

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Variation (Major)(s)

Variation (Major)(s)	Premises	Applicant	Date Received	Comments
1	DAY-TODAY (FORMERLY NISA STORE) 32 REDBURN ROAD CUTHILL PRESTONPANS EAST LOTHIAN	MOHAMMAD ASHIQ	14 August 2018	Vary the Operating Plan to increase the alcohol display area from 4.415m sq to 9.765m sq. Change name of shop to Day Today (Prestonpans Village Store) formerly Day-Today. Vary the layout plan to move the licensed area to front end of shop to back end of shop. Vary licence from Club to Open status, Vary core hours Sun to Thurs 11pm to 12 Midnight and Friday, Saturday 12 Midnight to 1am. Adult entertainment (after dinner speakers), add conference facilities. Children require supervision and leave before 10pm unless a private function.
2	KILSPINDIE GOLF CLUB KILSPINDIE GOLF CLUB A198 (23) FROM GREEN CRAIGS TO KIRK ROAD ABERLADY LONGNIDDRY	KILSPINDIE GOLF CLUB	19 October 2018	

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

Kilspindie Golf Club

East Lothian Council
Licensing

17 OCT 2018

2(b) Name and Address of Premises

Kilspindie Golf Club, The Clubhouse, Aberlady, East Lothian

Received

Post Code	EH32 0QD	Phone No.	[REDACTED]
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2(c) Full Name and Address of Current Licence Holder

[REDACTED]

Post Code	[REDACTED]	Phone No.	[REDACTED]
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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

Apply to change from member's license to an open license.

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 Open license

Alter on sales times Sunday to Thursday increase by an hour to 12pm.

Friday and Saturday increase by an hour to 1am (to allow for functions/members events)

Adult entertainment – after dinner speakers only (possible adult humour)

Conference facilities for small groups will be available.

Adding a Premises Manager

Children that are non members will be allowed to be permitted into the club (0-15 supervised) 16&17 do not need to be.

Children are normally asked to leave the premises before 10pm but if there is an organised function they would be allowed to stay until the end of this event.

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.

n/a

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 **£200**

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 £700 is enclosed.

Signature



..... (See note 5 below)

Date

16 / 10 / 18

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.

Kilspindie Golf Club, The Clubhouse, Aberlady, East Lothian, EH32 0QD

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>	10am	11pm
<i>Tuesday</i>	10am	11pm
<i>Wednesday</i>	10am	11pm
<i>Thursday</i>	10am	midnight
<i>Friday</i>	10am	1am
<i>Saturday</i>	10am	1am
<i>Sunday</i>	10am	11pm

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	no
<i>Restaurant facilities</i>	yes	yes	yes
<i>Bar meals</i>	yes	yes	yes
<i>5(b) Activity</i> <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	no
<i>Club or other group</i> <i>meetings etc.</i>	yes	yes	yes
<i>5(c)</i> <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	no
<i>Live performances –</i> <i>see 5(g)</i>	yes	yes	no
<i>Dance facilities</i>	yes	yes	no
<i>Theatre</i>	no	no	no
<i>Films</i>	yes	yes	no
<i>Gaming</i>	yes	yes	no
<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</i> <i>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>	yes	yes	yes

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

Restaurant facilities and bar meals – may start out with core hours but not before 730am

Golf may start out with core hours but not before 715am

Conference facility for small groups may start out with core hours but not before 8am

Club and group meetings – may start out with core ours but not before 8am

Televised sports may start out with core hours but not before 8am

Outdoor drinking in seated area provided will be permitted up till closing time

No additional activities shall finish out with the core hours unless under the authority of an extended hours application

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.

Burns / St Andrews nights and other significant celebratory events, Annual Club Dinners, Prize giving, Supplier promotions, whisky & wine tasting evenings and festive celebrations

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>	<i>NO</i>
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>NO</i>
<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 are permitted access to the public areas of the premises while they are open
Children will normally be Junior members or have some bona fide connection with golf or who's relatives are members or the club
Children who are non-members should be accompanied by an adult
Young persons who are non-members will be permitted into the Club

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

0 – 15 children
16&17 young persons

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

Children and young persons will be permitted access to the premises while they are open normally
Children will be allowed into the club accompanied by an adult to 10pm or until the conclusion of a pre-planned event.

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 permitted access to all public areas of the premises

Question 7

CAPACITY OF PREMISES

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

On sales - 125

Question 8

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

Personal details

8(a) *Name*

[Redacted]

8(b) *Date of birth*

[Redacted]

8(c) *Contact address*

[Redacted]

8(d) Email address and telephone number

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8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
13/02/18	East Lothian Licensing Board	EL14161

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


Date16/10/18.....

CapacityGeneral Manager..... APPLICANT

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.

Supplementary Application Information

This information is required in relation to all Premises Licence/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

<p>Business Profile</p> <p>Kilspindie Golf Club is a 18 Hole Links Golf Course with a bar area and Lounge.</p> <p>Open all year round we offer a range or alcohol and soft drinks.</p> <p>Catering is also provided for bar meals and lounge meals.</p> <p>The facilities are available to use for small functions.</p>	
<p>On/Off Consumption</p> <p>(a) Please describe the type of business you intend to operate in respect of On consumption.</p> <p>(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries</p>	<p>a) <u>Provide a catering service to both members and visitors all year round.</u></p> <p>b) <u>Allow members and visitors to purchase alcohol for off site consumption</u></p>

Clarification is required in relation to the content of your proposed Operating Plan
(extend the boxes below if you require additional space)

To what extent do you intend to use any of the following: Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

No Accommodation available

Allow meeting space for small parties

Conference facility for small meetings (10-12) during operational hours

Restaurant can serve food from 730am and tends to close for food at 4pm in the winter and

7/8pm in the summer unless functions or events are on.

Bar tends only to stay open late for functions – opens daily at 10am

Social Functions – Weddings; Birthdays; Retirements ; Other - If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:

Weddings / birthdays / retirements / funerals / prize giving's etc. will only be available to be booked if the person is a Member of the Golf club and we have availability – 6-12 a year anticipated – with new license we would not need an occasional license.

Larger functions tend only to be booked in the winter months due to summer golf

Entertainment – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport - If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

Golf Club with course that opens each day at 715am for play – membership and visitors allowed to play

No TV in clubhouse but this may change – looking to show live sport (golf events on TV like the Open)

Have speakers at the Club Dinners

Prize giving's sometimes require music – but not applied for this in last few years but maybe an option

Outdoor Drinking Facilities - If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

Summer outside seating is provided around the Clubhouse patio areas – food and drink maybe consumed in these areas

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

Speakers at club dinners with the possibility of adult humour – no under 18's will be allowed to be admitted

Activities Outwith Licensed Core Hours - In your Operating Plan, directly below question 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

Nothing in the calendar that normally that would work outside the core hours most functions

finish at between 12-1pm. If any functions would run beyond the core hours an occasional license would be applied for well before the event.

Any Other Activities - In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

Festive parties / Burns Suppers / Members evenings /Sponsors events or Golf events

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

Baby changing facilities available close to main lounge.

Children only given to public access areas only

Licensing Objectives - Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at the following link or the Council website [policy link](#)

(extend the boxes below if you require additional space)

Preventing Crime and Disorder:

Age proof policy – ask the question / underage drinking signage visible /staff training programmes and induction /CCTV in place / drugs policy in place / stick to club rules / Pub watch schemes if available / Club surrounds / entrance and car park well-lit /report anti-social behavior / members visitors aware of drink driving laws

Securing Public Safety:

CCTV in place and also about to be upgraded
New Proshop being built – looking at improved lighting around the clubhouse
Staff training / H&S handbooks and staff handbooks now in place to improve service quality and safety
H&S audit takes place along with fire audit each year
First aiders trained and on site along with a Defibulator apparatus
Pub watch is not really available with location but happy to investigate further
Risk assessments in place and updated

Preventing Public Nuisance:

Rural Golf Club one road in and out – CCTV in place
Appropriate opening hours along with staff training in place
Local transport timetable available
Club is a family orientated club with not a huge drinking culture and events do not promote and drink deals
Occupancy restricted to 125 so no over crowding

Protecting and Improving Public Health:

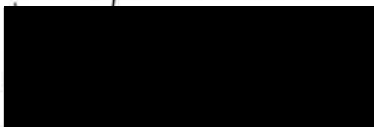
Drink aware signage / nonalcoholic drinks available
Appropriate price in place

Small measures available Drink policy regarding over drinking / staff drug aware
Protecting Children and Young Persons From Harm: Staff training Junior Section has a child protection officer in place No bad language rule promoted in clubhouse (charity fines in place) Proof of age required Appropriate new staff checks and references required Staff induction course in place

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information: Golf Club applying for an open license to gain flexibility for member's functions and dinners. Apply for up to 12 occasional license per year currently. Currently nonmembers who do not play the golf course are not allowed in clubhouse – lots of visiting golfers turn up to have a look at the course and facility's – currently we have to turn these away losing business
Supporting Comments: i.e. reasons why the Board should support your application. Well managed traditional Golf Club with no past history of any licensing issues - with an increasing number of members asking for lunches/dinners for numbers that would normally require an occasional license. Golf Club is now ran by a General Manager that has had past experience of managing a large golf resort with 4 restaurants and 2 popular bars with a good track record.

SIGNATURE AND DECLARATION BY APPLICANT			
IT IS AN OFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION			
(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))			
The contents of this Application are true to the best of my knowledge and belief.			
Signature		Date	16/10/18.

Date 24/10/2018

Your Ref: EL

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 VARIATION OF A PREMISES LICENCE
KILSPINDIE GOLF CLUB
KILSPINDIE GOLF CLUB, A198 (23) FROM GREEN CRAIGS TO, ABERLADY,
EAST LOTHIAN, EH32 0QD.
COMMITTEE**

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 request to change from a club licence to an 'open licence', increase in licenced hours and a change in the operating plan, activities.

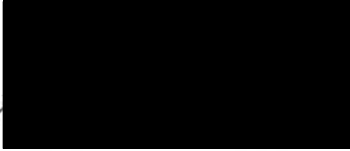
In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

Should the Board be minded to grant this variation, I would request that they consider the following as a condition of the licence:

- CCTV to be installed to the satisfaction of the police and to be maintained in working order.
- Police and LSO to be informed with 14 days notice of any 18th or 21st Birthday Parties to be held on the premises.

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

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: Rudi Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 05 Nov. 18

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

Kilspindie Golf Club, The Clubhouse, Aberlady, East Lothian EH32 0QD

I refer to the above subject and can confirm that the applicant has fully liaised with the LSO in relation to this application.

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

I can confirm that the premises are very well run and that the management has had regular contact with the LSO over the years to ensure the club maintained high standards of compliance with the Licensing (Scotland) Act and conditions of their licence.

R. Fruzynski
Licensing Standards Officer