

ELO 357

SENT REPORT  
20/1/18

**EAST LoTHIAN LICENSING BOARD**

**APPLICATION FOR ~~PREMISES LICENCE~~/PROVISIONAL PREMISES  
LICENCE\***

\*Delete as appropriate

**Licensing (Scotland) Act 2005, section 20**

**APPLICANT INFORMATION** *Licensing (Scotland) Act 2005, section 20(1)*

**Question 1**

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

The Works Implement Road West Barns Dunbar East Lothian EH42 1UN
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**Question 2**

*Particulars of applicant*

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

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2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

[Empty box for partnership details]

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Thistly Cross Cider Company Limited  
South Belton Farmhouse  
Dunbar  
EH42 1RG  
SC390811

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

[Empty box for club or other body details]

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.\**

Director: Ian G Rennie, [Redacted]  
Home Address: [Redacted]  
Director: Julie K Rennie, [Redacted]  
Home Address: [Redacted]  
Director: Peter N Stuart, [Redacted]  
Home Address: [Redacted]  
Secretary: Ian G Rennie, [Redacted]  
Home Address: [Redacted]

**Question 3**

*Previous applications*

3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? ~~YES~~/NO\*

*If YES – provide full details*

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**Question 4**

*Previous convictions*

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	<del>YES</del> /NO*
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*\*If YES – provide full details*

*For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974*

<i>Name &amp; position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>
NONE				

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**DESCRIPTION OF PREMISES** *Licensing (Scotland) Act 2005, section 20(2)(a)*

**Question 5**

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

CHECK  
ONE  
STOREY

The premises are a two storey building of which the ground floor is to be licensed as a warehouse which is used as a storage and distribution centre for alcohol.
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**Question 6**

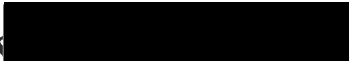
6 *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	<b>YES/NO*</b>
<i>* Delete as appropriate</i>	

**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 Application are true to the best of my knowledge and belief.

Signature  ..... \* (see note below)

Date 18.09.2018

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

Telephone number and email address of signatory Tel: 0333 006 1203

Email: @TLTsolicitors.com

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	
<i>Layout plan</i>	
<i>Planning certificate</i>	
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

**\* 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.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by ( <i>INITIALS</i> )	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

ADDITIONAL MATERIAL – PREMISES LICENCE APPLICATION  
LODGED NO LATER THAN 16TH JANUARY 2009

Is there a licence under the Licensing (Scotland) Act 1976 held in respect of the premises?

~~YES~~/NO\* (\*Delete as appropriate)

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If so, do you consider the application to be a “Grandfather Rights” application (i.e. one falling within article 18 or 19 of the Licensing (Transitional and Saving Provisions) (Scotland) Order 2007)?

~~YES~~/NO\* (\*Delete as appropriate)

# 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 Works 1 Implement Road West Barns Dunbar East Lothian EH42 1UN
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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>	<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



**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>	10.00am	10.00pm
<i>Tuesday</i>	10.00am	10.00pm
<i>Wednesday</i>	10.00am	10.00pm
<i>Thursday</i>	10.00am	10.00pm
<i>Friday</i>	10.00am	10.00pm
<i>Saturday</i>	10.00am	10.00pm
<i>Sunday</i>	10.00am	10.00pm

**Question 4**

**SEASONAL VARIATIONS**

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

*\*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

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

<i>5(d)</i> <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 facilities</i>	NO	NO	NO
<i>5(e)</i> <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	NO	NO

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

N/A
-----

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.

N/A
-----

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

N/A
-----

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

N/A
-----

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

N/A
-----

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

N/A

**Question 7**

**CAPACITY OF PREMISES**

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

0 m2 – There is no public access to these premises and therefore there is no alcohol on display.

**Question 8**

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

*Personal details*

8(a) Name

To be confirmed at confirmation

8(b) Date of birth

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>

**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.

Signat [redacted] .... \* (see note below)

Date: 18/09/2018

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

Telephone number and email address of signatory Tel: 0333 006 1203

Email: [redacted]@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 (SCOTLAND) ACT 2005  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**SECTION 50  
PLANNING CERTIFICATE**

APPLICANT: **Thistly Cross Cider Company LTD**

NAME AND ADDRESS OF PREMISES: **The Works, 1 Implement Road, West Barns, Dunbar, EH42 1UN**

**SECTION 50 PLANNING CERTIFICATE**

- I confirm that planning permission (ref: 14/00974/P) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- I confirm that planning permission is not required.

**SECTION 50 PROVISIONAL PLANNING CERTIFICATE**

- I confirm that planning permission (ref:.....) or outline planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.
- I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License/Confirmation of Provisional License to cover the above proposals.

Signed:

Date:

**18<sup>th</sup> September 2018**

Neil Millar  
Planning Officer



Date 06/10/2018

Your Ref: EL0357

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  
Chief Constable  
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 GRANT OF A  
PROVISIONAL PREMISES LICENCE  
THE WORKS, IMPLEMENT ROAD, WEST BARNES, EAST LOTHIAN, EH42  
1WN.  
THISTLY CROSS CIDER COMPANY LIMITED**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Iain Livingstone 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: 09.10.2018**

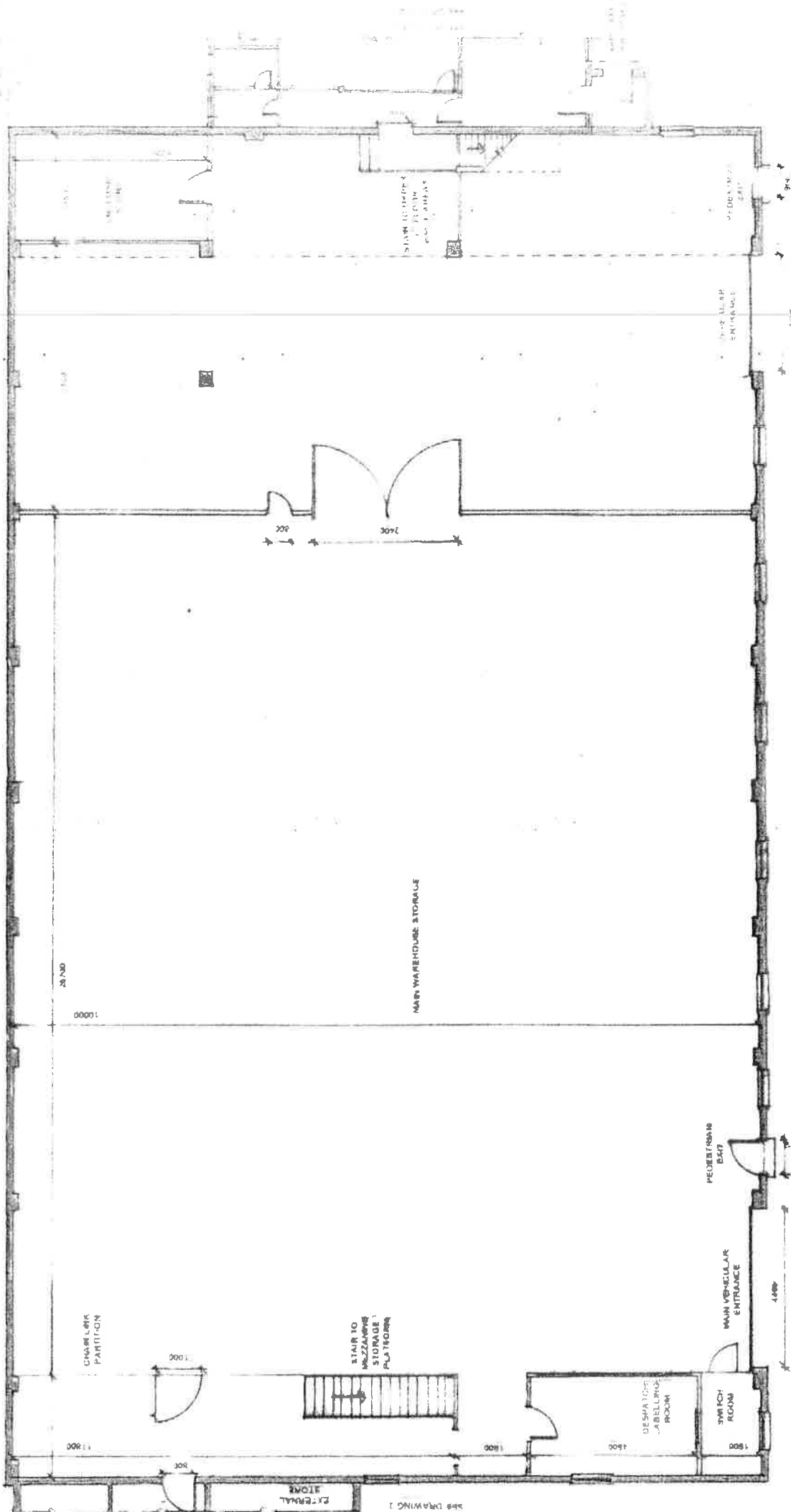
**Subject: LICENSING SCOTLAND ACT 2005**  
**PROVISIONAL PREMISES LICENCE APPLICATION**

**The Works, Implement Road, West Barns, Dunbar, East Lothian EH42 1UN**

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 general manager in relation to this application.

I can also confirm that Licensing Standards has no concerns regarding this application to licence the storage and distribution of Thistly Cross Cider products from these premises.

R. Fruzynski  
Licensing Standards Officer



**FGH** ARCHITECTURAL & BUILDING DESIGN

Client: Baby Cross (see project)  
 Property Address:  
 The Square, Improvement Road,  
 Newburgh, East Lothian,  
 EH26 9JY

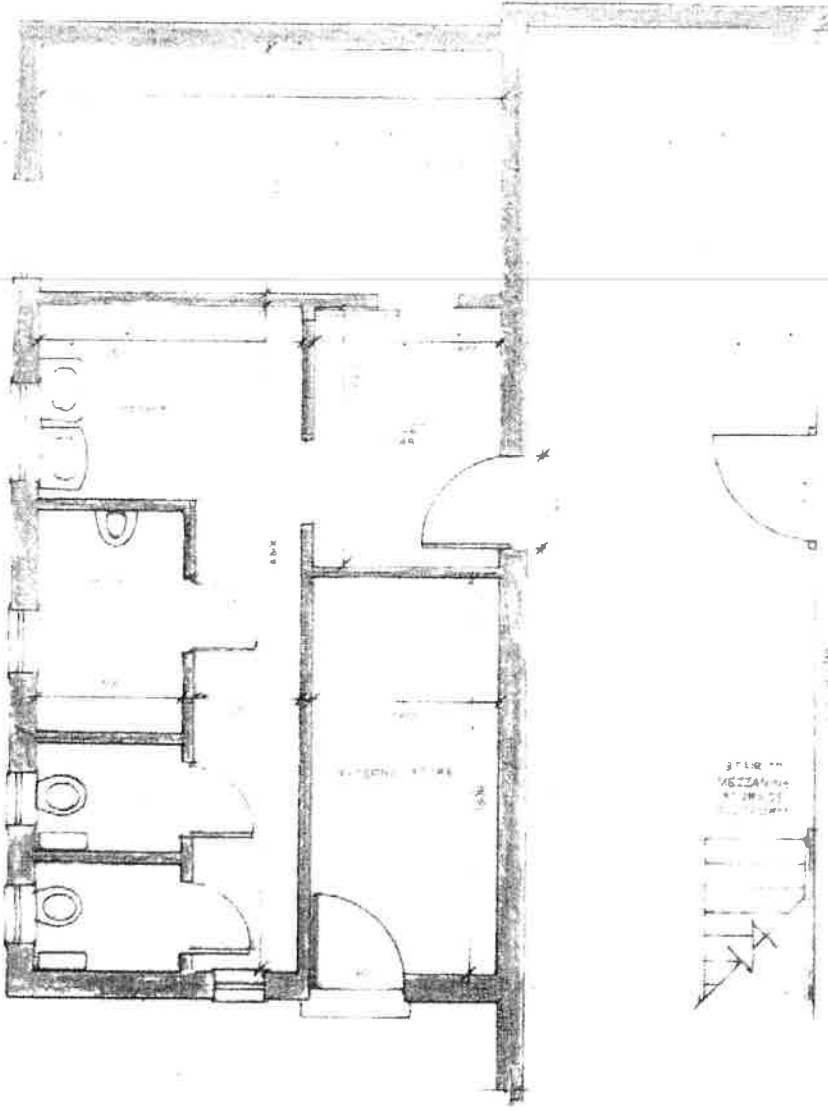
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 LICENSING  
 15 OCT 2018

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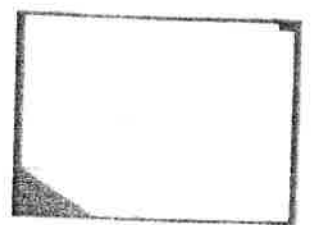
Drawing No. 1



I, THE UNDERSIGNED, BEING A REGISTERED ARCHITECT, HEREBY CERTIFY THAT THE ABOVE DRAWING IS A TRUE AND CORRECT REPRESENTATION OF THE WORK AS EXECUTED IN ACCORDANCE WITH THE SPECIFICATIONS AND CONDITIONS OF CONTRACT.

**FGH** Architectural & Building Design

SEATING AREA FOR BAR/RESTAURANT  
 AT JARVIS BAR & RESTAURANT  
 25-26 HUNTER STREET, GLASGOW G1 1TA



Drawing No 2

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 LICENSING  
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Project Name: [illegible]  
Project Address: [illegible]  
Client: [illegible]

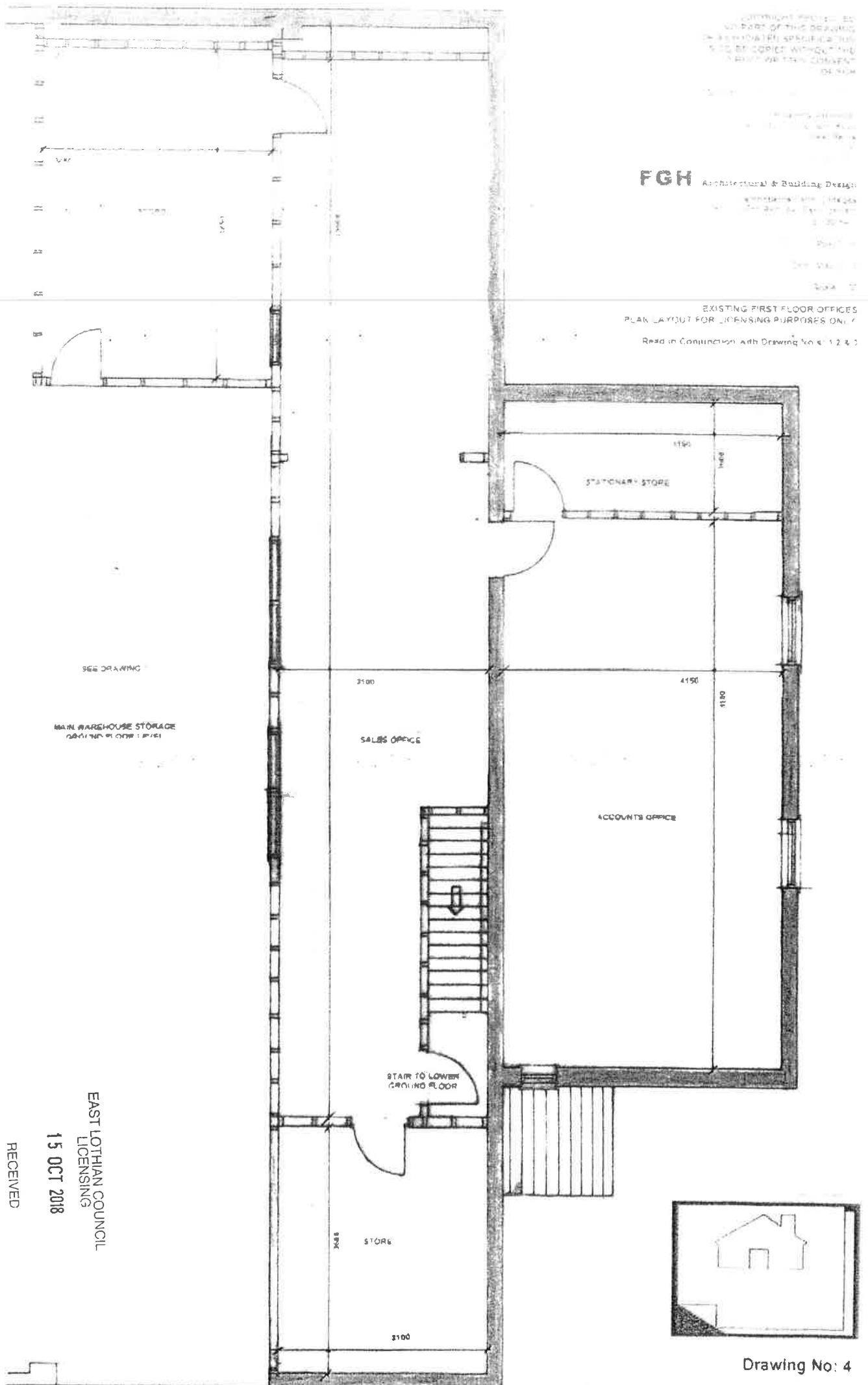
**FGH** Architectural & Building Design

Architectural & Building Design  
100, [illegible] [illegible]  
[illegible] [illegible]

Scale: 1:50  
Date: [illegible]  
Drawn by: [illegible]

EXISTING FIRST FLOOR OFFICES  
PLAN LAYOUT FOR LICENSING PURPOSES ONLY

Read in Conjunction with Drawing No's 1, 2 & 3



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