

EAST LOTHIAN

Meeting 27 June 2019 at 10:00am in Council Chambers, Town House, Haddington, East Lothian

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
1	HECTOR'S 32A HIGH STREET DUNBAR EH42 1AA	RADICA LTD.	8 May 2019	Hector's is a family run restaurant serving quality locally sourced produce. The premises are on the High Street in Dunbar which is mixed residential and commercial. Car parking is available on the High Street, the adjacent side street and also the public car park to the rear of the premises. The interior comprises an open kitchen and seating for up to 58 persons split between the ground and mezzanine floor. Three separate toilets are located to the rear of the premises and include disabled facilities. The restaurant offers table service to Cafe, Coffee Shop with small bar & grocery store and post office.
2	THOMSON'S OF TRANENT 22B WINTON PLACE TRANENT EAST LOTHIAN EH33 1AE	PARTNERSHIP OF GEORGE THOMSON AND SUSAN THOMSON	22 May 2019	

ELO363

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.

THOMSON'S OF TRANENT
22 b WINTON PLACE
TRANENT
EAST LoTHIAN EH 33 1AE

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, telephone number & email address.

SUSAN ANNE THOMSON

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

GEORGE RITCHIE THOMSON

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



Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence ()	YES/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

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty
/				

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)

Case, coffee shop with small bar + grocery store and post office

Question 6

6 To be completed by members' clubs only

Do the club's constitution and rules conform to the	YES/NO*
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requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	
* 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 .. [redacted] * (see note below)
 Date .. 19-02-19 - 19-02-19
 Capacity .. Applicant APPLICANT/AGENT (delete as appropriate)
 Telephone number and email address of signatory [redacted]

I have enclosed the relevant documents with this application – please tick the relevant boxes

Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

*** 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.

For use by the Licensing Board only

Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

For use by the Licensing Board only

If application is for a premises licence

Documents required	
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Operating plan
Layout plan
Planning certificate
Building standards certificate
Food hygiene certificate

For use by the Licensing Board only	
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.

THOMSON'S OF TRANENT
 22b WINTON PLACE
 TRANENT
 EAST LoTHIAN EU33 1AE

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES /NO*
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	YES/ NO *
*Delete as appropriate	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

Day	ON Consumption

	Opening time	Terminal hour
Monday	11.00	23.00
Tuesday	11.00	23.00
Wednesday	11.00	23.00
Thursday	11.00	23.00
Friday	11.00	23.00
Saturday	11.00	23.00
Sunday	12.30	23.00

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00	22.00
Tuesday	10.00	22.00
Wednesday	10.00	22.00
Thursday	10.00	22.00
Friday	10.00	22.00
Saturday	10.00	22.00
Sunday	10.00	22.00

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
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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	COL. 2	COL. 3	COL. 4
5(a) Activity	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
Accommodation	NO	N/A	N/A
Conference facilities	NO	N/A	N/A
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	NO	—	—
Club or other group meetings etc.	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	NO		
Theatre	NO		
Films	NO		
Gaming	NO		
Indoor/outdoor sports	NO		
Televised sport	NO		
5(d) Activity	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
Outdoor drinking facilities	YES	YES	YES

5(e) Activity	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
Adult entertainment	NO		

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

Coffee Shop - will start from 8.00 am every morning - background music will be playing.
 Grocery Store will start at 09.30 am background music will be playing

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.

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	No

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
*Delete as appropriate	
6(b) Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry	

They will be allowed into the cafe, coffee shop, alcohol will be served mostly with food. Young kids and young people will be closely monitored to make sure there is no surreptitious drinking. All tables are waiter/waitress served.

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

Young people will be allowed to have food, ice cream, coffee, milk shakes etc. but no alcohol

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

08.00 - 22.00

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

All parts of Shop, Post office
Cafe, Coffee Shop, toilets

Question 7

CAPACITY OF PREMISES

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

70 outdoors
70 indoors

Question 8

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

Personal details

8(a) Name

SUSAN THAM SAN

||

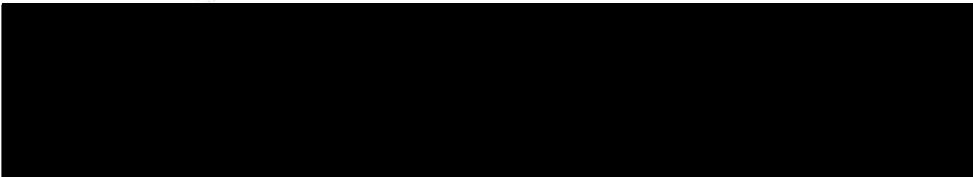
8(b) Date of birth



8(c) Contact address

THOMSON'S OF TRANENT
22b WINTON PLACE
TRANENT
EAST Lothian EH 33 1AE

8(d) Email address and telephone number



8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

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 Susan Thomson * (see note below)

Date 19-02-19

Capacity Applicant APPLICANT/AGENT (delete as appropriate).

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.

Business Profile

Please describe your business offering.

Grocery store and Post office plus cafe,
Coffee shop, kitchen ~~and~~ with small wine bar.

(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.

Cafe, coffee shop with small bar

(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries

Grocery store / Post office

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:

Food will be served on site from 08.00 - 22.00
and offsite from 09.30 - 22.00

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:

/

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:

Background music will be playing

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:

Outdoor drinking with food under canopy and in the war memorial triangle, well stocked and maintained with emphasis on food.

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:

/

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:

Food in morning before from 07.00 outside, served with coffee, tea, soft drinks etc

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:



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.

In disabled toilet we will cater for baby changing, high chairs for infants

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:

Well stocked premises, where food is the main items, with drink as an addition

Securing Public Safety:

Well stocked and alcohol served mostly with food

Preventing Public Nuisance:

Well stocked and outside area well controlled with staff

Protecting and Improving Public Health:

We will not encourage drinking on its own, but encouraging people to eat on our premises


Protecting Children and Young Persons From Harm:

**Application Supporting Comments / Any Other
Additional Information**

(extend the boxes below if you require additional space)

Additional Information:

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

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
		19-02-19

SCHEDULE

SCHEDULE 6 Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

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.

Level access to shop (slight incline, very slight) Level access all the way through to disabled toilets
Table Service

Question 3

Facilities available

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

All areas on the level, disabled toilets provided, ^{tables} seats at catered level, plus table service

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.

ASSistance dogs will of course
be very welcome and there
will be large print menus

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 19-09-19

Capacity APPLICANT APPLICANT/AGENT

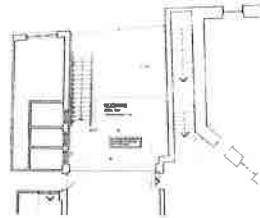
Telephone number and email address of signatory..

*** Data Protection Act 1998**

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LOCATION PLAN (1:1250)



PART FIRST FLOOR PLAN (1:100)

These drawings have been prepared for the purpose of providing a visual representation of the proposed development and are not to be used for any other purpose. The drawings are the property of the architect and shall remain their property. The drawings are to be used for the purpose of providing a visual representation of the proposed development and are not to be used for any other purpose. The drawings are the property of the architect and shall remain their property.

1. Complete to show details of construction, etc. for working drawings, other conditions, and other requirements of the Building Regulations.

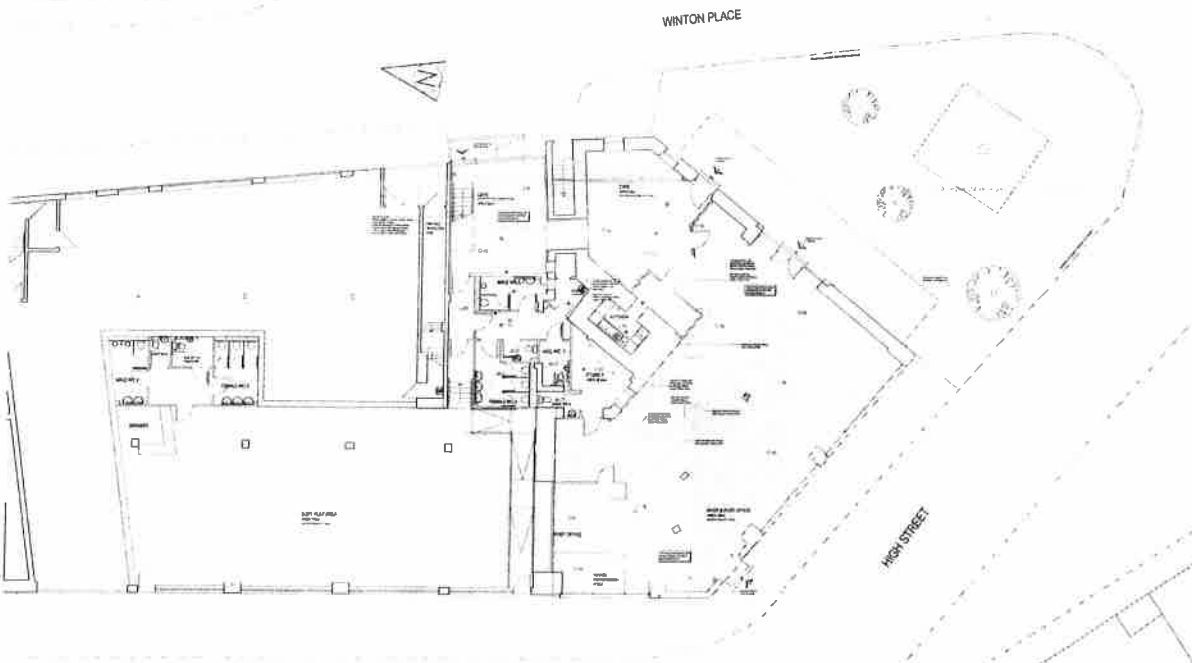
2. All drawings shall be in accordance with the Building Regulations.

3. All drawings shall be in accordance with the Building Regulations.

4. All drawings shall be in accordance with the Building Regulations.

HEALTH AND SAFETY

The client and the architect shall be responsible for the health and safety of the building. The client and the architect shall be responsible for the health and safety of the building. The client and the architect shall be responsible for the health and safety of the building.



GROUND FLOOR PLAN (1:100)

CHURCH STREET

WINTON PLACE

HIGH STREET

PLANNING	
10003 - P60 A	DATE: 10/01/2018
WORKS TO FORM CAFE AND SEAT AT WINTON PLACE / CHURCH STREET, TRAMONT	
FLOOR PLANS AND LOCATION PLAN FOR LICENSING	
storach wood architects	
The Station House's Office Station House 100-102 Church Street TRAMONT, TRAMONT 01273 810000	

EAST LoTHIAN COUNCIL

PEOPLE AND GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 04 April 2019

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

Thomson's of Tranent, 22B Winton Place, Tranent, East Lothian EH33 1AE

I refer to the above subject and can confirm that the LSO has visited the premises regarding this application.

I can confirm the hours applied for both on and off consumption facilities are within policy.

This application emphasises that on consumption will relate to being ancillary to the provision of food, the capacity being 70 indoors and the same number outdoors. It also relates to off-sales, there being an alcohol section in the shop section of the premises, but the relevant display capacity is not declared in response to question 7 of the application. In relation to Part 4 of the Boards Statement of Licensing Policy on Overprovision this capacity requires to be taken into account when deciding proposals which have a particular off-sales impact on alcohol availability in an area within 800 metres of the applicants premises.

To assist the Board determine this application the following premises are within 800 metres of the applicants premises that have licensed off-sales facilities:

Asda 115-157 High Street - display capacity 39m²
Tranent Post Office, 43 High Street - display capacity 9.9m²
Day Today, 26-28 Bridge Street - display capacity 27m²
Tranent Superstore, 32-34 Bridge Street - display capacity 11.2m²
Tranent Mini Market, 76 New Row - display capacity 12.57m²

Premises with on consumption and off-sales facilities:

New Plough, 63 High Street
Whispers, 95 High Street
Giancarlo's, 119 High Street
Keepers Arms, Bridge Street
Brig Inn, Bridge Street
Tower Inn, 128 Church Street

The applicant has applied for an outdoor area under the canopy at the east entrance and includes the whole area of the war memorial triangle. The capacity will be for 70 persons.

To assist the Board, I have attached coloured photographs of the outdoor area to be licensed.

If granted, the applicant will require to apply to East Lothian Council Transportation Services Division for a tables and chairs permit to use the public footpath for commercial purposes. In addition, I would ask that the following conditions be applied:

- That the outdoor drinking area be clearly delineated.
- The surrounding public footpath should not be blocked or obstructed and no extension of permitted area should be made without further application to the Licensing Board and Transport Services Division.
- That the area will only be used for persons seated at tables.
- That no music or entertainment will be permitted in the external licensed area.
- For safety purposes only approved plastic glasses to be used in the outdoor area.
- That the terminal hour of use of the area will be no later than 22:00. (Practically, to prevent crime and disorder, a terminal hour of 20:00 is a more realistic option).
- That the area will be cleared of furniture no later than 15 minutes after the outdoor terminal hour. Such furniture to be stored securely in an area off the footpath.
- The premises licence holder must ensure that the defined area is kept clear of all waste, including cigarette litter, associated with their business.
- An authorised officer of the Council or Police Scotland may temporarily suspend use of the external area for reasons of public safety.
- Access to any public utility plant or fire hydrant in the area must be made available when required.
- When in use, the area must be capable of being monitored by staff either physically or via an approved CCTV system.

I submit this report for the information of the Board in determining this application.

R. Fruzynski
Licensing Standards Officer





Date 27/05/2019

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

John McKenzie
Chief Superintendent
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith
EH22 3AX

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE - REPRESENTATION
THOMSONS OF TRANENT
22B WINTON PLACE, TRANENT, EAST LoTHIAN, EH33 1AE.
SUSAN ANNE THOMSON, [REDACTED]
[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.

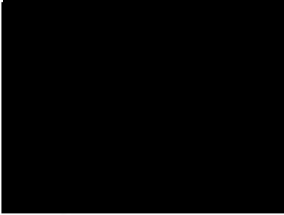
I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Whilst I have no adverse comment to make on the application, I am concerned about the size of the licensed outdoor area to the front of the building. The attached Layout Plan shows the whole of the pavement area, beyond the War Memorial.

This area is currently a public footway, used by pedestrians on a frequent basis. I would therefore request that the applicant consider reducing the licensing area to a more manageable and immediate area outside the premises. I would also request that this area is not used beyond 2200 hours due to the close proximity of residential properties.

I note that the applicant has CCTV fitted and would request that, as a condition of the licence, this is maintained to a good standard. I would also request that the premises join and be an active member of the 'Pub Watch' which operates within Tranent.

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

From: T&ECC Secretary <[REDACTED]>
Sent: 03 June 2019 10:22
To: Winter, Maree
Subject: RE: Thomson of Tranent Provisional Licence application & Layout Plan

Hi,
Tranent & Elphinstone community council have no objections to this.

Angela Martin
Secretary
T&ECC

On Thursday, 23 May 2019 Winter, Maree <mwinter@eastlothian.gov.uk> wrote:

Dear all,

Please find attached provisional licence application and layout plan. Could I please have any objections/representations by 13th June 2019.

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