

EAST LOTHIAN

Meeting 25 April 2019 at 10:00am in Council Chambers, Town House, Haddington, East Lothian

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
1	3 RAVENSHEUGH ROAD LEVENHALL MUSSELBURGH EH21 7PS	FERHAN ASHIQ C/O MACDONALD LICENSING 21A RUTLAND SQUARE EDINBURGH EH1 2BB	18 March 2019	Retail premises located on the ground floor of a building on Ravensheugh Road, Levenhall, Musselburgh
2	BISTRO/RESTAURANT 13 POLDRATE HADDINGTON EAST LOTHIAN EH41 4DA	BLACKBURN & BONAR LTD. C/O MACDONALD LICENSING 21A RUTLAND SQUARE EDINBURGH EH1 2BB	19 March 2019	Premises operating as cafe/bar/restaurant consisting of two public areas and courtyard area in Poldrate, Haddington
3	INVERESK BOWLING & SOCIAL CLUB CARLYLE PLACE MUSSELBURGH EAST LOTHIAN EH21 6AX	INVERESK BOWLING & SOCIAL CLUB EH1 2BB	11 March 2019	Small members bowling & social club, which serves the community with sporting & social amenities and have rebuilt a new smaller club, which more suits our needs, this is after selling our old premises due to overheads and upkeep of old clubhouse. The new building has toilet facilities and locker room for our bowling equipment.

EL 360

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.

3 Ravensheugh Road

Levenhall

Musselburgh

EH21 7PS

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.*

Ferhan Ashiq [REDACTED]

Born - [REDACTED]

Contact - [REDACTED]

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

[REDACTED]

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

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

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.**

*** Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.**

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 <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)</i>	<i>YES/NO*</i>
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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 & position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

(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)

Retail premises located on the ground floor of a building on Ravensheugh Road, Levenhall, Musselburgh.
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Question 6

6 To be completed by members' clubs only

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

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 15/3/15

Capacity APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory **Macdonald Licensing**
21a Rutland Square
Edinburgh
EH1 2BB

<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	

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

3 Ravensheugh Road
Levenhall
Musselburgh
EH21 7PS

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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

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

Question 4

SEASONAL VARIATIONS

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

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>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	No	No	No
<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>	No	No	No
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
<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	Yes
<i>Live performances –</i> <i>see 5(g)</i>	No	No	No
<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

5(d) Activity	<i>Please confirm YES/NO</i>	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>	No	No	No
5(e) Activity	<i>Please confirm YES/NO</i>	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.

The premises may open from 6am for the sale of news[papers, groceries and hot and cold snacks. Recorded music may be played during this period

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.

General newsagents/grocers

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

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

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

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

Question 7

CAPACITY OF PREMISES

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

3.69m²

Question 8

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

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

[Empty rectangular box for contact address]

8(d) Email address and telephone number

[Empty rectangular box for 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.

Signature .  * (see note below)

Date 15/0/17

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh
EH1 2BB
alastair@macdonaldlicensing.com 0131 229 6181

*** Data Protection Act 1998**


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SIGNATURE AND DECLARATION BY APPLICANT

IT IS AN OFFENCE 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	18/3/19
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AGENTS :

Macdonald Licensing
21a Rutland Square
Edinburgh
EH1 2BB

alistair@macdonaldlicensing.com 0131 229 618 1

SCHEDULE

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES / NO *
1(b)	Do you have facilities for those with a disability	YES / NO*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES / NO*
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

Door just wide enough for access by wheelchair. No step

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

Should be ok for aisles, but staff happy to help.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness. It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided. No problem with assistance dogs

Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness. It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided. No problem with assistance dogs

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 disabled access and facilities statement are true to the best of my knowledge and belief.

Signature ...  * (see note below)

Date 15/0/19

Capacity APPLICANT/AGENT

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

Macdonald Licensing
21a Rutland Square
Edinburgh
EH1 2BB

* Data Protection Act 1998

alastair@macdonaldlicensing.com 0131 229 6181

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

Appendix 8

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.

Business Profile

Please describe your business offering.

Retail Premises offering a range of products including newspapers and magazines, general groceries, sweets and confectionaries, toiletries, cigarettes. Hot and Cold snacks.

(extend this box if you require additional space)

On/Off Consumption	
(a) Please describe the type of business you intend to operate in respect of on consumption.	a) N/A
(b) Please describe the type of business you intend to operate in respect of off consumption & deliveries	b) sale of spirits, beers & wines and generally alcohol of a type that would be sold in a convenience store of this kind.

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:

N/A

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:

N/A

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:

May play background music.

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:

N/A

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:

N/A

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:

The shop will open from 6am for newspapers, rolls and general groceries, but no alcohol will be sold or supplied until the commencement of licensed hours.

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. It should be noted that any proposal to allow a BYOB event to take place on your licensed premises, this activity should be stated in the other activities part of the operating plan.

N/A

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 type of baby changing facilities will be provided for children under five years.

N/A

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](#).

(extend the boxes below if you require additional space)

Preventing Crime and Disorder:

The applicant is experienced in the licensed trade. His family have owned a similar business in Prestonpans for over 30 years and he has worked on a regular basis at the premises. They have a CCTV System and have shown at their Prestonpans shop that they adhere to the highest standards. This shop is run on a similar basis, and if they were permitted to sell alcohol, it would be sold under the same strict terms as in their other operation. They will liaise with the Police in respect of any particular issues in the area for instance. They would refer any problems, either inside the shop, or which they have observed, to the Police.

Securing Public Safety:

The shop is designed in such a way that customers can peruse items for sale without obstruction or difficulty.

Preventing Public Nuisance:

Our clients due diligence will be similar to that in place at their Prestonpans shop. Underagers, and customers who have already consumed too much, will know that they will not be served. There is no reason to think that the shop will cause problems in respect of noise etc., because it hasn't done so far.

Protecting and Improving Public Health:

Our clients will have a strict policy and refusal of alcohol to those that they consider have had too much to drink already or for whatever other reason. Staff will be specifically trained in this respect.

Protecting Children and Young Persons from Harm:

As explained above our clients will have a robust system in place for checking ages, as they do in their other shop, in terms of Challenge 25, and the ID that they will accept. The till system prompts staff to request such items. They will also liaise with the Police with regard to possibly agency sales and general issues in the neighbourhood.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

Our client and his family have shown that they can operate well run premises and there is no reason to think that this shop, if licensed, would not be operated in the same way.

Staff will be properly trained and supervised, and support will be provided to them.

Supporting Comments: i.e. reasons why the Board should support your application.

Our client is confident that these Premises could run effectively without causing issues. It is not considered that there is an Overprovision of similar establishments in the area and that there is the demand from local people for such a facility. Our clients will support the responsible purchase of such items.

Date 26/03/2019

Your Ref:

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
3 RAVENHEUGH ROAD
LEVENHALL, 3 RAVENSHEUGH ROAD, LEVENHALL, MUSSELBURGH,
EAST LOTHIAN, EH21 7PS.
Ferhan Ashiq, [REDACTED]**

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.

In relation to the operating plan I would request that the applicant consider installing CCTV to cover the whole of the alcohol display area as well as report all theft of alcohol to the police.

Yours faithfully

[REDACTED]
Iain Livingstone QPM
Chief Constable

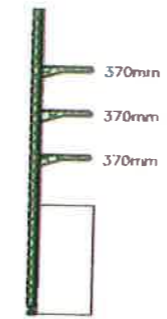
-  Display Area of Alcohol (Inaccessible)
-  Display Area of Alcohol (Accessible)
-  Emergency Exit Sign
-  Fire Extinguisher

Total Display Area of Alcohol (Inaccessible)
 3 x Shelves For Spirits:- 0.665m (w) x 0.6m (h) = 0.39m²
 Spirits:- 0.665m (w) x 2.0m (h) = 1.3m²

Total Display Area of Alcohol (Accessible)
 Wall Shelving:- 1.0m (w) x 2.0m (h) = 2.0m²

Total Display Area:- 3.69m²

Profile 1
Wall Shelving



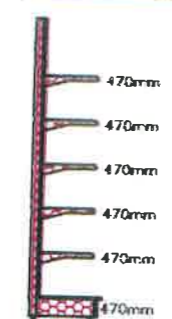
Height : 2.0m

Profile 2
Wall Shelving

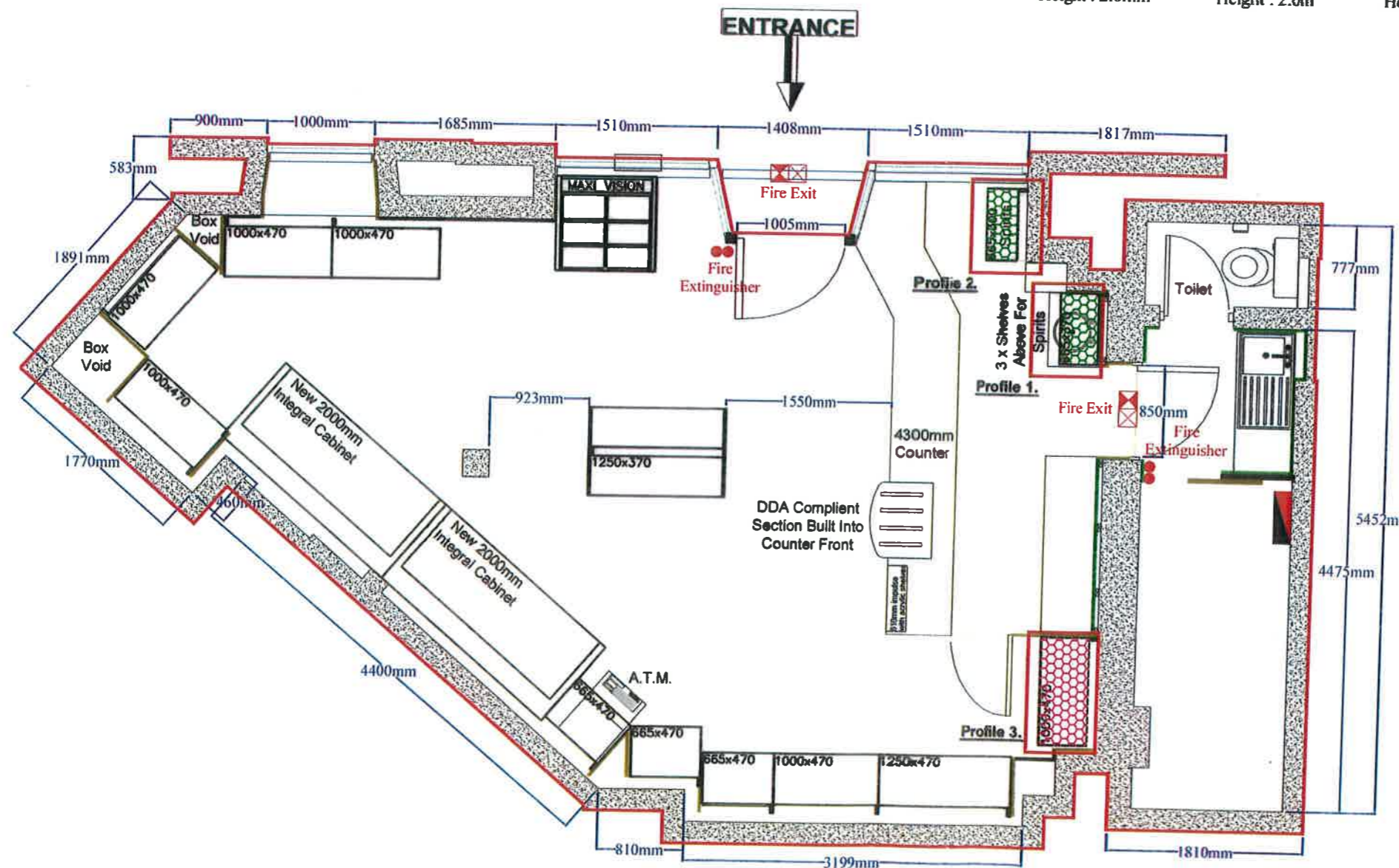


Height : 2.0m

Profile 3
Wall Shelving



Height : 2.0m



- Existing Ceiling: -
- Proposed Ceiling: -
- Depth of Frieze: -
- Wall Column Height: -
- Gondola Column Height: -
- Suspended Ceiling: -
- Floor Specification: -
- Lighting Specification: -
- Woodwork Finish: -
- Shelving Colour: -
- Kickplate Colour: -
- Ticket Rail Colour: -
- Dairy Trim Colour: -
- Slatwall Finish: -
- Frieze Finish: -



Vertex RAS Ltd
 Sir William Smith Road
 Kirkton Industrial Estate
 Arbroath, Angus
 DD11 3RD

Tel: 01241 876796
 Fax: 01241 878010

www.vertexscotland.com

Project: Mr. F. Ashiq
 3 Ravensheugh Road
 Musselburgh

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 Therefore, no shop plan or shelving elevation example, may be copied or used as a basis for quotation by other persons or companies, without written permission from the proprietor of the company

DO NOT SCALE

Scale:	1:50@A3
Reference:	16-134 (License)
Date Drawn:	20-11-17
Drawn By:	JT
Revision No:	C
Revision Date:	15-02-19
Revised By:	JT