

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	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 361

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.

<p>The Tynehouse 13 Poldrate Haddington EH41 4DA</p>
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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.

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

Blackburn & Bonar Ltd
Poldrate Restaurant
Poldrate Mill
Haddington, EH41 4DA
SC612556

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.**

Martin David Smith Blackburn, [Redacted]
Born – [Redacted]
Contact – [Redacted]

David Blackburn, [Redacted]
Born – [Redacted]

* 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)*

Premises operating as café/bar/restaurant consisting of two public areas and courtyard area in Poldrate, Haddington

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>	<i>YES/NO*</i>
<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 *12/10/15*

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

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

alistair@macdonaldlicensing.com 0131 229 6184

<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.

The Tynehouse 13 Poldrate Haddington EH41 4DA
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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>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>	11am	11pm
<i>Tuesday</i>	11am	11pm
<i>Wednesday</i>	11am	11pm
<i>Thursday</i>	11am	1am
<i>Friday</i>	11am	1am
<i>Saturday</i>	11am	1am
<i>Sunday</i>	11am	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>	11am	10pm
<i>Tuesday</i>	11am	10pm
<i>Wednesday</i>	11am	10pm
<i>Thursday</i>	11am	10pm
<i>Friday</i>	11am	10pm
<i>Saturday</i>	11am	10pm
<i>Sunday</i>	11am	10pm

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*

Would like the benefit of General Extensions granted by the Licensing Board over the Christmas and New Year period, and for any special events, such as sporting and cultural events or local significance.

The Licence Holder may also apply for certain specific extensions.

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
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	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
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	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
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	NO		
<i>Dance facilities</i>	YES	YES	YES
<i>Theatre</i>	NO		
<i>Films</i>	YES	YES	YES
<i>Gaming</i>	NO		
<i>Indoor/outdoor sports</i>	NO		

<i>Televised sport</i>	YES	YES	YES
<i>5(d) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours - please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	YES	YES	NO
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours - please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	NO		

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

Conference Facilities: shall occasionally commence from 9am with the provision of morning facilities such as tea, coffees and breakfasts.

Restaurant Facilities: Teas, coffees and breakfast commencing from 8am including club or other group meetings.

Recorded Music: Background music may be required for morning receptions.

Televised Sport: May be shown from time to time for main sporting events i.e. Open Golf, Tennis, Olympics etc.

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.

Deliveries (with food orders)
Takeaways (with food orders)
Outside Catering
Outside area will not be used for the consumption of food and drink after 10pm

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>	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*

This will be a family friendly restaurant/cafe/bar, catering for the local community, plus visitors and tourists. Children will require to be accompanied by an adult who is having something to eat.

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

No restriction (0-17 years)

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

Children will require to vacate the premises by 10pm. No restriction for Young Persons.
Children and Young Persons may remain for the duration if attending a private function and in the company of a responsible adult.

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

All public parts of the premises with the exception of 1.5 metres from the bar.

Question 7

CAPACITY OF PREMISES

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

ON SALES - 140

Question 8

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

Personal details

8(a) Name

[Empty rectangular box for name]

8(b) Date of birth

[Empty rectangular box for 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.

Signature  * (see note below)

Date 15/5/15

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh
EH1 2BB

alistair@macdonaldlicensing.com 0131 229 6151

*** 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.

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	14/3/19
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Maddons' Licensing
21a Fife Square
Edinburgh
EH1 2LB

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.

A community focused cafe/tearoom will operate in one half of the building from 10am-5pm. Aimed towards the local population. Those likely to use cafe are people using the adjacent riverside path, cyclists, runners, walkers. A safe and inviting environment.

Next door offers a full service restaurant and small restaurant bar focused on quality cuisine. A lunch menu will be offered between 12pm-4:30pm with on license focused at business lunches. Full service will operate from 5:30pm to 10pm on license. The bar will offer 4 products on tap with a wine list and cocktails and will close at 11pm latest.

Outdoor seating area in courtyard and at the front of property will be available between 10am-10pm

(extend this box if you require additional space)

<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) -A full service lunch and dinner restaurant. -Small restaurant bar -Outdoor area</p> <p>b) -May do deliveries.</p>
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Clarification is required in relation to the content of your proposed Operating Plan
(extend the boxes below if you require additional space)

<p>To what extent do you intend to use any of the following: Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:</p> <ul style="list-style-type: none"> -We will offer a restaurant as described above -A grill menu will be available to bar area -Group bookings and small conferences may be organised within the premises -No accomodation is offered by our business -We are considering a shuttle service to help transport people to and from the restaurant in evening -Cafe focused on light eating and non-alcoholic beverages during afternoon operation
<p>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:</p> <ul style="list-style-type: none"> -We will accept bookings for occasions such as birthdays, office parties, meetings etc. -Wedding meals may be accommodated.

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:

- Recorded music may be played in the main restaurant to create background ambiance. Levels will be low.
- Any event or function organised will be done so with neighbours in mind and noise minimised.
- TV Sport may be shown for events such as golf at Muirfield etc.

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:

- We will offer outdoor seating in the courtyard and a small area in front of the building (not reducing car parking space).
- Customers will be able to consume food and alcohol in outdoor areas until 10pm.
- Good alcohol procedures will be followed by bar and waiting staff to monitor the behaviour of customers.
- Alcohol will be refused to anyone considered to be causing nuisance or drunk.
- Regular checks of outdoor areas will be made by staff.

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:

None

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:

Cafe/ Tearoom may open from 8am

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.

Shuttle service for customers is something we will look into, nothing planned for immediate implementation.

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.

- Children will be welcome to dine or lounge with adult in tearoom.
- We will offer some light play materials in a section of the tearoom.
- Toilets and one baby changing facility available.
- Children's menu will be offered with healthy options.

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:

- Zero tolerance on illegal substances with notices displayed in toilets
- Regular checks of toilets and outdoor areas by staff
- Notice displayed and reporting of drink driving - shuttle scheme to be developed
- Outdoor bins and good external lighting will be maintained
- Refusal/challenge books will be maintained at bar
- Staff will inform police of any concerns
- Staff training provided regularly

Securing Public Safety:

- Relevant risk assessments will be carried out in a timely manner
- First aid station provision with first aider on every shift
- Flood action plan in place and reviewed regularly
- Regular clearance of crockery and glassware
- Good maintenance and housekeeping of premises

Preventing Public Nuisance:

- Regularly review opening times and operation to prevent nuisance to neighbors
- Establish a wind down time and policy for dispersal of customers in evening
- Outdoor area closed early to prevent excessive noise
- Litter and rubbish management policy with regular uplifts of rubbish bins
- Staff training in dealing with public nuisance situations
- Extraction system maintained in good order
- Notice will be displayed of any large party booking for neighbors awareness

Protecting and Improving Public Health:

- Non alcohol options available
- Staff training in identifying excessive alcohol consumption
- Managed music levels to keep below acceptable levels
- Adhere to minimum pricing, responsible promotions and responsible selling guidelines
- Staff training in alcohol levels

Protecting Children and Young Persons from Harm:

- Challenge 25 scheme will be implemented in bar area
- Children to be accompanied by an adult
- Risk assessments kept up to date
- Staff to monitor child policy in restaurant
- High chairs, child menu's and changing facility will be offered
- Plastic cups available for children rather than glass

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

- We are keen to work with other local stakeholders in making our area as safe and pleasant as possible.
- The premises is fully accessible by wheelchair and there is a large disabled toilet facility with support bars.
- We will also provide a large print menu or assist customers in reading the menu out where appropriate.
- Various dietary requirement indications will be made on the menu's

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

We are a family run business looking to establish a quality restaurant and community focused cafe. We are interested in getting involved with local initiatives and working together with other businesses and charities in the area. We aim to be a destination for people in the wider East Lothian community, generating new business in the area where possible.

We have considered joint-managed/hosting events in the local area.

As residents to the same building, and with our own young children - we have a vested interest in keeping good relations with all stakeholders and are in a good position to understand possible concerns with our operation.

SCHEDULE

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

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 *
*Delete as appropriate		

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.

Full accessibility for wheelchairs. People with any kind of disability, plus older and infirm people will be welcomed, and the cafe tearoom will be particularly accessible to them.

Question 3

Facilities available

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

The premises have a large accessible toilet.

Guide dogs would be welcomed, and large print menus will be provided.

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.

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 16/0/15

Capacity APPLICANT/AGENT

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."

Macdonald Licensing
298 Southend Square
Rainborough
EH1 2BB

alistair@macdonaldlicensing.com 0131 229 6181

01620 827164

kmacneill@eastlothian.gov.uk

From: [REDACTED]
Sent: 26 February 2019 11:15
To: Licensing <licensing@eastlothian.gov.uk>
Subject: Tyne House cafe/restaurant

Hello

I would like to register my concerns about the license for the proposed cafe/restaurant at Tyne House, Poldrate, Haddington. While I am not necessarily objecting to the business per se - indeed I think it would be good to tidy up the area in which the previous Waterloo Bistro was situated. However, I am concerned about a number of aspects related to the establishment of such a large eatery.

1. **The lack of parking** in the vicinity is likely to lead to an accident on the road. I would invite you to drive, on a Tuesday late afternoon for example, along the road that runs past the Tyneside Tavern, the Poldrate Mill art centre and leading to the bridge over the river Tyne. **It is impossible for two cars to pass due to the fact that cars park on both sides of the road even around the corners in this section of the road.** Large agricultural machinery is often proceeding along this section of road and a significant number of elderly drivers are in the area, often attending classes at the art centre. Furthermore, the area immediately in front of the proposed cafe/restaurant is almost permanently occupied by cars parking either for the arts centre or for walking along the Tyne river path. This leaves no available parking for restaurant customers, a busy restaurant will add a significant amount of additional traffic to a road that is not able to handle it increasing the risk of accident for pedestrians and/or other road users.
2. **Consumption of alcohol outdoors in the evening** is unsuitable due to the noise levels that will impact residents of Tyne House. There is a courtyard area that forms a part of the proposed venue and a number of properties within Tyne House overlook this area - having tables in the courtyard means that residents in these properties will be disturbed by noise of customers eating and drinking outdoors. This is perhaps ok during the day but to expect immediate neighbours to be disturbed every evening is unreasonable.
3. **There are a large number of established eateries in very close proximity** to this proposed cafe/restaurant. For example: The Loft, The Tyneside Tavern (including its Italian restaurant Mazzoli), The Waterside Bistro, Number 7, The Plough, The Golf Tavern, The Eastern Eye, Jo's Kitchen, Falko, The Pantry, The New Pheasant to name a few. I am not convinced that another large cafe and restaurant will be able to survive and/or may put existing businesses in jeopardy. This seems particularly unfair for existing eateries, especially with the uncertainty of Brexit making operation more unpredictable than usual.

As I mentioned, I am not necessarily opposed to this business moving forward and do not wish to register official opposition. However, I would suggest that any licence that is granted is done so taking into account road safety, neighbouring residents and existing businesses in Haddington. I think Haddington works particularly well, in part because there is a successful system in place to ensure that businesses work well together and are suitable for the place in which they operate. I would hope that this will continue with the consideration of licensing any future proposals.

Best Regards

[REDACTED]

Winter, Maree

From: [REDACTED]
Sent: 16 April 2019 09:00
To: Winter, Maree
Subject: Re: Tyne House Bistro - Provisional Licence application

Hello

Yes, I would appreciate it if the same concerns could be raised. As I mentioned, I have no intention of getting into a face to face debate about the merits of the different aspects that were brought up. However, I would like to point out a couple of points that the board may wish to consider -

1. The previous business that operated on the premises did not operate without any issues, as the response from the license applicant suggested. There were a number of police incidents and serious complaints from surrounding residents relating to noise. So the suggestion that simply returning a license to the business would mean things would be problem-free, as before, is not realistic.
2. A license that allows for outdoor eating and drinking until 10pm is completely unreasonable for surrounding residents. In a residential area, most people are happy to accommodate their evenings being interrupted on occasion. However, most evenings throughout May-September with noise intrusion until 10pm (followed by the noise of a clear up after this time), is not a reasonable situation for neighbours.

I am actually not a local resident, as the applicant assumed, but I am a frequent visitor and friend of a number of people in the area. As I mentioned, the renovated cafe and restaurant could be a bonus to the area and I would like to see it work out well, but it shouldn't be allowed to operate in a way that will negatively impact those who live nearby.

My previous points about traffic and other businesses in the area are, I feel, still valid. I am not sure how the applicant can respond that lack of parking and amount of cars on the road will have no impact, this seems very unlikely.

Anyway, I appreciate you passing these concerns to the board and I hope that they will consider them fully.

Thanks again

[REDACTED]

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 11 April 2019 11:58
To: [REDACTED]
Subject: Tyne House Bistro - Provisional Licence application

Dear [REDACTED]

I refer to your representation for the above premise, this was brought up at the board regarding the occasional licences which were applied for, can you confirm if the same representation is to go to the board on 25th April regarding their provisional premise application.

Kind regards
Maree.

Maree Winter
Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:
Haddington: EH41 3HA
01620 827867
mwinter@eastlothian.gov.uk



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Date 16/04/2019

Your Ref: EL361

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 Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE
THE TYNEHOUSE
13 POLDRATE, HADDINGTON, EAST LOTHIAN, EH41 4DA.
BLACKBURN & BONAR LTD**

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.

I also give you notice in terms of Section 22(1)(b)(ii) of the 2005 Act that the Chief Constable wishes to make the following representations to the Licensing Board concerning the application:-

I note that the layout plan submitted shows an area to the front of the building that is to be licensed. I would request that a new layout plan be lodged to reflect what was agreed at the licensing Board on 28th March 2019. That only the area marked as 'Front Area' is to be licensed and not the area marked as 'Piazza Seated Area'.

I note that the applicant wishes to offer Deliveries, Takeaways and Outside Catering and would draw their attention to conditions set out under Section 119 of the Licensing Scotland Act 2005.

I would also seek clarification on Children and Young Persons access, again as agreed at the Board on the 28th March 2019, I would request that:

- Children and Young Persons vacate the premises by 2200 hours unless consuming a meal or attending a private function.
- Children must be accompanied by a responsible parent or guardian whilst within the premises.

I would also request that the applicant considers installing CCTV in and around the premises as a form of crime prevention.

Yours faithfully



Iain Livingstone QPM
Chief Constable

For enquiries please contact the Licensing Department on 01620 826147

☉	Position of fire extinguishers
☐	Sounder
⊙	Break glass call point
☐	Overdoor emergency exit (non-illuminated)
⊙	Maintained emergency lighting

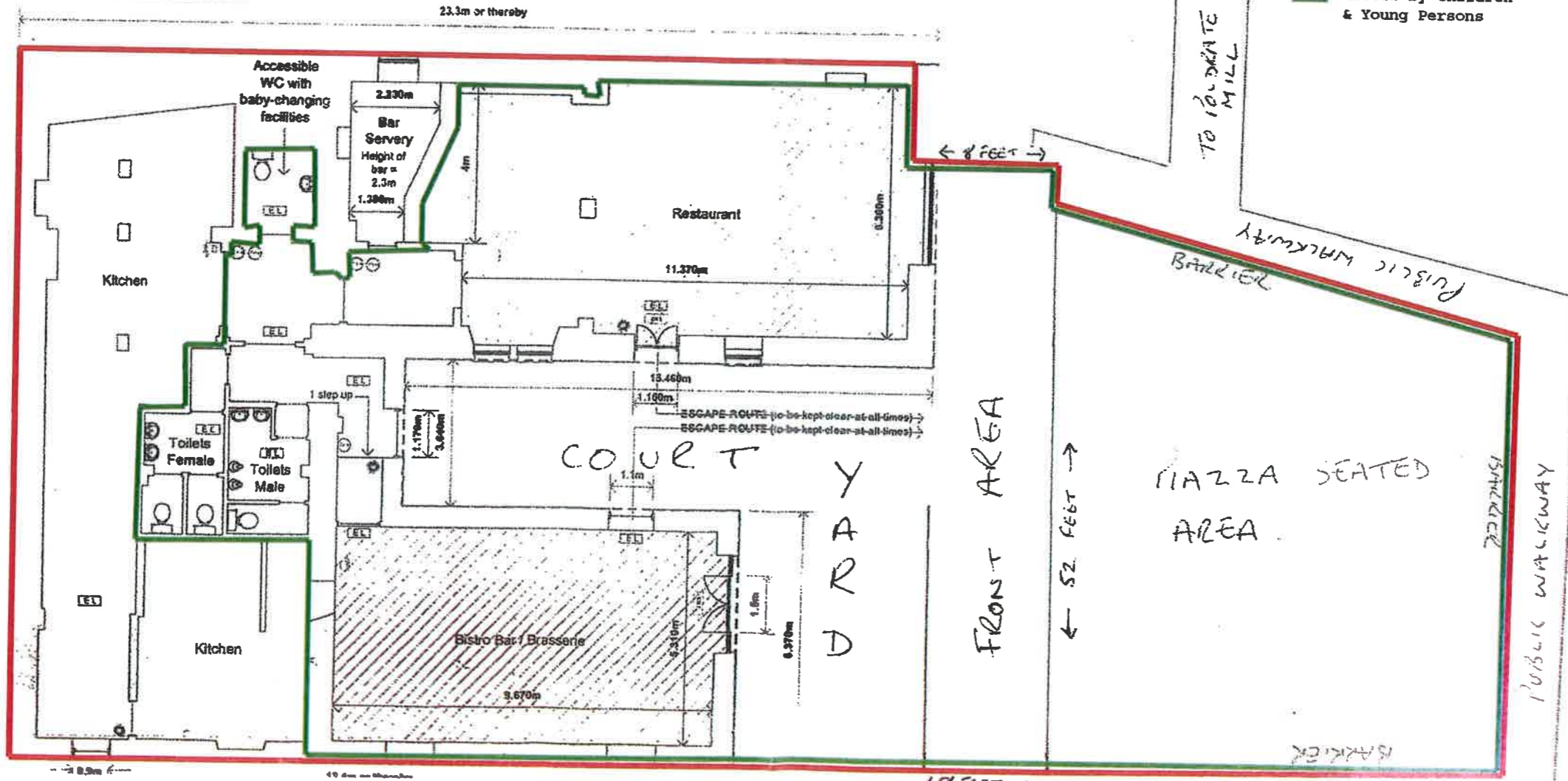
General Notes

Fire fighting equipment to comply with the British Standard EN3, British Standard 7863:1996, British Standard 5306-3:2000 and British Standard 5306-8:2000.

The applicant must ensure that the upholstered furniture satisfies the Cigarette and Match Ignitability. Test specified in British Standard 5852:1990 (1998). (Note for existing furnishings only).

A Certificate of Compliance to the aforementioned British Standards should be issued by a competent person and forwarded to the Fire Authority prior to, or on the date of final inspection of the premises.

REF: WATER LOO BISTRO
LYNE HOUSE
POUDRA CT.
HADDINGTON
EH41 4DA



— Licensed Area
— Access by Children & Young Persons