and allow.



**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	YES	YES	YES
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
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.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
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	YES
Live performances – see 5(g)	YES	YES	NO
Dance facilities	YES	YES	NO
Theatre	YES	YES	YES
Films	YES	YES	YES
Gaming	NO	NO	NO
Indoor/outdoor sports	YES	YES	YES
Televised sport	YES	YES	YES

<i>5(d)</i> <i>Activity</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>Outdoor drinking</i> <i>facilities</i>	YES	YES	YES
<i>5(e)</i> <i>Activity</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>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.*

Accommodation will be used 24 hours.

Conference Facilities/Club and Other Group Meetings/Receptions/Indoor & Outdoor Sports may commence earlier than Core Hours but not before 9am.

Restaurant/Bar Meals/Recorded music may commence earlier than Core Hours but not before 6am.

Films and televised sport may be shown at any time.

Outdoor drinking: breakfasts/coffee may be served outside from 7am.

There will be no sale of alcohol 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.*

The premises offer a range of other activities including: private dining experiences; tastings; educational tours and learning experiences; promotional and media activities; fine dining experiences; television and filming.

Corporate events; private hire; community events; charity events; auctions.

*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 when accompanied by parents/guardians or adults with parental responsibility

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

0-17 Years

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

Non-resident children attending a function are allowed access until 11pm  
Young Persons will be allowed access until the end of the function or core licensed hours.

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?*

378

**Question 8**

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

*Personal details*

8(a) *Name*

Jack Robert Dunlop

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

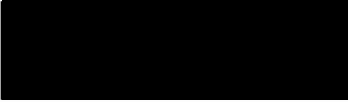
8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
4 May 2017	East Lothian Licensing Board	EL1394

**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 25.07.18

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

Telephone number and email address of signatory Tel: 0333 006 1405

Email: [Caroline.Loudon@TLTsolicitors.com](mailto:Caroline.Loudon@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.

Date 8<sup>th</sup> August 2018

Your Ref: EL0179

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  
GOLF INN & RESTAURANT, MAIN STREET, GULLANE, EAST LoTHIAN,  
EH31 2AB.  
KINBURN (206) LIMITED, 13 MELVILLE STREET, EDINBURGH**

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 of name for the premises, addition of 'off sales' hours, amendments to the operating plan and layout plan.

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: 20 Aug. 18

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

**Golf Inn & Restaurant (To be known as The Bonnie Badger) , Main Street, Gullane,  
East Lothian EH31 2AB**

I refer to the above subject and can confirm that the LSO and Police Licensing Officer have visited the above premises and met with the Mr Kinburn, new owner, in relation to this application.

The Inn, up until closure, was a very popular and well run venue. There have not been any complaints concerning the operation of the premises since 2<sup>nd</sup> July 2014 when a complaint was received from a neighbouring resident that there had been noise from persons in the rear garden at 00:45 hours. This matter was resolved through liaison with the former management, when agreement was reached that the garden would not be used after 22:00 hours, to prevent potential disturbance to neighbours.

I am satisfied that the Operating and Layout Plans are in accordance with the Act and, therefore, have no objections to the grant of this application.

R. Fruzynski  
Licensing Standards Officer

