

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises

Date Received

Comments

5 THE SEAGLASS INN (FORMERLY
WEMYSS HOUSE HOTEL)
LINKS ROAD
PORT SETON
PRESTONPANS
EAST LOTHIAN

PUNCH PARTNERSHIPS (PTL)
LIMITED
C/O FLINT BISHOP SOLICITORS
ST MICHAELS COURT
ST MICHAELS LANE
DERBY

13 May 2019

change to layout to relocate and increase kitchen, remove bar in function area and replace with seating, fixed booth setain in place of existing kitchen. Relocate Male toilets relocate bar servery in its place fixed seating and enhance the external drinking area.

Charge name to "The Seaglass Inn". Permit conference, restaurant facilities, receptions, club, recorded music, live performances, indoor/outdoor sports, outside drinking facilities outwith core hours (No alcohol available outwith core hours). Children and young persons

6 TYNESIDE TAVERN
10 POLDRATE
HADDINGTON
EAST LOTHIAN
EH41 4DA

PAUL MAZZOLI KINNOCH

21 May 2019

Introduction of Beer Garden - Monday to Sunday 11am to 7.30pm.
Amend On-Sales and Off-Sales on a Sunday from 12.30pm to 11am.

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

EL0214

2(b) Name and Address of Premises

TYNESIDE TAVERN
10 POLDRATE
HADDINGTON

Post Code	E44 4DA	Phone No.	01620 82221
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2(c) Full Name and Address of Current Licence Holder

PAUL M KINNOCH

[REDACTED]

Post Code	[REDACTED]	Phone No.	[REDACTED]
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SECTION 3: NATURE OF VARIATION

E.L.C.
Customer Services
20 MAY 2019
RECEIVED

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

INTRODUCTION OF BEER GARDEN COMMERCIAL USE
OPENING HOURS MON - SUN 11AM - 7.30PM

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)

OPENING HOURS SUNDAY
FROM 12.30 PM TO 11.00 AM

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.

PLEASE SEE ADDITIONAL LAYOUT PLAN
ATTACHED FOR BEER GARDEN

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 **£150**

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 £200 is enclosed.

Signature

[Redacted Signature]

..... (See note 5 below)

Date

19th May 2019

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

If agent, please provide name, address, phone number and (if applicable) email address

[Redacted Agent Information]

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.

TYNESIDE TAVERN 10 POLDRAE HADDINGTON EH41 4DA
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Question 1

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

I(a) Will alcohol be sold for consumption solely ON the premises?	YES/NO*
I(b) Will alcohol be sold for consumption solely OFF the premises?	YES/NO*
I(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	01-00
Friday	11-00	01-00
Saturday	11-00	01-00
Sunday	11-00	12 MIDNIGHT

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11-00	22-00
Tuesday	11-00	22-00
Wednesday	11-00	22-00
Thursday	11-00	22-00
Friday	11-00	22-00
Saturday	11-00	22-00
Sunday	11-00	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

THE PREMISES WILL OPERATE ADDITIONAL HOURS FOR THE SALE OF ALCOHOL IN CONFORMITY WITH THE LICENSING BOARD'S DECLARED POLICY ON FESTIVE EXTENSIONS

THE PREMISES WILL OPERATE ANY ADDITIONAL CORE HOURS GRANTED BY THE BOARD UNDER THEIR AUTHORITY CONTAINED IN SECTIONS 67 OF THE LICENSING (SCOTLAND) ACT 2005

ANY ADDITIONAL HOURS SOUGHT OUT WITH SUCH GRANTS SHALL BE APPLIED FOR BY WAY OF SEPARATE APPLICATION FOR OCCASIONAL LICENCE UNDER SECTION 56 OR FOR EXTENDED HOURS UNDER SECTION 68

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	YES	YES	NO
Restaurant facilities	YES	YES	NO
Bar meals	YES	YES	NO
5(b) 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
Social functions including:			
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	NO
Club or other group meetings etc.	YES	YES	NO
5(c) 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
Entertainment including:			
Recorded music - see 5(g)	YES	YES	NO
Live performances - see 5(g)	YES	YES	NO
Dance facilities	YES	YES	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	YES	YES	NO
Indoor/outdoor sports	YES	YES	NO
Televised sport	YES	YES	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	YES	YES	YES

facilities			
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	NO	NO

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

WE WOULD LIKE TO OFFER THE FACILITY
OF SERVING TEA/COFFEE OR BREAKFAST
PRIOR TO LICENSING HOURS

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.

NO

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)	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

CHILDREN AND YOUNG PERSONS WILL BE ALLOWED ENTRY TO THE PREMISES WHEN ACCOMPANIED BY AN ADULT FOR THE PURPOSES OF CONSUMING A MEAL OR WHEN ATTENDING A PRIVATE FUNCTION

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

CHILDREN AND YOUNG PERSONS AGED FROM BIRTH TO 17 YEARS WILL BE ALLOWED ENTRY TO THE PREMISES

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

--

CHILDREN AND YOUNG PERSONS WILL BE ALLOWED ENTRY TO THE PREMISES THROUGHOUT ALL LICENSED HOURS

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 ALLOWED IN ALL PUBLIC AREAS OF THE PREMISES BUT MUST NOT STAND OR SIT WITHIN 2 METRES OF THE BAR SERVING AREA

Question 7

CAPACITY OF PREMISES

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

ON SALES 100 = 11-4M
OFF SALES - DISPLAY AREA 5-2M x 2.2M M2

Question 8

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

Personal details

8(a) Name

ANN KINNOCH

8(b) Date of birth

[REDACTED]

8(c) Contact address

[Redacted contact address]

8(d) Email address and telephone number

[Redacted 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>
1 SEPT 2009	EAST LoTHIAN COUNCIL	EL284

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 [Redacted] (see note below)

Date 19TH MAY 2014

Capacity PROPRIETOR APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory . [Redacted]

*** 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.

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:

OUR RESTAURANT OFFERS BOTH LUNCH AND EVENING MEALS. WEEK DAYS WE OFFER A 3 COURSE LUNCH MENU AT A SPECIAL PRICE WHICH IS VERY POPULAR ESPECIALLY WITHIN THE LOCAL COMMUNITY, OFFICES AND TRADERS IN THE EVENING A FULL A LA CARTE MENU WITH FRESH DAILY SPECIALS USING LOCAL PRODUCE.
BOTH LUNCH AND EVENINGS A CHILDRENS MENU IS AVAILABLE

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:

WE ARE MAINLY ASKED TO CATER FOR BIRTHDAYS OR RETIREMENTS WITH THE OCCASIONAL SMALL WEDDING
FOR ALL CELEBRATIONS WE CAN OFFER SPECIAL MENUS AND DRINKS PACKAGES TO SUIT EACH INDIVIDUAL EVENT
PERSONALISED MENUS, ARRANGEMENTS OF TABLE DECORATIONS AND ALL SPECIAL REQUESTS

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:

BACK GROUND MUSIC IS FULLY LICENSED AND MAINLY PLAYED IN THE RESTAURANT
THE PUBLIC BAR HAS THE FACILITY ON TWO SCREENS TO SHOW TELEVISED SPORT WITH THE VOLUME KEPT TO A MINIMUM OTHERWISE BACK GROUND MUSIC MAYBE PLAYED

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:

THE OUTDOOR FACILITIES WILL BE AVAILABLE 7 DAY FROM 11AM - 7.30PM AND WILL BE USED FOR THE CONSUMPTION OF BOTH FOOD AND DRINKS

OUR GARDEN IS CONTAINED WITH ONLY ONE ENTRANCE AND EXIT. TABLE SERVICE IS IN PLACE THEREFORE MINIMISING THE MOVEMENT OF CUSTOMER FROM OUT DOORS TO INDOORS CONSTANTLY. A DESIGNATED SMOKING AREA, ALL RELEVANT SIGNAGE IS IN PLACE

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:

WE WOULD LIKE TO OFFER TEA / COFFEE OR BREAKFAST PRIOR TO THE COMMENCEMENT OF OUR LICENSING HOURS

re:

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:

LIVE MUSIC MAY TAKE PLACE DURING THE FESTIVAL PERIOD, LOCAL MUSIC FESTIVAL (HADDSTOCK) FESTIVE PARTIES OR HOGMANAY MUSIC ON ALL OCCASIONS WITH THE EXCEPTION OF HOGMANAY WILL END AT 11-30 PM

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.

WE CURRENTLY HAVE DISABLED ACCESS (RAMPS) WHICH SUIT BOTH WHEEL CHAIRS, PRAMS AND BUGGIES, BABY CHANGING IS LOCATED

IN THE DISABLED TOILET THUS ALLOWING BOTH MALE AND FEMALES TO USE THE FACILITY

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:

STAFF FULLY TRAINED IN ACCORDANCE WITH OUR POLICY
CCTV IN OPERATION - INCIDENT BOOK - DAILY LOG BOOK
ALL RELEVANT SIGNAGE IN PLACE INCLUDING CUSTOMER
AWARENESS SIGNAGE
CONTROL OVER THE PERMITTED^{AMOUNT OF} CUSTOMERS IN ALL AREAS
OF THE BUILDING
CONTROL OF END OF HOURS SERVICE AND DRINKING UP
MEMBER OF LOCAL PUB WATCH SCHEME

Securing Public Safety:

APPROPRIATE INTERNAL AND EXTERNAL LIGHTING
APPROPRIATE SIGNAGE, CUSTOMERS LEAVING THE PREMISES,
OPENING HOURS, FIRE EXITS
RISK ASSESSMENT IN PLACE
CORRECT AMOUNT OF STAFFING LEVELS IN ACCORDANCE
WITH CUSTOMERS IN THE BUILDING / EVENT TAKING
PLACE
OUT DOOR AREA SIGNAGE

Preventing Public Nuisance:

APPROPRIATE SIGNAGE INTERNAL + EXTERNAL
STAFF FULLY TRAINED
AWARENESS OFF CUSTOMERS ENTERING AND LEAVING
THE PREMISES
DESIGNATED SMOKING AREA, WASTE MANAGEMENT
POLICY
ADHERANCE TO LICENSING CONDITIONS
GOOD COMMUNICATION WITH NEIGHBOURS

Protecting and Improving Public Health:

PROMOTION OF
MEASURES IN PLACE FOR DESIGNATED DRIVER, GOOD
RANGE LOW / NON ALCOHOL PRODUCTS, ABV CLEARLY
SHOWN ON FONTS AND MENUS. ALCOHOL MEASURES
SNACK MENU
CONTROL OF MUSIC
MINIMUM PRICING (UNIT)
EMERGENCY NUMBERS BY MAIN PHONE LINE
STAFF TRAINING, FIRST AID

Protecting Children and Young Persons From Harm:

CHILD FRIENDLY AND SAFE ENVIRONMENT
CHILDREN FACILITIES AVAILABLE CHANGING / HIGH CHAIR ETC
APPROPRIATE SIGNAGE, DRINKING CONTAINERS GOOD
RANGE OF SOFT DRINKS, AREAS PROTECTED LOG FIRE / SOCKETS

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

THE MAIN PURPOSE OF THE APPLICATION IS TO INTRODUCE ~~AND~~ COMMERCIAL OUTDOOR SEATING AREA
ALL STAFF HAVE BEEN TRAINED ON THE OPERATIONS OF THE ABOVE - SERVICE, ENTRANCE + EXIT CONTROL, NOISE LEVEL, OPENING HOURS, TABLE SERVICE
WE HAVE CREATED A CONTAINED AREA, WITH A SAFE AND COMFORTABLE ENVIRONMENT. LIMITED THE CLOSING TIME TO 7.30PM IN RESPECT OUR NEIGHBOURS
ALL OFF OUR NEIGHBOURS RECEIVED A LETTER FROM

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

MYSELF INFORMING THEM OF ALL INTENSIONS RELATING TO THE OUTDOOR FACILITY APPLICATION,

I WOULD ASK KINDLY THE BOARD SUPPORT THIS APPLICATION. THE TYNESIDE IS VERY MUCH A COMMUNITY HUB FOR LOCAL RESIDENTS, CLUBS AND ORGANISATIONS. WE WORK CLOSELY WITH THE LOCAL BUSINESSES AND SUPPORT LOCAL CHARITIES. ALL ADDITIONS TO THE ~~BAR~~ FACILITIES AVAILABLE AT THE TS HELP US MAINTAIN A HEALTHY BUSINESS AND SAFE, COMFORTABLE ENVIRONMENT FOR ALL OUR CUSTOMERS AND VISITORS

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.

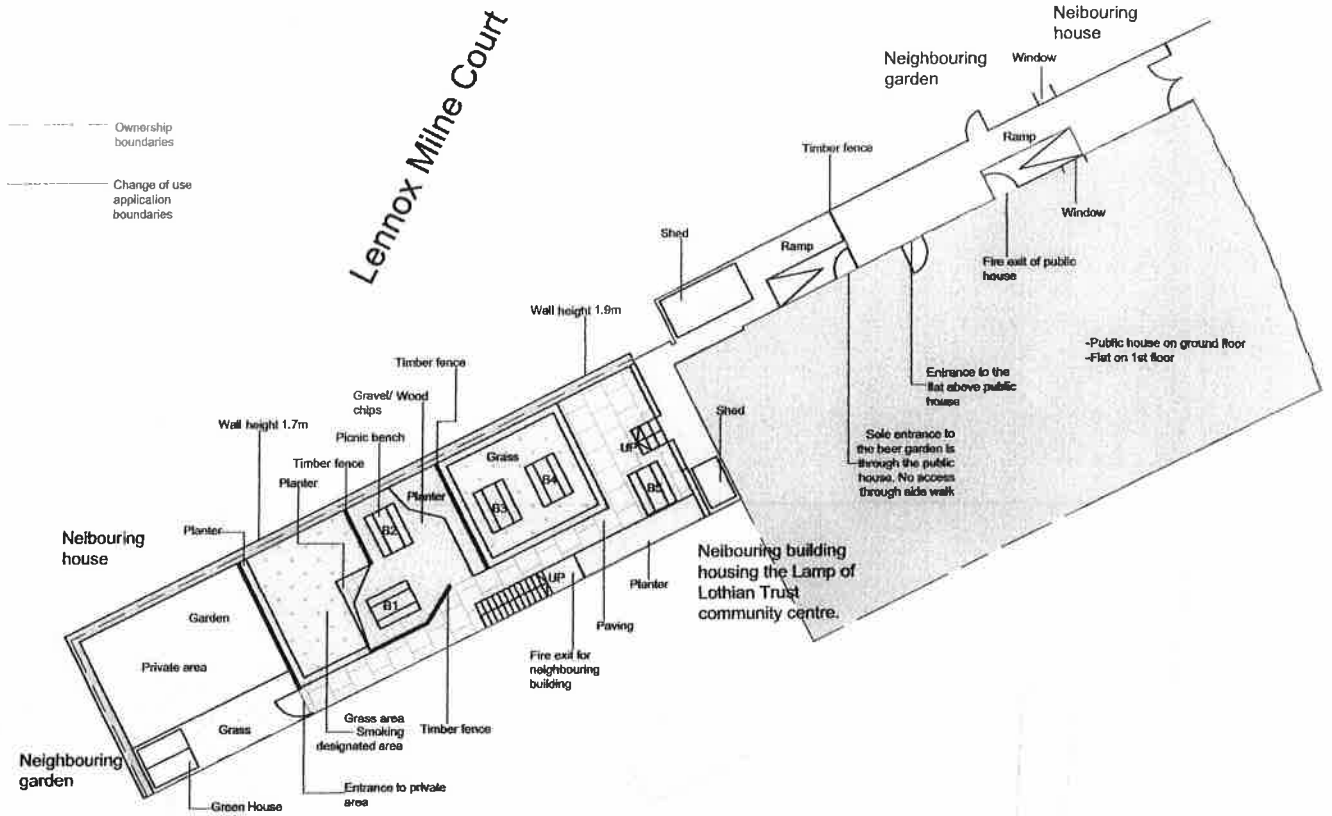
Signature



Date

19th

MAY 2019



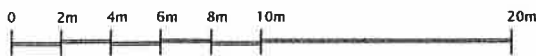
Site plan
Scale 1:200



Section detail
Scale 1:100



SCALE BAR 1-100



SCALE BAR 1-200

Occupancy capacity of beer garden:
-5 Benches
-35 people

Permitted activities: Selling food and alcohol.

Unforeseen works

It is not always possible to identify all elements of construction of an existing building without carrying out extensive disruptive surveys at an early stage. The client should make allowance within their contingency for any costs associated with unforeseen works uncovered as the works progress.

CDM (Construction - Design and Management) 2015

In order to avoid foreseeable risks The Principal Designer has eliminated hazards where reasonably practicable at the design phase. Where foreseeable hazards could not be designed out and in order to reduce the risk associated with those that remain, the following hazards have been identified:

- 1.
- 2.

.....

Rev	Description	Date	By	Chk'd
X	XXXXXXXXXXXXXXXXXXXX	XXXXXX XX	XX	

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Architectural Building & Design Consultants Ltd

Drawings to be read & fully understood before work commences. **IF IN DOUBT ASK.** Use figured dimensions only.

All dimensions, spot levels and drainage positions to be checked on site by Contractor prior to construction. Any discrepancies to be reported back to ABC Ltd

Architectural Building & Design Consultants Ltd
 18a Rothsey Place, Edinburgh EH4 1RS | 0131 510 8585 Edinburgh | abc@architecture.co.uk
 01308 908 229 Dunfermline | abc@architecture.co.uk

Project
Tyneside Tavern, 10 Poldrate, Haddington
 Drawing Title
Existing site plan

Project ref. 156-KINNOCH 02
 Scale 1:50
 Drawing No. 02
 Print Δ 2
 Date 05/01/18
 Issue status PI
 Drawn by MT
 Chk'd by YYY

Note Overleaf Referred To:

Applicant: Paul Mazzoli Kinnoch

Address of Premises: Tyneside Tavern, 10 Poldrate, Haddington, East Lothian, EH41 4DA

Details of Variation Applied For: Introduction of Beer Garden - Monday to Sunday 11am to 7.30pm.
Amend On-Sales and Off-Sales on a Sunday from 12.30pm to 11am.


24th May 2019

Dear Madam,

It is hardly worth writing to object to the licensing Application for the Tyneside Tavern as we know you will grant it in any case. But nevertheless we do wish to object on the grounds that the peaceful enjoyment of our property will be ruined. Similar points were made in our objection to planning permission.

It is vital that close supervision must be exercised at all times over the behaviour of customers, so that noise and disturbance will be minimised. So any license granted must have strict conditions attached to it, regarding eating and drinking in the beer garden.

We are enclosing previous objections submitted by the LAMP of the Lottman in 2009 - although the licensee withdrew their application.

As the value of our property will decrease a reduction of our Council Tax would be justified?

Yours faithfully,




27.5.19

Dear Mrs MacNeill,

Re: Tyneside Tavern

I am writing to object to the possibility of the extension of the licence being granted to the Beer Garden of the Tyneside Tavern. When it is occupied, it has already had quite an impact on our once peaceful gardens in the courtyard, particularly for me, as the Beer Garden is just over the wall

from my house. The noise has meant that I haven't been able to enjoy my own garden as I used to, so I strongly object to any extension of what those of us in the courtyard have to put up with.

Yours sincerely,



East Lothian Council
Licensing

28 MAY 2019

Received

Date 27/05/2019

Your Ref: EL214

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 - REPRESENTATION
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
TYESIDE TAVERN
TYESIDE TAVERN, 10 POLDRATE, HADDINGTON, EAST LOTHIAN, EH41
4DA.
PAUL KINNOCH, [REDACTED]**

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 vary the Operating Plan and Layout Plan.

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

- I would request that the beer garden should not be used after 1930 hours as suggested by the applicant.

I would also request that a condition of the licence be that as a crime prevention measure:

- The premises join and be an active member of the Pub Watch scheme that operates within Haddington.
- CCTV is installed and maintained in good working order.

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

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147.

EAST LoTHIAN COUNCIL

PEOPLE AND GOVERNENCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 23 May 2019

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

**The Tyneside Tavern, 10 Poldrate, Haddington, East Lothian EH41
4DA**

I refer to the above subject and can confirm that I have met with the applicant and that the premises have been visited and assessed in relation to this application for a major variation of Premises Licence.

The application is to introduce a 35 seated outdoor beer garden at the rear of the premises. The area will be will be operated by table service, which will reduce customer movement, and there will be no entertainment or music provided in garden after 19:30 each day to prevent disturbance to nearby residents.

The outdoor area has recently been granted Occasional Licence facilities to operate the outdoor beer garden from 29th April to 7th July 2019. To date there have been no issues identified with its use. I can confirm that these applications were advertised for a period of 7 days as required under licensing legislation. There were no objections received.

The Tyneside Tavern is a popular and well run pub/restaurant and I can confirm that there have been no complaints or licensing problems raised concerning its operation or management.

Licensing Standards is aware of the concerns raised by nearby residents that should the use of the beer garden be supported then they may experience disturbance / nuisance as a result of its operation. As yet, no problems have been reported following its trial operation under temporary licences. If this situation continues to be the case then the fears of the neighbours will have been pleasingly allayed. However, if the application is granted and problems do occur that are not resolved satisfactorily then the licence can be reviewed.

If this application is granted, I would recommend that the applicant's voluntary declaration to only operate the beer garden until 19:30 be made a formal condition of the licence. Similarly, a condition should be included that there will be no outdoor entertainment or music provided in the garden.

To assist Board members, I have attached colour photographs of the Tyneside Tavern's garden area and signage.

I have no objections to the granting of this application.

R. Fruzynski
Licensing Standards Officer

TYNESIDE TAVERN

PLEASE
RESPECT OUR
NEIGHBORS
AT ALL TIMES
WHILST USING
THE OUTSIDE
SEATING AREA

TYNESIDE TAVERN

OUTSIDE
SEATING
AREA
ENTRANCE







EAST LOTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery
Per: Neil Millar
To: Clerk to the Licensing Board
Per: Licensing Board
Cc:

Date: 30th May 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Tyneside Tavern, 10 Poldrate, Haddington

Application type: Variation other than a minor variation of premises licence

I have no objection to the variations applied for, as is detailed in the application forms for them, with regards to the above premise. Planning permission is not required for the sale of alcohol on the premises.

I can confirm that, on 8th March 2019, planning permission (ref: 09/00864/P) was granted for '*Part change of use of domestic garden ground to beer garden and associated works (Part Retrospective)*' at this premise. In particular, Condition 2 of planning permission 09/00864/P states that, '*The beer garden hereby approved shall only be used by customers and staff of the Tyneside Tavern public house and that use shall only be between 1100 hours and 2000 hours on any day of the week*'. I note from the application forms that the beer garden is to be licensed from 1100 hours to 1930 hours which complies with Condition 2 imposed on the Decision Notice.

App No. 18/01211/P

EAST LoTHIAN COUNCIL

DECISION NOTICE

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008

Mr Paul Kinnoch
c/o Architectural Building & Design Consultants Ltd
Per Maria Tsaknaki
18A Rothesay Place
Edinburgh
UK
EH3 7SQ

APPLICANT: Mr Paul Kinnoch

With reference to your application registered on 14th January 2019 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

Part change of use of domestic garden ground to beer garden and associated works (Part Retrospective)

at
Land To Rear Of Tyneside Tavern
10 Poldrate
Haddington
East Lothian

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **GRANT PLANNING PERMISSION** for the said development in accordance with the particulars given in the application, the plan(s) docketed as relative hereto and the conditions set out below:-

CONDITIONS:

- 1 There shall be no public entertainment, amplified music, amplified vocals or live music played in the beer garden.
Reason:
To ensure that the use of the beer garden does not cause nuisance to neighbouring residential properties.
- 2 The beer garden hereby approved shall only be used by customers and staff of the Tyneside Tavern public house and that use shall only be between 1100 hours and 2000 hours on any day of the week.
Reason: