



MINUTES OF THE MEETING OF EAST LOTHIAN LICENSING BOARD

1

THURSDAY 23 MAY 2019
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON

Board Members Present:

Councillor F Dugdale (Convener)
Councillor J Goodfellow (from item 2b)
Councillor J Henderson
Councillor W Innes
Councillor J McMillan

Depute Clerk of the Licensing Board:

Mr C Grilli, Service Manager – Legal and Procurement

Attending:

Ms G Herkes, Licensing Officer
Ms C Shiel, Licensing Officer
PC H Bowsher, Police Scotland

Committee Clerk:

Ms S Birrell

Apologies:

Councillor L Bruce
Ms K MacNeill
Mr R Fruzynski

Declarations of Interest:

None

1 MINUTES FOR APPROVAL – 25 APRIL 2019

The minutes of the East Lothian Licensing Board meeting of 25 April 2019 were approved as a true record.

2 PERSONAL LICENCE APPLICATIONS

a) MS IVANA R ALONGI

The Depute Clerk introduced the item and asked the Police for their comment.

PC Bowsher referred to a letter from Police Scotland dated 6 May 2019, which had informed the Board that the applicant had a previous, unspent conviction which she had not declared on her application form. The Police had no objections to granting the licence.

Ms Alongi, the applicant, was present at the meeting. Mr A Alongi, was also present. Ms Alongi explained she had not been aware the incident in question had resulted in a criminal record, and this was why she had not stated it on the form.

There were no questions from Board members.

Councillor Innes outlined that, given the Police had no objections to the application, he would not be opposing the grant of licence. Provost McMillan recommended that potential licensees should not hesitate to contact the Licensing Office or the Police with any queries regarding the completion of relevant forms. Councillor Henderson agreed with the comments made by her colleagues and added that she was comfortable with the reason given for the omission.

Decision

East Lothian Licensing Board unanimously agreed to grant the personal licence.

b) MS MEI MEI NI

The Clerk advised that the application represented a continuation from a meeting of the Licensing Board held in November 2018.

PC Bowsher reported that there had been no change to the status of outstanding charges against the applicant and as such the Police retained their objection to granting the licence at this time.

Ms Mei Mei Ni, applicant, was present but declined to comment.

There were no questions from Board members.

Councillor Innes stated that, given there had been no material change in the applicant's circumstances, he would find it impossible to take a decision on the licence, and recommended the application should be continued. The Board agreed that the licence should be continued for a further six months. Mr Grilli pointed out that six months was the maximum time allowed for a further extension, and this would be the third continuation of this application. Councillor Innes suggested that if there was a change to the circumstances of the applicant before the expiration of six months then the applicant could ask the Licensing Board to consider her application earlier. The

Convenor confirmed that the applicant would require to inform the Licensing Board of any change to her circumstances.

Decision

East Lothian Licensing Board unanimously agreed to continue the application for a further six months, unless the applicant provided the Licensing Board with information regarding a material update to her circumstances.

3 LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE – ALCOHOL LICENSING IN SCOTLAND

The Depute Clerk summarised the response from East Lothian Licensing Board to the Local Government and Communities Committee, who had asked for evidence from all Licensing Boards in Scotland regarding their focus on health in communities, and how this was reflected within Licensing Policy. He outlined that the Board were committed to the protection and improvement of the health and wellbeing of the population of East Lothian and visitors to the area. Suggested control measures that could apply to applicants and licensees, included, but were not limited to:-

- displaying material discouraging drink driving
- making information available which promoted drinking in moderation
- having a workplace alcohol policy
- extending challenge 25 checks to deliveries of alcohol
- availability and reasonable pricing of low alcohol drinks, and free tap water
- having a policy to deal with patrons who have consumed excessive alcohol
- reduction of the volume of music to protect staff and limit neighbour nuisance, and
- having defibrillation equipment on the premises or an awareness of the nearest facilities.

The Depute Clerk added that the response, collated by the Licensing Standards Officer, had also included information on Minimum Unit Pricing and mandatory conditions to limit or eradicate irresponsible drinks promotions.

Councillor Henderson added that the Licensing Board had maintained strict guidelines regarding licences for takeaways and delivery food services, and had made specific recommendations for licenced 18th and 21st birthday parties. Provost McMillan agreed, adding that there were many healthy living and healthy eating policies and projects around East Lothian.

Decision

East Lothian Licensing Board agreed to note the verbal report.

Signed

Councillor Fiona Dugdale
Convener of East Lothian Licensing Board

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 |
| 2 | THOMSON'S OF TRANENT 22B WINTON PLACE TRANENT EAST LOTHIAN EH33 1AE | PARTNERSHIP OF GEORGE THOMSON AND SUSAN THOMSON | 22 May 2019 | Cafe, Coffee Shop with small bar & grocery store and post office. |

2a

EL 362

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR PROVISIONAL PREMISES LICENCE

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>Hector's 32a High Street Dunbar EH42 1AA</p> |
|---|

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.*

| |
|--|
| |
|--|

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

| |
|--|
| |
|--|

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

Radica Ltd

114a High Street

Dunbar

EH42 1JJ

Company Registration Number: SC587392

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.**

Mr Nicholas James Adams

DOB: [REDACTED]

Place Of Birth: [REDACTED]

Address:

*** 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

| |
|-----------|
| NO |
|-----------|

Question 4

Previous convictions

| | |
|---|-----------|
| 4 <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)</i> | NO |
|---|-----------|

**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)*

Hector's is a family 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 customers. A small selection of wines, beers and spirits will be available to accompany the food.

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.

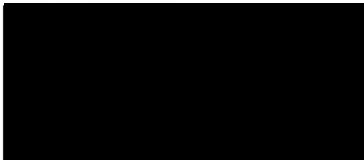
The contents of this Application are true to the best of my knowledge and belief.

Signature  * (see note below)

Date ... 6th May 2019.....

Capacity ... APPLICANT

Telephone number and email address of signatory:



| <i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i> | |
|--|-------|
| <i>Operating plan</i> | ✓ |
| <i>Layout plan</i> | ✓ x 7 |
| <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 | |

ADDITIONAL MATERIAL – PREMISES LICENCE APPLICATION
LODGED NO LATER THAN 16TH JANUARY 2009

Is there a licence under the Licensing (Scotland) Act 1976 held in respect of the premises?

~~YES~~/NO* (*Delete as appropriate)

If so, do you consider the application to be a “Grandfather Rights” application (i.e. one falling within article 18 or 19 of the Licensing (Transitional and Saving Provisions) (Scotland) Order 2007)?

YES/NO* (*Delete as appropriate)

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

| |
|---|
| Hector's 32a High Street, Dunbar, EH42 1AA |
|---|

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>YES</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>NO</i> |
| <i>*Delete as appropriate</i> | |

Question 2

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

| <i>Day</i> | <i>ON Consumption</i> | |
|------------------|-----------------------|----------------------|
| | <i>Opening time</i> | <i>Terminal hour</i> |
| <i>Monday</i> | 11:00 | 23:00 |
| <i>Tuesday</i> | 11:00 | 23:00 |
| <i>Wednesday</i> | 11:00 | 23:00 |
| <i>Thursday</i> | 11:00 | 01:00 |
| <i>Friday</i> | 11:00 | 01:00 |
| <i>Saturday</i> | 11:00 | 01:00 |
| <i>Sunday</i> | 11:00 | 00:00 |

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> | N/A | N/A |
| <i>Tuesday</i> | N/A | N/A |
| <i>Wednesday</i> | N/A | N/A |
| <i>Thursday</i> | N/A | N/A |
| <i>Friday</i> | N/A | N/A |
| <i>Saturday</i> | N/A | N/A |
| <i>Sunday</i> | N/A | N/A |

Question 4

SEASONAL VARIATIONS

| | |
|--|-----------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>NO</i> |
|--|-----------|

**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) <i>Activity</i> | <i>Please confirm</i> YES/NO | To be provided during core licensed hours – please confirm YES/NO | Where activities are also to be provided outwith core licensed hours please confirm YES/NO |
| <i>Accommodation</i> | NO | N/A | N/A |
| <i>Conference facilities</i> | NO | NO | NO |
| <i>Restaurant facilities</i> | YES | YES | NO |
| <i>Bar meals</i> | NO | NO | NO |
| 5(b) Activity <i>Social functions including:</i> | <i>Please confirm</i> YES/NO | To be provided during core licensed hours – please confirm YES/NO | Where activities are also to be provided outwith core licensed hours please confirm YES/NO |
| <i>Receptions including Weddings, funerals, birthdays, retirements etc.</i> | NO YES | NO YES | NO |
| <i>Club or other group meetings etc.</i> | NO YES | NO YES | NO |
| 5(c) Activity <i>Entertainment including:</i> | <i>Please confirm</i> YES/NO | To be provided during core licensed hours – please confirm YES/NO | Where activities are also to be provided outwith core licensed hours please confirm YES/NO |
| <i>Recorded music – see 5(g)</i> | YES | YES | NO |
| <i>Live performances – see 5(g)</i> | YES | YES | NO |
| <i>Dance facilities</i> | NO | NO | NO |
| <i>Theatre</i> | NO | NO | NO |
| <i>Films</i> | NO | NO | NO |
| <i>Gaming</i> | NO | NO | NO |
| <i>Indoor/outdoor sports</i> | NO | NO | NO |
| <i>Televised sport</i> | NO | NO | NO |
| 5(d) | <i>Please confirm</i> | To be provided | Where activities are |

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

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

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

| | |
|--|------------|
| <i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i> | <i>N/A</i> |
| <i>When fully occupied, are there likely to be more customers standing than seated?</i> | <i>N/A</i> |
| <i>*Delete as appropriate</i> | |

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

| | | |
|------|---|-----|
| 6(a) | <i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i> | YES |
| | <i>*Delete as appropriate</i> | |

6(b) *Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

ALL CHILDREN TO BE ALLOWED ENTRY ONLY WHEN ACCOMPANIED BY AN ADULT AGED EIGHTEEN OR ABOVE.

NO PURCHASE OR CONSUMPTION OF ALCOHOL ON PREMISES BY YOUNG PERSONS OR CHILDREN AT ANY TIME.

NO ADULT TO BE PERMITTED TO BUY ALCOHOL FOR THE CONSUMPTION OF CHILDREN OR YOUNG PERSONS.

ALL CHILDREN AND YOUNG PERSONS TO HAVE VACATED THE PREMISES BY 22:00

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

HECTOR'S IS A FAMILY RESTAURANT, CHILDREN AND YOUNG PERSONS OF ANY AGE TO BE ALLOWED ENTRY.

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

CHILDREN AND YOUNG PERSONS ALLOWED ON THE PREMISES FROM 11:00 UNTIL 22:00

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

CHILDREN AND YOUNG PERSONS PERMITTED IN DINING AREA AND TOILETS ONLY. NO ACCESS PERMITTED TO ANY OTHER PART OF THE PREMISES INCLUDING FOOD PREPERATION AND STORAGE AREAS.

NO CHILDREN TO BE ALLOWED WITHIN 1.5 METRES OF THE BAR AREA UNLESS TRANSITING PAST THE BAR AREA.

Question 7

CAPACITY OF PREMISES

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

58

Question 8

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

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

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 14th april 2019

Capacity APPLICANT

Telephone number and email address of signatory 

*** Data Protection Act 1998**

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

Supplementary Application Information

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

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

| | |
|---|---|
| <p>Business Profile</p> <p>Please describe your business offering.</p> <p>Hector's is a vintage industrial themed restaurant specialising in artisan pizza. The menu is designed to be a celebration of East Lothian produce with all ingredients wherever possible being locally sourced e.g. Flour from Mungoswells near Drem, Cheese from Yester near Gifford etc.</p> <p>Mainstream brands will not be available. Instead, items such as craft sodas and charcuterie from local artisans will feature. All aspects of the business model have been designed around sustainability, traceability and zero waste. An example being the wines which will be sourced direct from vineyards in special reusable vessels. Each reusable vessel avoids the manufacture, transportation and disposal of 26 glass bottles.</p> <p>Improving community cohesion is also very much part of the business model. Hector's will be working closely with The Ridge on projects such as providing training and reducing food waste. One such project allows customers to 'pay it forward' - to purchase a meal for individuals or families who may be struggling, facing poverty or in crisis.</p> | |
| <p>On/Off Consumption</p> <p>(a) Please describe the type of business you intend to operate in respect of On consumption.</p> <p>(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries</p> | <p>a) Alcohol is only to be served as an accompaniment to food to customers aged 18 and above. A strict Challenge 25 policy will be enforced.</p> <p>b) Alcohol will be not be available for consumption off premises or delivered.</p> |
| <p>Clarification is required in relation to the content of your proposed Operating Plan (extend the boxes below if you require additional space)</p> <p>To what extent do you intend to use any of the following: Accommodation; Conference</p> | |

Facilities; Restaurant Facilities; Bar Meals:

Hector's will provide restaurant facilities to customers who will be able to eat in or take away food from lunch time until late as detailed in the operating plan. Free meeting space will be provided off peak times for community interest groups only.

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:

As a restaurant, Hector's will be used regularly to celebrate special occasions such as birthdays, retirements etc. The premises will be used only for seated dining and not for any occasion which requires patrons to remain on premises longer than the duration of their meal.

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 will be playing during opening hours only. It will be of a background nature to create atmosphere.

Live performances may occasionally feature for example during Dunbar Traditional Music Festival but any live performances will also be of a background nature so as not to spoil the dining experience or drown out conversation.

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:

No outdoor drinking facilities will be provided.

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:

None.

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:

None.

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.

For babies high chairs will be provided. Baby change facilities are located in the Disabled toilet. Child safe cutlery and drinkware is available. Children’s menu is available.

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:

Hector’s will implement a crime prevention strategy. Staff will be trained in general procedures to prevent crime and disorder including conflict management, protection of the vulnerable and how to recognize and deal with the sexual exploitation of children and young persons. Accredited proof of age cards will be accepted. CCTV will be installed on the premises with footage kept for a minimum of one month. Signage detailing policy on illegal drugs will be displayed. Toilets will be checked regularly. Controls will be in place to ensure correct management of people entering and leaving the premises. There will be prominent display of material discouraging drink driving. Wine will be offered in a choice of measures. A sales refusals book, incidents book and daily register will be kept. Violent or criminal incidents will be reported to the Police.

Securing Public Safety:

All risk assessments including fire will be carried out. Premises will be responsibly managed. Modern well maintained CCTV will be installed. Staff will be suitably trained. All Patrons will be encouraged to be seated while drinking. There will be a written policy on dealing with persons incapacitated or vulnerable through drink or drugs. Empty glasses will be regularly cleared from tables. Suitable First Aid equipment will be on the premises. Staff will be aware of closest defibrillation equipment. All Gas and Electrical systems will be routinely checked and records kept. Police will be informed of any special events or issues relating to public safety. Premises will be maintained in good clean and tidy condition internally and externally at all times.

Preventing Public Nuisance:

Hector’s will adhere to any local conditions imposed by the Licensing Board. Staff will be trained to prevent incidents of public nuisance. Patrons will be properly managed entering and leaving the premises. A policy of last admission time will be implemented. A litter and waste management policy will be in place. Volume of sound equipment will be limited. All music will be tested to ensure no intrusion to nearby residences. Sufficient provision of taxis for patrons leaving the premises will be provided. Efficient cooking and extraction systems will be installed. CCTV will be installed.

Protecting and Improving Public Health:

Material will be displayed discouraging drink driving. Information will be available promoting moderate drinking along with awareness of units of alcohol and recommended guidelines. Hector's will have a workplace alcohol policy in order to raise awareness, minimise harm and ensure that staff are able to access help when an alcohol related problem arises. Customers will be aware of choice in relation to alcohol measures. Wine will be available in small, medium and large measures. Customers will be aware of choice in relation to the strength of alcohol in drinks. Alcohol free alternatives will be available. Tap water fit for drinking will be available free of charge on request. Other non-alcoholic drinks will be available at a reasonable price. Contact details of where assistance for alcohol related problems may be sought will be available. Hector's will comply with the law on alcohol pricing and irresponsible drinks promotions. A policy will be in place to deal with patrons who have consumed excessive alcohol. The volume of amplified music and live performances will be monitored to protect patrons, staff and prevent neighbour nuisance. Staff will be aware where nearest defibrillation facilities are. Staff will be aware of minimum unit pricing of alcohol requirements as part of their training.

Protecting Children and Young Persons From Harm:

Staff will be appropriately instructed, trained and supervised in accordance with recognised standards. Risk assessments will be completed for all areas to which children and young persons have access. Responsible retailing practices will be followed. A policy recognising and dealing with the sexual exploitation of children and young persons will be developed. Non glass drinking containers will be available for children on request. Appropriate measures will be taken to ensure that children and young persons do not purchase or consume alcohol on the premises. Children will be excluded from areas where gambling is taking place such as casino, poker or race nights. Accredited proof of age cards will be accepted. Measures will be taken to ensure that children are not exposed to strong language, violence or disorder. Baby-changing facilities will be provided which are accessible to persons of either gender. High chair facilities will be available for use by young children. Children's menus will be provided. Children will be excluded from an area of 1.5 metres from the bar server area.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

The range of alcohol available will be limited. The premises are intended to be a family restaurant not a pub or bar. Patrons will be expected to eat a meal and only enjoy alcohol responsibly as an accompaniment to food.

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

The population of Dunbar has grown dramatically in recent years with new build developments changing the demographic of the town. The culinary offerings have not changed to any noticeable degree thus I would suggest there is now a demand for a restaurant of high quality at a reasonable price point. I believe a restaurant which champions local produce and actively promotes community cohesion can only be of benefit to East Lothian.

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 | 6 th May 2019 |
|-----------|---|------|--------------------------|

SCHEDULE

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

| | | |
|-------------------------------|--|-----|
| 1(a) | Is there disabled access to the premises | YES |
| 1(b) | Do you have facilities for those with a disability | YES |
| 1(c) | Do you have any other provisions available to aid the use of the premises by disabled people | YES |
| <i>*Delete as appropriate</i> | | |

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

Question 2

Disabled access to, from and within the premises

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

Disabled access to the premises is through the main and only entrance from the High Street.

There is a small 120mm step up from the pavement. A removable ramp will be provided for wheelchair users if required e.g. motorised wheelchairs with smaller wheels. Once inside the ground floor is level.

Question 3

Facilities available

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

There is one fully equipped disabled toilet on the ground floor.

Signage to the disabled toilet is clearly visible.

All tables on the ground floor are fully accessible to wheelchair users.

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.

Table service is provided.

Menus are available in large print.

Assistance Dogs are welcome. Water will be provided.

Quiet times for families with autistic children are available.

Easy hold glassware and cutlery is available.

Zoned lighting can be adjusted if required.

Background music can be adjusted or muted if required.

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)

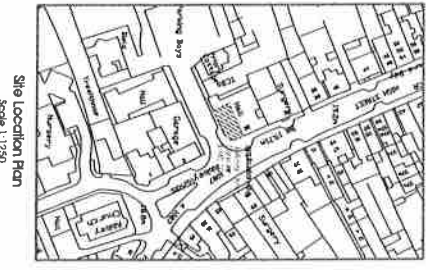
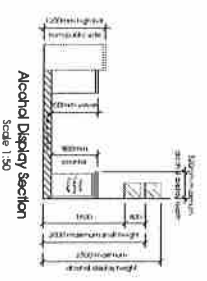
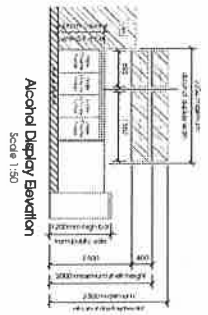
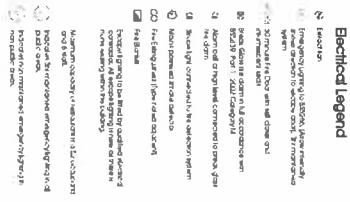
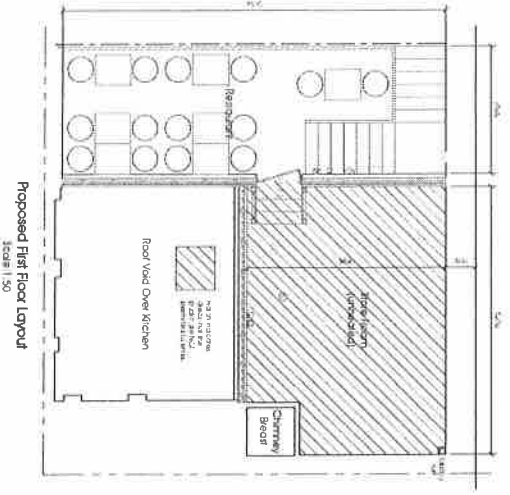
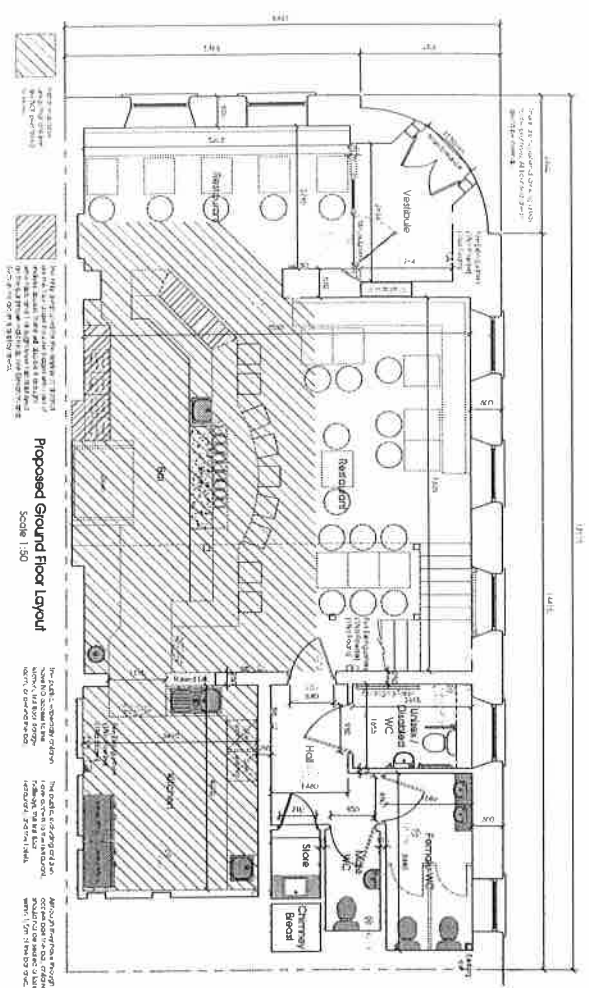
Date 6th May 2019

Capacity APPLICANT

Telephone number and email address of signatory.. 


*** Data Protection Act 1998**

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



| | |
|---------------|--|
| Client: | Mr N Adams, 1174A High Street, Dunbar, EH42 1JJ |
| Project: | Proposed Restaurant / Bar at 32A High Street, Dunbar |
| Drawn by: | John Grogan |
| Checked by: | John Grogan |
| Date: | 11/20/18 |
| Scale: | As Shown |
| Sheet: | AL |
| Project Name: | Hectors-L-01 |
| Client Name: | HECTORS |

Your ref: KMacN/mjw/EN/L/L1

[REDACTED]
6 June 2019

Dear Sir/Madam

With reference to the application for licensed premises at 32A High St. Dunbar, I wish to raise an objection to the hours of opening specified in the application; namely, Thursday to Saturday 11.00 to 01.00, and Sunday 11.00 to 12 Midnight. I think this is rather too late for a street where people live, and that there might well be late-night disturbance from noise. My wife and I live just across the road from the premises in question. I would suggest that midnight closing Friday and Saturday, and 23.00 on the remaining nights would be late enough, or perhaps even 23.00 on all nights.

Yours sincerely [REDACTED]
[REDACTED]

East Lothian Council
Licensing
07 JUN 2019
received

EAST LoTHIAN COUNCIL

PEOPLE AND GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 05 April 2019

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

Hector's, 32A High Street, Dunbar, East Lothian EH42 1AA

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

The premises referred to are part of the old post office on High Street, Dunbar, formerly a children's play area known as Steamy Dreamy.

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

I would like to compliment the applicant in the detail and effort he put into completing this application, which provides a clear picture of what Hector's will offer.

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
HECTORS
HECTORS, 32A HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1AA.
RADICA LTD, 114A HIGH STREET, DUNBAR**

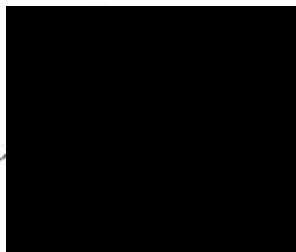
I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

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, it was noted that the operating plan was in conflict with some of the 'supplementary information' on the operation for the premises, such as, the applicant has selected 'NO' to receptions, birthdays, weddings etc as well as 'NO' to club or group meetings, yet in the 'supplementary information' he make reference to these taking place on the premises?

Maybe the applicant would like to revisit these areas and submit an amended operating plan prior to the Board hearing.

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147.

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 | |

2b

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.

Vertical rectangular box for answer 2(d)

Handwritten diagonal line

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. *

Vertical rectangular box for answer 2(e)

Handwritten diagonal line

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

Handwritten diagonal line

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

Small square box

Question 4

Previous convictions

| | |
|---|---------|
| 4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence () | YES/NO* |
|---|---------|

*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* |
|---|---------|

| | |
|--|--|
| 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 | |
|--------------------|--|

| |
|--------------------------------|
| 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* |
|---|---------|

*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 | 43 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 09.30am 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* |
|---|---------|

| | |
|--|---------|
| 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  * (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 ~~boxes~~ 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

**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, ~~seats~~^{tables} 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

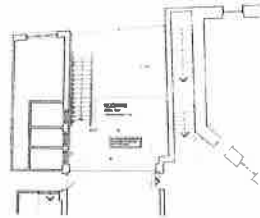
Telephone number and email address of signatory..

*** Data Protection Act 1998**

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



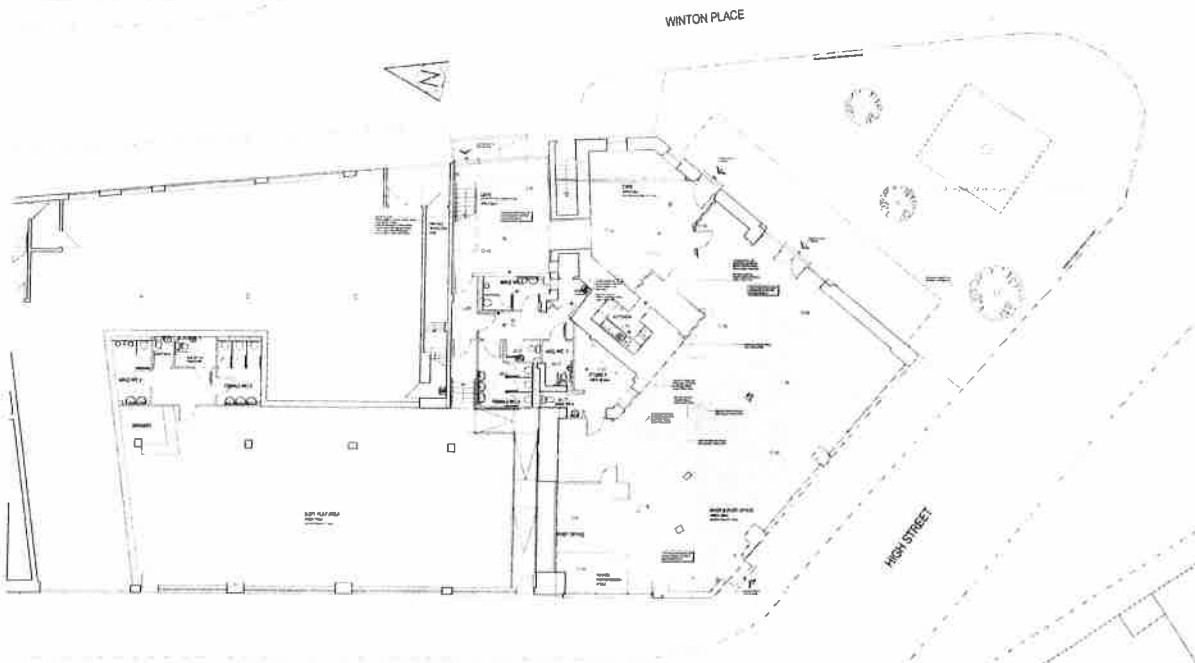
LOCATION PLAN (1:1250)



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 the property of the architect. No part of these drawings may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect. The architect shall not be responsible for any errors or omissions in these drawings. The drawings are provided as a guide only and do not constitute a contract. The drawings are provided on the understanding that the client has accepted the architect's terms and conditions of engagement. The drawings are provided on the understanding that the client has accepted the architect's terms and conditions of engagement. The drawings are provided on the understanding that the client has accepted the architect's terms and conditions of engagement.

HEALTH AND SAFETY
 The client is advised that the drawings are not to be used for any other purpose. The drawings are the property of the architect and shall remain the property of the architect. No part of these drawings may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect. The architect shall not be responsible for any errors or omissions in these drawings. The drawings are provided as a guide only and do not constitute a contract. The drawings are provided on the understanding that the client has accepted the architect's terms and conditions of engagement. The drawings are provided on the understanding that the client has accepted the architect's terms and conditions of engagement.



GROUND FLOOR PLAN (1:100)

CHURCH STREET

| | |
|---|------------------|
| PLANNING | |
| 10003 - P60 A | DATE: 01/06/2010 |
| WORKS TO FORM CAFE AND SNACK AT WINTON PLACE / CHURCH STREET, TRAMONT | |
| FLOOR PLANS AND LOCATION PLAN FOR LICENSING | |
| storach wood architects | |
| The Station House's Office 100 Church Street, TRAMONT Tel: 01209 781200 Fax: 01209 781201 Website: www.storachwood.co.uk | |

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.

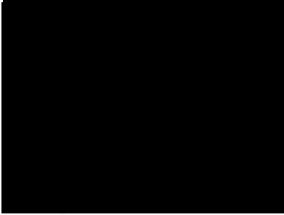
I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

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

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 Applicant

Date Received

Comments

3 LODGE ST JOHN KILWINNING NO.
57
MASONIC HALL
71 HARDGATE
HADDINGTON
EAST LOTHIAN

LODGE ST JOHN KILWINNING NO.
57

17 May 2019

Change to an open licence, include off-sales 10am to 10pm daily, vary Sunday opening hours from 12.30pm to 11am. Receptions, club meetings, music, live performances may be held outwith core hours, Addition of Televised sport, film evenings to the operating plan.

63

4 PRESTONPANS LABOUR PARTY
SOCIAL CLUB
STREET ONLY
KIRK STREET
PRESTONPANS
EAST LOTHIAN

PRESTONPANS LABOUR PARTY
SOCIAL CLUB

23 May 2019

Variation to premise licence to add a beer garden to the south of the main entrance.

3a

PC
EK

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

EL0242

2(b) Name and Address of Premises

LODGE St JOHN KILWINNING No.57
Masonic Hall
71 Hardgate
HADDINGTON

Post Code EH41 3NX

Phone No.

2(c) Full Name and Address of Current Licence Holder

LODGE St JOHN KILWINNING No.57
Masonic Hall
71 Hardgate
HADDINGTON

Post Code EH41 3NX

Phone No.

SECTION 3: NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought:-

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

Would propose to change our current club style Licence to an open Licence, with the inclusion of

- Receptions, club and group meetings before the commencement of licensed hours.
- Music and live performances may be facilitated, prior to the commencement of licensed hours.
- We may offer the facility of televised sport to our customers in the future and would therefore wish to have this facility included in our operating plan.
- We may also show recorded films, ie Film evenings/club, we would therefore also wish to have this facility included in our operating plan.

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)

Q2. Retain existing on consumption hours with respect to Monday-Saturday, Move 11:00hrs – 23:59hrs on Sunday.

Q3. We would wish to offer off sales facilities between 10:00hrs-22:00hrs each day.

Seasonal variations-: we wish to take advantage of any general extensions to licenced hours. In respect of any local and national importance including the festive period.

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.

No change to current layout plan.

3(d) Variation to any other information contained or referred to in the licence

EAST LOTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

LODGE St JOHN KILWINNING No.57
Masonic Hall
71 Hardgate
HADDINGTON
EH41 3JN

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

Question 2

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

| <i>Day</i> | <i>ON Consumption</i> | |
|------------------|-----------------------|----------------------|
| | <i>Opening time</i> | <i>Terminal hour</i> |
| <i>Monday</i> | 11:00 | 12 Midnight |
| <i>Tuesday</i> | 11:00 | 23.00 |
| <i>Wednesday</i> | 11:00 | 12 Midnight |
| <i>Thursday</i> | 11:00 | 12 Midnight |
| <i>Friday</i> | 11:00 | 01:00 |
| <i>Saturday</i> | 11:00 | 01:00 |
| <i>Sunday</i> | 11:00 | 12 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> | 10:00 | 22:00 |
| <i>Tuesday</i> | 10:00 | 22:00 |
| <i>Wednesday</i> | 10:00 | 22:00 |
| <i>Thursday</i> | 10:00 | 22:00 |
| <i>Friday</i> | 10:00 | 22:00 |
| <i>Saturday</i> | 10:00 | 22:00 |
| <i>Sunday</i> | 10:00 | 22:00 |

Question 4

SEASONAL VARIATIONS

| | |
|--|------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>YES</i> |
|--|------------|

**If YES – provide details*

We would wish to take advantage of any general extension to licensed hours granted in respect of events of national interest, including the festive period.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

| COL. 1 <i>5(a)</i> <i>Activity</i> | COL. 2 <i>Please confirm</i> <i>YES/NO</i> | COL. 3 <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i> | COL. 4 <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i> |
|---|---|---|--|
| <i>Accommodation</i> | N/A | N/A | N/A |
| <i>Conference facilities</i> | Yes | Yes | Yes |
| <i>Restaurant facilities</i> | No | No | No |
| <i>Bar meals</i> | | | |
| <i>5(b) Activity</i> <i>Social functions</i> <i>including:</i> | <i>Please confirm</i> <i>YES/NO</i> | <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i> | <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i> |
| <i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i> | Yes | Yes | Yes |
| <i>Club or other group</i> <i>meetings etc.</i> | Yes | Yes | Yes |
| <i>5(c)</i> <i>Activity</i> <i>Entertainment</i> <i>including:</i> | <i>Please confirm</i> <i>YES/NO</i> | <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i> | <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i> |
| <i>Recorded music – see</i> <i>5(g)</i> | Yes | Yes | Yes |
| <i>Live performances –</i> <i>see 5(g)</i> | Yes | Yes | Yes |
| <i>Dance facilities</i> | Yes | Yes | Yes |
| <i>Theatre</i> | Yes | Yes | Yes |
| <i>Films</i> | Yes | Yes | Yes |
| <i>Gaming</i> | Yes | Yes | Yes |
| <i>Indoor/outdoor sports</i> | Yes | Yes | Yes |
| <i>Televised sport</i> | Yes | Yes | Yes |
| <i>5(d)</i> | <i>Please confirm</i> | <i>To be provided</i> <i>during core licensed</i> | <i>Where activities are</i> <i>also to be provided</i> |

| <i>Activity</i> | <i>YES/NO</i> | hours – please confirm <i>YES/NO</i> | outwith core licensed hours please confirm <i>YES/NO</i> |
|------------------------------------|------------------------------|--|---|
| <i>Outdoor drinking facilities</i> | No | No | 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> | <i>Yes</i> | <i>Yes</i> | <i>No</i> |

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

Lunch Club, Haddstock Music festival or similar, TV may be purchased in the future. We could be a venue for film club and similar activities

To be clear no alcohol will be supplied at activities out with our core hours, except on the grant of an occasional licence

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.

Fund raising events such as poker, casino or race nights.

Club presentation nights. Suppers, Dances and any other events deemed appropriate.

To be clear no alcohol will be supplied at activities out with our core hours, except on the grant of an occasional licence

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) | When alcohol is being sold for consumption on the premises will children or young persons be allowed entry | YES* |
| *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 when alcohol is being sold. They will be excluded from the Kitchen and cellar.

They will maintain the minimum distance from the bar as per current regulations and any future changes to the laws.

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

All ages will be permitted entry, provided they remain under the guardianship of their Parents/Guardian/family

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

Children and Young persons watershed will be 22:00hrs when they will vacate the premises, With the exception of attending a pre organised event

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

Children and Young Persons will be excluded from the Kitchen, cellar and immediate bar area.
Only passing through the bar area to access the toilets and the temple area, Temple area may be used for special functions, ie Childrens Christmas parties and exhibitions.

Question 7

CAPACITY OF PREMISES

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

On Sales-100

Question 8

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

Personal details

8(a) Name

FALKO MANFRED BURKERT

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address and telephone number

[REDACTED]

8(e) Personal licence

| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|-----------------------------|--|--|
| 7 th August 2017 | East Lothian | EL1418 |

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 15/05/19

Capacity RIGHT WORSHIPFUL APPLICANT/AGENT (delete as appropriate).
MASTER (CHAIRMAN)

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.

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 £ is enclosed.

Signature  CALLUM COLBURN (See note 5 below)

Date 15/05/19

Capacity: APPLICANT (delete as appropriate)

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

.....

.....

Note 1:
Please note that the proposed Operating Plan **must** contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:
Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:
The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:
This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:
Data Protection Act 1998
The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:
East Lothian Licensing Board **Phone:** 01620 827217 / 827867 / 820114
Licensing Office **Fax:** 01620 827253
John Muir House **Email:** licensing@eastlothian.gov.uk
Haddington, East Lothian
EH41 3HA

| FOR OFFICE USE ONLY | | |
|-----------------------------------|-----------------------|-----------------------|
| <i>Received & Receipt No.</i> | <i>System Updated</i> | <i>Licence Issued</i> |
| | | |

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)

SECTION 4: LICENCE TO BE AMENDED

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES **NO**

If the answer is **NO**, please provide an explanation.

I am unable to produce the Premises Licence because...

- The licence has not yet been issued by the Board
- The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- Other (provide details)

.....

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£200**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£220** (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

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.

We are one of the oldest Masonic Lodges in the world, having been in existence for at least 5 Centuries.

We currently operate as a Masonic Lodge/social club and host other Masonic Groups i.e The Royal Arch, the premises also allow occasional functions.

We have recently had a request to allow a lunch club to use the premises, whilst the Corn Exchange undergoes an extensive refurbishment.

The Royal British Legion (Haddington branch) recently reformed, this is made up with a large proportion of lodge members, They have held several meetings within the premises.

The local business association have also used the premises to hold meetings

Last year the premises were one of the venues to accommodate local talent at Haddstock, live music performances.

Local bands have used the lodge for practices/rehearsal

As there is a lack of small local venues in the Town of Haddington, we wish to make our premises more readily available, to allow for community groups, local clubs and families an alternative venue for social functions and fund raising.

We have a large building that is vastly underused, As a lodge we currently hold 16 meetings a year, predominately on a Monday evening, September to April. Currently attracting 30-50 members.

The Royal Arch chapter meet 8 times per annum on a Wednesday evening. Previously the Eastern Star met on a Thursday but are currently in abeyance.

There is a possibility that in the future we may resurrect a pool and dart team to compete in the local league, Normally mid week.

We would very much like to increase the buildings use and we are currently undergoing external and internal work to the building to enhance its appearance.

Having the opportunity to allow patrons to use the building more freely would benefit the community and the Lodge.

meals will be prepared on the premises for the lunch club and burns suppers, installations etc. in our Kitchen that has a current health and hygiene certificate.

(extend this box if you require additional space)

| | |
|---|---|
| On/Off Consumption | |
| (a) Please describe the type of business you intend to operate in respect of On consumption. | a) <u>We offer drink sales and occasional food, buffets (self supplied)</u> |
| (b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries | b) <u>Some of the patrons are drivers and would like the opportunity to take alcohol away</u> |

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:

We have a building that we would like to offer on request for conferences or as a training facility, i.e First Aid, Road/Bike safety talks(held in the past)

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 would like the facility, to hold Weddings, Birthday, Funerals, retirement and any other social event that the lodge could accommodate. We currently have 6 trained staff and a premises manager,(voluntary). In general, we currently have about 6-10 occasional functions per year. The frequency would be, if and when required, normally a Friday or Saturday evening, not usually both! I can only estimate but I can only suggest 2 per month

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:

If in the future we purchase a TV and license I would envisage weekends only and for major sports, we have no plans to install Sky TV. If a film club or theatre group requested the use of the hall, we would accommodate.

Live bands play in the premises several times a year, We would like to accommodate more local live talent in the future. Possibly monthly.

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 do not have the facility to accommodate any outdoor drinking

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:

There may be rare occasions when we have adult only acts. This would adult guest speakers and comedians, with adult humour and content, No persons under the age of 18 will be permitted on the premises at those times.

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 have had a request to host a lunch club, they will require to be on the premises at 0900hrs to prepare for the meal. At present the lunch club is still accommodated at the corn exchange and cater for 10-14 elderly pers. Should the lunch club take up the offer of our premises, it is estimated that it will be for a 9 month period.

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:

Unable to confirm any frequency, as we have had limited enquires to the buildings availability.

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.

No changing facilities at the moment, we are upgrading the premises and will utilise the disabled toilet as the baby changing area and a baby changing unit will be installed as soon as reasonably practicable, if necessary.

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:

- Consider underage drinking-check ID of persons who look under 21
- Staff are trained to monitor individuals behavior
- Offering non-alcoholic drinks at reasonable and affordable prices
- Provide tap drinking water free of charge
- Keep staff training records up to date
- Correct signage in place
- Continue to discourage drink driving
- Seek membership of pubwatch

Securing Public Safety:

- Ensuring all fire risk assessment are up to date,
- Carry out a full risk assessment and keep updated
- First aid kit on premises,
- Where possible, have a first aider on site
- Staff will ensure the building does not exceed maximum capacity
- Effective and responsible management of the premises
- Adequate number of suitable trained staff

Preventing Public Nuisance:

- Adhere to any local conditions imposed by EL Licensed Board
- Appropriate bar staff training to prevent public nuisance

- Allow adequate “drinking up” time
- Monitor noise levels, reduce if necessary
- Call Police Scotland for assistance if necessary
- Join pub watch

Protecting and Improving Public Health:

- Ensure customers know the alcohol level of drink and measures
- Low alcohol/non-alcoholic drinks available
- Tap water available free of charge

Protecting Children and Young Persons From Harm:

- Young people and Children always accompanied by responsible adult
- Monitor behaviors
- Challenge any inappropriate behavior
- Ensure Alcohol is inaccessible to children and young people
- Refuse to serve a person who appears to be underage

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

5 staff currently trained and records in place
 1 x Personal License holder
 1 awaiting refresher training
 1 other will undergo training in the near future

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

Haddington has a lack of affordable premises to hold social functions and fund raising events. It can also be used for community groups, ie Lunch club, business Association meetings, Royal British Legion/ex-service men/women club and other users
 The Masonic Lodge has a facility that is underused and would benefit the community in the future.

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 15/05/19. |
|-----------|---|--|-------------------|

①

HAND DELIVERED.

East Lothian Council
Licensing

29 MAY 2019

Received

28th MAY 2019

YOUR LETTER

K MAC N / M J W / E N / L / L 1

DEAR SIR / MADAM

I refer to your recent correspondence to the council which I have noted and my comments are as follows.

I have no desire to return to the previous occasions when party goers were using my two living room windows as a "park bench" while consuming these various alcoholic beverages purchased from the hedge.

Foul and offensive language was clearly audible to all in my house including friends and my grandchildren who were visiting at those times.

Five measures and half empty beer bottles were regularly left on my window sills for myself or my wife to dispose of on Friday, Saturday and Sunday mornings. Further more the chaos between my house and the hedge was being used as a public toilet.

On more than one occasion the police had to be in attendance for various fights and brawls which on two occasions spilled on to the main road causing traffic disruption.

P.T.O.

(2)

These are some of the facts that I base my total objection to a review of this because Surely this cannot be acceptable given the location and the higher risks involved. as my previous comments highlights.

Finally the residents in [redacted] and [redacted] have asked that these objections be noted in this letter

The resident in [redacted] being in the same facts as mine, [redacted] however has requested that the objection he would like to mention is that the "smoking area" at the hedge is directly adjacent to his bedroom. as he works shifts and worked work the noise generated from this area seriously will affect his sleep pattern, as it did previously.

There are not all of the reasons for the total objections of myself and my two neighbours but certainly enough for you, to totally reject the application

I await your early responses

Yours Faithfully

[redacted]

[redacted]

Maree Winter
Licensing Officer
Democratic & Licensing Services
East Lothian Council
John Muir House
HADDINGTON, EH41 3HA

Date 11th June 2019
Your Ref
Our Ref JS/EO/fb
Enquiries to Jim Sherval
Extension 35436
Direct Line 0131 465 5436
Email jim.sherval@nhslothian.scot.nhs.uk

Dear Ms Winter

MAJOR VARIATION APPLICATION - LODGE ST. JOHN KILWINNING

With respect to this application for a variation to the license, NHS Lothian is submitting a representation regarding the proposed hours and the request for an off-sales license on the grounds of Protecting and Improving Public Health.

This application is proposing to change from a club license to an open licence. We therefore feel that the licensing hours should be in line with those of the East Lothian Alcohol Licensing Policy. When developing the Licensing Policy, the Board reached their decision regarding the terminal hour after due consideration of the evidence and in order to uphold the 5 licensing objectives. Section 17.2 states that *"The Board considers that the on sale policy hours are appropriate for East Lothian and represent a balance between the interests of the public, residents, licensed businesses and patrons of licensed premises."*

The proposed terminal hour for Monday and Wednesday of 12 midnight is not in keeping with the Board policy of 11pm on these days. We are aware that the premises already has a terminal hour of 12 midnight for Tuesdays, granted under the premise's status as a private members club. As the applicants are seeking a transfer to an open license, it would seem appropriate therefore that a terminal hour of 11pm for Monday and Wednesday is made a condition of the license.

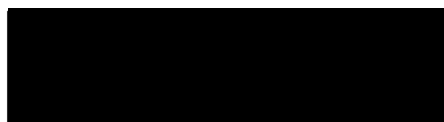
The premises is also seeking off-sales. The NHS is particularly concerned about the increases and impact of sales of alcohol from off-sales premises, given that nearly 75% of all alcohol sold in Scotland is from off-sales premises and that Haddington has some of the highest density of alcohol outlets in East Lothian (<https://creshmap.com/shiny/alcoholtobacco/>). Therefore we would request that careful consideration should be given by the Board to the potential of increasing availability of alcohol in this area from off-sales given the concerns regarding levels of alcohol-related harm associated with high outlet density (<https://www.alcohol-focus-scotland.org.uk/campaigns-policy/availability-and-licensing/>).



Headquarters
Waverley Gate
2-4 Waterloo Place
Edinburgh EH1 3EG

Chair Brian G. Houston
Chief Executive Tim Davison
*Lothian NHS Board is the common
name of Lothian Health Board*

Yours sincerely



ELIZABETH OLDCORN
Senior Health Promotion Specialist



JIM SHERVAL FFPH
Consultant in Public Health

Date 22/05/2019

Your Ref: EL242

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 VARIATION OF A PREMISES LICENCE
LODGE ST JOHN KILWINNING No. 57
MASONIC HALL, 71 HARDGATE, HADDINGTON, EAST LOTHIAN, EH41 3JN.
Lodge St John Kilwinning No.57**

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 operate as an 'open licence' as opposed to the current 'club licence'. To vary the operating plan and to increase the licensed hours with the addition of 'off sales'.

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

I would request that the premises join and be an active member of the Pub Watch scheme that operates within Haddington.

The club should also consider, if they haven't done so already, installing CCTV as a crime prevention measure.

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 GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 04 June 2019

LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

LODGE St John Kilwinning No. 57, East Lothian EH41 3NX

I refer to the above subject and can confirm that the LSO has visited the premises and met with Mr Colquhoun, Lodge Chairman, regarding this application.

This application is to change the status of the club licence to an open licence. This means that the Lodge will be able to remove the need for only members and signed in guests to use the premises, except on the grant of the limited number of 12 Occasional Licences per annum, which is a facility only permitted to clubs and voluntary organisations. The Lodge will then be able to openly advertise events, functions and the like to non-members. It will create the opportunity to raise finance to support the upkeep and improvements to the premises that membership fees do not realise. As suggested by the applicant, this type of change of status can be used to open up club premises, which have restricted access, to allow more use of affordable halls, function rooms and spaces that there is normally a shortage of in small communities.

The Lodge currently has the following licenced hours:

| Licensed hours | | |
|-----------------------|-----------------------|----------------------|
| ON SALES | | |
| <i>Day</i> | <i>ON Consumption</i> | |
| | <i>Opening time</i> | <i>Terminal hour</i> |
| <i>Monday</i> | 11:00 | 12 Midnight |
| <i>Tuesday</i> | 11:00 | 23:00 |
| <i>Wednesday</i> | 11:00 | 12 Midnight |
| <i>Thursday</i> | 11:00 | 12 Midnight |
| <i>Friday</i> | 11:00 | 01.00 |
| <i>Saturday</i> | 11:00 | 01.00 |
| <i>Sunday</i> | 12:30 | 12 Midnight |

OFF SALES

| <i>Day</i> | <i>OFF Consumption</i> | |
|------------------|------------------------|----------------------|
| | <i>Opening time</i> | <i>Terminal hour</i> |
| <i>Monday</i> | N/A | N/A |
| <i>Tuesday</i> | N/A | N/A |
| <i>Wednesday</i> | N/A | N/A |
| <i>Thursday</i> | N/A | N/A |
| <i>Friday</i> | N/A | N/A |
| <i>Saturday</i> | N/A | N/A |
| <i>Sunday</i> | N/A | N/A |

Although the on consumption hours on Monday and Wednesday are outwith policy, these were granted at the time of transition to the new licensing regime to accommodate Lodge meetings. In this respect there have been no identified licensing problems.

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

R. Fruzynski
Licensing Standards Officer

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 | Applicant | Date Received | Comments |
|----------------------|--|---|---------------|---|
| 3 | <p>LODGE ST JOHN KILWINNING NO. 57 MASONIC HALL 71 HARDGATE HADDINGTON EAST LOTHIAN</p> | <p>LODGE ST JOHN KILWINNING NO. 57</p> | 17 May 2019 | <p>Change to an open licence, include off-sales 10am to 10pm daily, vary Sunday opening hours from 12.30pm to 11am. Receptions, club meetings, music, live performances may be held outwith core hours, Addition of Televised sport, film evenings to the operating plan.</p> |
| 4 | <p>PRESTONPANS LABOUR PARTY SOCIAL CLUB STREET ONLY KIRK STREET PRESTONPANS EAST LOTHIAN</p> | <p>PRESTONPANS LABOUR PARTY SOCIAL CLUB</p> | 23 May 2019 | <p>Variation to premise licence to add a beer garden to the south of the main entrance.</p> |

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

EL 0258

2(b) Name and Address of Premises

PRESTONPANS LABOUR PARTY SOCIAL CLUB
 5 KIRK STREET
 PRESTONPANS

| | | | |
|------------------|-----------|------------------|--------------|
| Post Code | EH 32 9EA | Phone No. | 01875 810876 |
|------------------|-----------|------------------|--------------|

2(c) Full Name and Address of Current Licence Holder

ANTHONY JOHN COURTNEY HARRIS

| | | | |
|------------------|--|------------------|--|
| Post Code | | Phone No. | |
|------------------|--|------------------|--|

SECTION 3: NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought:-

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

PROPOSE TO USE GROUND TO THE SOUTH OF
MAIN ENTRANCE AS A BEER GARDEN

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)

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.

USAGE OF PAVED AREA ADJACENT TO SOUTH
DOOR AS A 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)

SECTION 4: LICENCE TO BE AMENDED

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

- YES NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because...

- The licence has not yet been issued by the Board
- The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- Other (provide details)
.....

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£200**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£220** (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 £ is enclosed.

Signature  (See note 5 below)

Date 14/05/19

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

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

Note 1:
Please note that the proposed Operating Plan **must** contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:
Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:
The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.
Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:
This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:
Data Protection Act 1998
The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:
East Lothian Licensing Board **Phone:** 01620 827217 / 827867 / 820114
Licensing Office **Fax:** 01620 827253
John Muir House **Email:** licensing@eastlothian.gov.uk
Haddington, East Lothian
EH41 3HA

| FOR OFFICE USE ONLY | | |
|-----------------------------------|-----------------------|-----------------------|
| <i>Received & Receipt No.</i> | <i>System Updated</i> | <i>Licence Issued</i> |

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.

WE WOULD LIKE TO PROVIDE OUTSIDE SEATING FOR UP TO 30 PEOPLE IN A BEER GARDEN WHEN WEATHER IS SUITABLE STAFF WOULD BE ATTENDING AREA REGULARLY TO CLEAN TABLES ETC. NO MUSIC OR TV WOULD BE AVAILABLE.

(extend this box if you require additional space)

| | |
|---|------|
| On/Off Consumption | |
| (a) Please describe the type of business you intend to operate in respect of On consumption. | a) - |
| (b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries | b) |

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:

NONE

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:

NONE

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:

NONE

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 PROPOSAL IS FOR A BEER GARDEN SEATING APPROX 30 PEOPLE. THE STAFF WILL MONITOR THE AREA REGULARLY, AND THE AREA IS COVERED BY CCTV.

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: WE HAVE PROMINENT NOTICES DISCOURAGING ILLEGAL SUBSTANCES. WE HAVE LITTER BINS AND PROMINENT LIGHTING OUTSIDE. WE HAVE AN INCIDENT BOOK WHICH INCLUDES REFUSALS AND ACTIONS TAKEN BY STAFF. CUSTOMERS ARE MONITORED BY CCTV. WE HAVE ASKED COMMUNITY POLICE OFFICERS TO VISIT WHEN AVAILABLE WITHOUT PRIOR NOTICE. WE HAVE SECURITY POLICIES AND REGULAR TOILET CHECKS.

Securing Public Safety: WE CARRY OUT DYNAMIC RISK ASSESSMENTS DAILY. WE HAVE AN EFFECTIVE AND RESPONSIBLE MANAGEMENT SYSTEM. OUR CCTV SYSTEM IS EFFECTIVE AND WE MAKE IT AVAILABLE TO POLICE FOR OTHER INCIDENTS OUTSIDE OUR PREMISES. ALL FURNITURE WILL BE STORED AWAY AT CLOSING TIME. ALL PATRONS ARE ENCOURAGED TO BE SEATED, DISCOURAGING VERTICAL DRINKING. FIRST AID; SENIOR STAFF ARE TRAINED, FIRST AID KITS READILY AVAILABLE. ELECTRICS, GAS AND HEATING REGULARLY TESTED. PREMISES ARE ALWAYS CLEAN AND TIDY.

Preventing Public Nuisance: WE ADHERE TO CONDITIONS IMPOSED BY LICENSING BOARD AND PLANNING DEPT. STAFF ARE TRAINED TO PREVENT PUBLIC NUISANCE. PATRONS ARE PROPERLY MANAGED ENTERING AND LEAVING. WE HAVE AN EFFECTIVE POLICY ON NOISE INDOOR AND OUTDOOR. WE WILL PURCHASE TYPE S GLASSES IF LICENSE GRANTED. THERE WILL BE NO MUSIC OUTSIDE. WE DON'T ALLOW 18TH BIRTHDAY PARTIES.

Protecting and Improving Public Health: WE WILL PROMOTE MODERATE DRINKING AND GUIDELINE ~~SEE~~ SCHEMES. WE WILL ALSO DISPLAY ANTI DRINK DRIVING LITERATURE. NON ALCOHOLIC DRINKS ARE REASONABLY PRICED, AND TAP WATER AND ICE ARE FREE. THE STAFF ARE TRAINED TO REFUSE PATRONS WHO APPEAR DRUNK. THE COMMITTEE ARE IN DISCUSSIONS REGARDING A DEFIBRILLATOR. WE COMPLY WITH THE LEGISLATION REGARDING RESPONSIBLE DRINKS PROMOTIONS.

Protecting Children and Young Persons From Harm: DYNAMIC RISK ASSESSMENT FOR AREAS WHERE CHILDREN HAVE ACCESS. COMMITTEE WILL DISCUSS A POLICY ON SEXUAL EXPLOITATION AT NEXT MEETING, 21ST MAY. CHILDREN ARE EXCLUDED FROM GAMING MACHINES AND BAR SERVING AREA. HIGH CHAIRS WILL BE AVAILABLE. WE DO NOT APPROVE OF 'ADULT ENTERTAINMENT' AS WE ARE A FAMILY FRIENDLY CLUB.

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:

N/A

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:

N/A

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

WE HAVE BABY CHANGING FACILITIES IN THE DISABLED TOILET.

[Empty box]

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

WE WILL PROVIDE A TEMPORARY BARRIER TO SEPERATE THE CLUB PREMISES FROM THE PUBLIC FOOTPATH WHEN THE AREA IS IN USE.

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

WE HAVE A GOOD RELATIONSHIP WITH THE LOCAL POLICE, AND HAVE A GOOD RECORD REPUTATION AS A WELL RUN CLUB, OPEN TO ALL IN THE COMMUNITY AND FURTHER AFIELD.

SIGNATURE AND DECLARATION BY APPLICANT

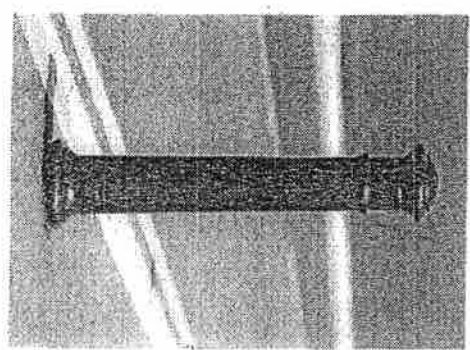
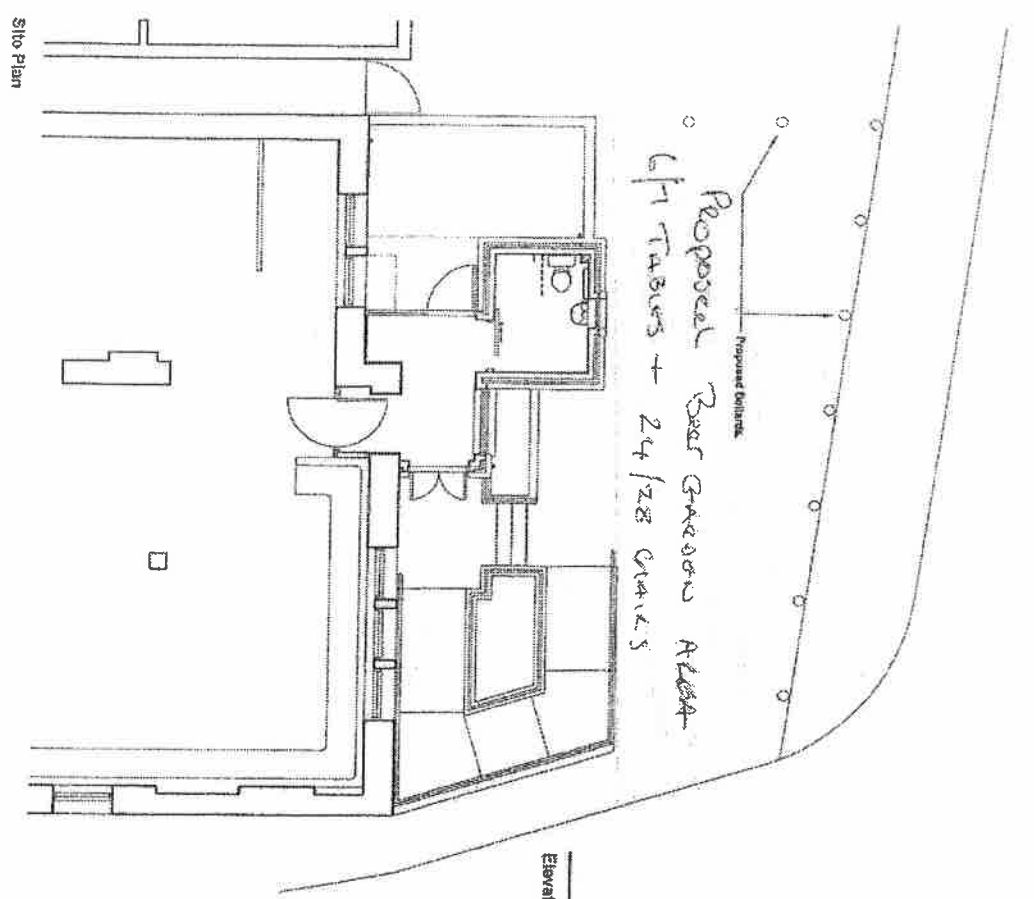
IT IS AN OFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

| | | | |
|-----------|---|------|----------|
| Signature |  | Date | 14/05/19 |
|-----------|---|------|----------|

PRESTON PANS CARBON CLUB



Elevation of Bollards



Date 27/05/2019

Your Ref: EL258

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 VARIATION OF A PREMISES LICENCE
PRESTONPANS LABOUR PARTY SOCIAL CLUB
PRESTONPANS LABOUR PARTY SOCIAL CLUB, KIRK STREET,
PRESTONPANS, EAST LOTHIAN, EH32 9EA.
COMMITTEE**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a request to vary the layout plan and operating plan to include an outside licensed drinking area to the front of the building.

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

Should the Board be minded to grant this variation, I would request that the licensed area be clearly delineated and stewarded by the staff to ensure there is no drink taken from this area. I would also request that it is not used after 2200 hours due to the close proximity of residential properties.

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

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

From: Anthony Harris [REDACTED]
Sent: 07 June 2019 12:51
To: Winter, Maree
Subject: RE: Prestonpans Labour Club - Major Variation Application

Maree,
We agree to these conditions. I've been in touch with planning, and attending to their requests.
Regards Tony.

Sent from AOL Mobile Mail

On Friday, 7 June 2019 Winter, Maree <mwinter@eastlothian.gov.uk> wrote:

Dear Sir,

Please find attached a representation from Police Scotland are you happy to agree to their conditions and also a report from planning advising that you do not have planning permission in place for the Beer Garden, you may want to contact planning asap.

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

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
PREMISES LICENCE MAJOR VARIATION APPLICATION

Prestonpans Labour Party Social Club, 5 Kirk Street, Prestonpans, East Lothian EH32 9EA

I refer to the above subject and can confirm that the LSO has visited the premises and met with Mr Matthew Edmund, DPM, regarding this application.

The Labour Club is a well run premises and there have been no relevant complaints received concerning its operation under an open licence.

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

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

R. Fruzynski
Licensing Standards Officer





EAST LoTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery
Per: Neil Millar
Cc:

To: Clerk to the Licensing Board
Per: Licensing Board

Date: 6th June 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Prestonpans Labour Party Social Club, 5 Kirk Street, Prestonpans
Application type: Variation other than a minor variation of premises licence

In 2009 planning permission (Ref: 09/00477/FUL) was granted for an extension to the building, erection of walls, steps, formation of access ramp and a smokers shelter at this address.

It is now proposed, through this licensing application, to form a beer garden to the south of the main entrance within the grounds of the premises. I can confirm that planning permission would be required for the outdoor seating as specified and shown for it in the submitted plan.

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

13 May 2019

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

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.

Change 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 Introduction of Beer Garden - Monday to Sunday 11am to 7.30pm.

6 TYNESIDE TAVERN
10 POLDRATE
HADDINGTON
EAST LOTHIAN
EH41 4DA

21 May 2019

PAUL MAZZOLI KINNOCH

Amend On-Sales and Off-Sales on a Sunday from 12.30pm to 11am.

3c

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

EL096

2(b) Name and Address of Premises

Wemyss House Hotel
Links Road
Port Seton
Prestonpans
East Lothian

| | | | |
|------------------|----------|------------------|--------------|
| Post Code | EH32 0DU | Phone No. | 01875 818787 |
|------------------|----------|------------------|--------------|

2(c) Full Name and Address of Current Licence Holder

Punch Partnerships (PTL) Limited
Elsley Court
20-22 Great Titchfield Street
London

| | | | |
|------------------|---------|------------------|--|
| Post Code | W1W 8BE | Phone No. | |
|------------------|---------|------------------|--|

SECTION 3: NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought:-

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

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)

1. Q4 – Permit seasonal variations – *“The premises operator will apply all general extensions permitted by the Licensing Board”*
2. Q5(a) – Permit conference facilities and restaurant facilities during and outwith core hours
3. Q5(b) – Permit receptions and club or other group meetings etc outwith core hours
4. Q5(c) – Permit recorded music, live performances, indoor/outdoor sports and televised sport outwith core hours
5. Q5(d) – Permit outdoor drinking facilities outwith core hours
6. Q5 – Amend to read *“Premises may open from 08:00 HRS for the provision of food and non-alcoholic drinks – no alcohol will be served until core hours commence. The activity/activities and/or services will be provided prior to core hours and during drinking up time.”*
7. Q5(f) – Add quiz nights during core hours
8. Q6(b) – Amend to only allow children access if accompanied by an adult. Unaccompanied young persons’ allowed access
9. Q6(d) – Children will be allowed entry from 08.00 to 22.00 daily and if attending a pre-arranged function until the end of the function. Young persons will be allowed entry until the end of core hours for on sales
10. Q6(e) – Amend to allow children and young persons access to all public parts, toilets and routes to access them.

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.

To amend the licensing plan in accordance with the drawing number LIC 3840 dated August 2018 which accompanies this application. The proposed changes to the layout are:-

- Relocate and increase the size of the kitchen
- Remove bar servery in function bar area and replace with fixed seating
- Include fixed booth seating in place of existing kitchen
- Relocate male toilets
- Relocate bar servery and in its place include fixed seating
- Enhance the existing external drinking area to the rear of the premises

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)

To change the name of the premises as shown on the Premises Licence to “*The Seaglass Inn*”

To change the description of the premises to “*Hotel with public bar on ground floor and function room on first floor*”

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 £150 is enclosed.

Signature



(See note 5 below)

Date 9th May 2019

Capacity: AGENT (delete as appropriate)

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

George Domleo, Flint Bishop LLP, St Michael's Court, St Michael's Lane, Derby, DE1 3HQ
01332 226192 and George.domleo@flintbishop.co.uk

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.

| |
|--|
| Wemyss House Hotel (TBK "The Seaglass Inn") Links Road Port Seton Prestonpans East Lothian EH32 0DU |
|--|

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> | 11:00 | 23:00 |
| <i>Tuesday</i> | 11:00 | 23:00 |
| <i>Wednesday</i> | 11:00 | 23:00 |
| <i>Thursday</i> | 11:00 | 01:00 |
| <i>Friday</i> | 11:00 | 01:00 |
| <i>Saturday</i> | 11:00 | 01:00 |
| <i>Sunday</i> | 11:00 | 12 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> | 11:00 | 22:00 |
| <i>Tuesday</i> | 11:00 | 22:00 |
| <i>Wednesday</i> | 11:00 | 22:00 |
| <i>Thursday</i> | 11:00 | 22:00 |
| <i>Friday</i> | 11:00 | 22:00 |
| <i>Saturday</i> | 11:00 | 22:00 |
| <i>Sunday</i> | 11:00 | 22:00 |

Question 4

SEASONAL VARIATIONS

| | |
|--|------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>YES</i> |
|--|------------|

**If YES -- provide details*

THE PREMISES OPERATOR WILL APPLY ALL GENERAL EXTENSIONS PERMITTED BY THE LICENSING BOARD

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

| COL. 1 <i>5(a)</i> Activity | COL. 2 <i>Please confirm</i> 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> | YES | 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 |
| <i>5(b) Activity</i> <i>Social functions including:</i> | <i>Please confirm</i> YES/NO | To be provided during core licensed hours – please confirm YES/NO | Where activities are also to be provided outwith core licensed hours please confirm YES/NO |
| <i>Receptions including Weddings, funerals, birthdays, retirements etc.</i> | YES | YES | YES |
| <i>Club or other group meetings etc.</i> | YES | YES | YES |
| <i>5(c) Activity</i> <i>Entertainment including:</i> | <i>Please confirm</i> YES/NO | To be provided during core licensed hours – please confirm YES/NO | Where activities are also to be provided outwith core licensed hours please confirm YES/NO |
| <i>Recorded music – see 5(g)</i> | YES | YES | YES |
| <i>Live performances – see 5(g)</i> | YES | YES | YES |
| <i>Dance facilities</i> | NO | NO | NO |
| <i>Theatre</i> | NO | NO | NO |
| <i>Films</i> | NO | NO | NO |
| <i>Gaming</i> | YES | YES | NO |
| <i>Indoor/outdoor sports</i> | YES | YES | YES |
| <i>Televised sport</i> | YES | YES | YES |
| | | | |

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

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

PREMISES MAY OPEN FROM 08:00 HRS FOR THE PROVISION OF FOOD AND NON-ALCOHOLIC DRINKS – NO ALCOHOL WILL BE SERVED UNTIL CORE HOURS COMMENCE. THE ACTIVITY/ACTIVITIES AND/OR SERVICES WILL BE PROVIDED PRIOR TO CORE HOURS AND DURING DRINKING UP TIME

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.

KARAOKE AND QUIZ DURING CORE HOURS

5(g) Late night premises opening after 1.00am

| | |
|--|------------|
| <i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i> | <i>N/A</i> |
|--|------------|

| | |
|---|------------|
| <i>When fully occupied, are there likely to be more customers standing than seated?</i> | <i>N/A</i> |
|---|------------|

| | |
|-------------------------------|--|
| <i>*Delete as appropriate</i> | |
|-------------------------------|--|

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

| | | |
|------|---|-----|
| 6(a) | <i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i> | YES |
| | <i>*Delete as appropriate</i> | |

6(b) *Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

CHILDREN WILL ONLY BE ALLOWED ACCESS IF ACCOMPANIED BY AN ADULT.
UNACCOPANIED YOUNG PERSONS ALLOWED ACCESS

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

0-17 YEARS

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

CHILDREN WILL BE ALLOWED ENTRY FROM 08.00 TO 22.00 DAILY AND IF ATTENDING A PRE-ARRANGED FUNCTION UNTIL THE END OF THE FUNCTION.

YOUNG PERSONS WILL BE ALLOWED ENTRY UNTIL THE END OF COURE HOURS FOR ON SALES

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

ALL PUBLIC PARTS, TOILETS AND ROUTES TO ACCESS THEM

Question 7

CAPACITY OF PREMISES

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

ON SALES - 660

Question 8

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

Question 7

CAPACITY OF PREMISES

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

ON SALES - 660

Question 8

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

Personal details

8(a) *Name*

JOHN REDDINGTON

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address and telephone number*

[REDACTED]

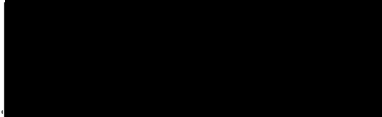
8(e) *Personal licence*

| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|----------------------|--|--|
| 1 SEPTEMBER 2009 | EAST LOTHIAN LICENSING BOARD | EL001 |

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)

Date9th May 2019.....

Capacity AGENT (delete as appropriate).

Telephone number and email address of signatory

01332 226192 and George.domleo@flinbishop.co.uk

*** 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

Enlarged one room (two sections) bar with eating facilities throughout the premises and a beer garden to the rear.

Fitted out to a very high standard, the facilities will attract a wide range of customers, including families, groups of residents and local workers and visitors to East Lothian, to enjoy good homemade food and an excellent choice of alcoholic & non alcoholic beverages.

Extensive menus to suit all types of diners, a full range of hot drinks (coffee & tea etc.), as well as table service will be offered to all customers. There will be a warm welcome for disabled customers, seniors, and families of all ages.

In proximity to the bar, televised Sport will be shown at the Licensee's discretion. Events, such as Quiz nights, which will attract local residents, will be organized on a monthly basis.

The name of the premises is being changed to The Seaglass Inn to better reflect the image which we want to portray to the broad base of custom that we wish to attract.

(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) <u>Food & Alcoholic & non Alcoholic Beverages</u></p> <p>a) <u>Alcoholic Beverages at core hours</u></p> |
|---|--|

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

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

Restaurant Facilities & Bar Meals – Full Time
Meeting/Small Conferences facilities – Full Time
Letting bedrooms – Full Time

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:

Birthdays & other (Family) Celebrations – Regularly (Weekly)
Retirements – as above
Group/Club/Community get togethers/meetings – as above
Small Wedding celebrations – as required

All group functions will be at The Licensee’s discretion

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:

In proximity to the bar, televised Sport will be shown at the Licensee's discretion. Events, such as Quiz nights, which will attract local residents, will be organized on a monthly basis.

Entertainment – suitable for the ambience of the re-furbished premises – will be organized as appropriate (likely to be at weekends), and at the Licensee's discretion.

There will be two AWP machines discreetly positioned in proximity to the bar.

Finally, there will be suitable background music, the level of which will be controlled from behind the main bar service area, by senior staff members.

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 beer garden area is clearly defined and enclosed and is visible from bar. There will be waitress service for both food and drink. The external area will be covered by CCTV.

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:

It ain't happening! 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:

Food & non alcoholic beverages will be available from 8.00am to 11.00am, as per Operating Plan

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:

N/A

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

We have a separate Disabled Toilet, which has Baby changing facilities.

There will be high chairs for families who want to use them

There will also be a children's menu and colouring sets

We are keen to accommodate families of all ages.

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:

- 1/ Take all reasonable measures to prevent use of illegal substances by displaying notices and supervising toilets regularly
- 2/ All staff trained in Challenge 25 Policies. Heineken (Star Pubs) has a Mystery Visitor programme to test compliance
- 3/ CCTV will be in operation both inside and outside the premises
- 4/ Full staff training in all licensing legislation, particularly not serving those who are intoxicated.
- 5/ A Refusal Book will be in operation. Also, an Incident Book
- 6/ The Licensee will join the local Pub Watch scheme – she is currently a member in Tranent
- 7/ All glasses will be regularly cleared from tables as part of the table service operation

Securing Public Safety:

All staff in the pub will be trained to supervise customer activity, including groups, so that behavior is orderly and well regulated. Staff will be aware of the premises capacity.

Preventing Public Nuisance:

CCTV will be in operation both inside and outside the premises.

A clearly designated smoking area to the rear of the premises will help prevent customers from smoking at the front, or near the main entrance. We will discourage the latter.

A full Fire Risk Assessment will be completed and Fire Safety training will be given to all staff. Notices about Fire Exits etc will be posted.

Disability access facilities will be clearly marked.

There will be notices at the main entrance to the premises to encourage customers to leave in an orderly manner.

All bins (including glass) will be emptied after 7.00am and before 11.00pm

Protecting and Improving Public Health:

Information will be available to all customers on lower risk drinking – including zero rated non alcoholic drinks

A wide range of non alcoholic hot & cold drinks will be available at all times

Measures will include 125ml wine and 25ml spirits

Staff will manage all areas of the premises to prevent over crowding

Last orders will be called in plenty of time to allow customers to finish their drinks on time

Bar staff training will focus on how to spot and deal with signs of intoxication

Protecting Children and Young Persons From Harm:

Children will not be allowed within 1.5 meters of the bar servery

A full range of Hot & Cold drinks – including non-sugary ones – will be available for children

Challenge 25 will be in full operation – Proof of ID either Passport, or Driving Licence


Children will not be allowed in close proximity to AWP (Gaming Machines). Signage to support this policy will be visible

Customer's language will be monitored to prevent harm to children

A Refusal Book will record any incidents

Application Supporting Comments / Any Other Additional Information
 (extend the boxes below if you require additional space)

| |
|---|
| <p>Additional Information:</p> |
| <p>Supporting Comments: i.e. reasons why the Board should support your application.</p> <p>The premises are being upgraded to a very high standard (spend of over 500k). The facilities are being expanded to include a full food service, as well as a full bar operation (alcoholic & non alcoholic beverages), to attract a broad cross section of the local community; Seniors, Families, Visitors, Business people and Residents within the surrounding area.</p> <p>Comfort, accessibility, full service, and the improved range of facilities will help put the The Seaglass Inn at the heart of the community in Port Seton.</p> <p>Finally, the Business Operator has experience of running licensed premises in East Lothian and elsewhere, knows the area well, and is committed to providing a great venue.</p> |

| | | | |
|---|---|------|----------------------------|
| <p>SIGNATURE AND DECLARATION BY APPLICANT</p> <p>IT IS AN OFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</p> <p>(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))</p> <p>The contents of this Application are true to the best of my knowledge and belief.</p> | | | |
| Signature |  | Date | 14 th June 2019 |

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 |
| 1(b) | Do you have facilities for those with a disability | YES |
| 1(c) | Do you have any other provisions available to aid the use of the premises by disabled people | YES |
| <i>*Delete as appropriate</i> | | |

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

Question 2

Disabled access to, from and within the premises

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

| |
|--|
| <p>There will be ramped access for Disabled customers at the Entrance</p> <p>The whole premises is on one level to allow access to Disabled Toilets</p> <p>There will be adequate space between tables for wheel chair access</p> <p>A section of the bar servery will be lowered to allow Disabled Access</p> |
|--|

Question 3

Facilities available

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

Disabled Toilets

Lower area of bar servery

Open areas – corridors have been removed – to allow wheel chair access

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.

Ramp to allow Disabled Access

Guide Dogs allowed in all areas

Table service – staff will assist visually impaired customers with menus

Staff will be on hand to assist customers to their seats – if required

Table service for food & drinks

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 14th June 2019.....

Capacity AGENT

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

01332 226192 and George.domleo@flintbishop.co.uk

*** 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."

Date 27/05/2019

Your Ref: EL096

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
WEMYSS HOUSE HOTEL
WEMYSS HOTEL, 18 LINKS ROAD, PORT SETON, EAST LOTHIAN, EH32
0DU.
PUNCH PARTNERSHIPS (PTL) LIMITED**

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, layout plan and a change of name to *The Seaglass Inn*.

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

- I would request that the outside area to the rear should not be used after 2200 hours due to the close proximity of neighbouring residential properties.
- I would also request that section 6(d) be amended to read: "young persons are allowed access until the end of core hours for on sales", *only if consuming a meal or attending a private function*.

I would also request that a condition of the licence be that:

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

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

Yours faithfully

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 **PREMISES LICENCE MAJOR VARIATION APPLICATION**

Wemyss House Hotel (Seaglass Inn), Links Road, Port Seton, Prestonpans, East Lothian EH32 0DU

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

The applicant proposes a number of changes to the existing licence all of which are within policy.

It is understood that the premises will be operated under new management.

The layout of the new premises are to be changed from the existing footprint of a combined bar/lounge and separate bar to a fully walk through open plan design with function room on the first floor. Licensing Standards has no objection to this proposal.

In respect of the refurbished outdoor drinking area, which is proposed to be used outwith core hours, the Board is requested to attach the following conditions to the licence:

- The outside area must only be used by persons occupying the seats provided.
- The area must be capable of being monitored by staff either physically or via an approved CCTV system.
- No entertainment or amplified music shall be played or be intrusively audible outside the premises.
- To protect residents of nearby properties for disturbance the terminal hour for the outdoor area will be no later than 22:00 each day.

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

R. Fruzynski
Licensing Standards Officer

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: Wemyss House Hotel, 18 Links Road, Port Seton

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.

However, I can confirm that there are no records of a grant of planning permission for the use of a beer garden / external drinking area within the grounds of the premise. My records also show that we raised this matter in respect of the beer garden / external drinking area being unauthorised in a previous licensing consultation for the same premise on 19th May 2009 (see attached copy with my email).

Please note that it is the responsibility of the licensee to confirm what planning permission is in place for this use or demonstrate that planning permission is not required for it. Otherwise I would advise that a planning application is sought for the change of use of this area of land to form a beer garden/external drinking area as shown for it on the submitted drawings.

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 Introduction of Beer Garden - Monday to Sunday 11am to

21 May 2019

PAUL MAZZOLI KINNOCH

6 TYNESIDE TAVERN
10 POLDRATE
HADDINGTON
EAST LOTHIAN
EH41 4DA

7.30pm.

Amend On-Sales and Off-Sales on a Sunday from 12.30pm to 11am.

3d

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 POLDRATIE
HADDINGTON

| | | | |
|-----------|---------|-----------|-------------|
| Post Code | E44 4DA | Phone No. | 01620 82221 |
|-----------|---------|-----------|-------------|

2(c) Full Name and Address of Current Licence Holder

PAUL M KINNOCH

[REDACTED]

| | | | |
|-----------|------------|-----------|------------|
| Post Code | [REDACTED] | Phone No. | [REDACTED] |
|-----------|------------|-----------|------------|

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 - 7.30 PM

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 POLDRATIE HADDINGTON EH41 4DA |
|--|

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 | 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 * |
|---|---------------------|

*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 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 |
|---|------------------------------------|---|--|
| Accommodation | NO | N/A | N/A |
| Conference facilities | YES | YES | NO |
| Restaurant facilities | YES | YES | NO |
| Bar meals | YES | YES | NO |
| | | | |
| 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. | YES | YES | NO |
| Club or other group meetings etc. | YES | YES | NO |
| | | | |
| 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 | 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* |
|---|---------|

| | |
|--|---------|
| 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 2019

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)

| |
|---|
| <p>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</p> |
| <p>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</p> |
| <p>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</p> |
| <p>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</p> |
| <p>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</p> |

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.

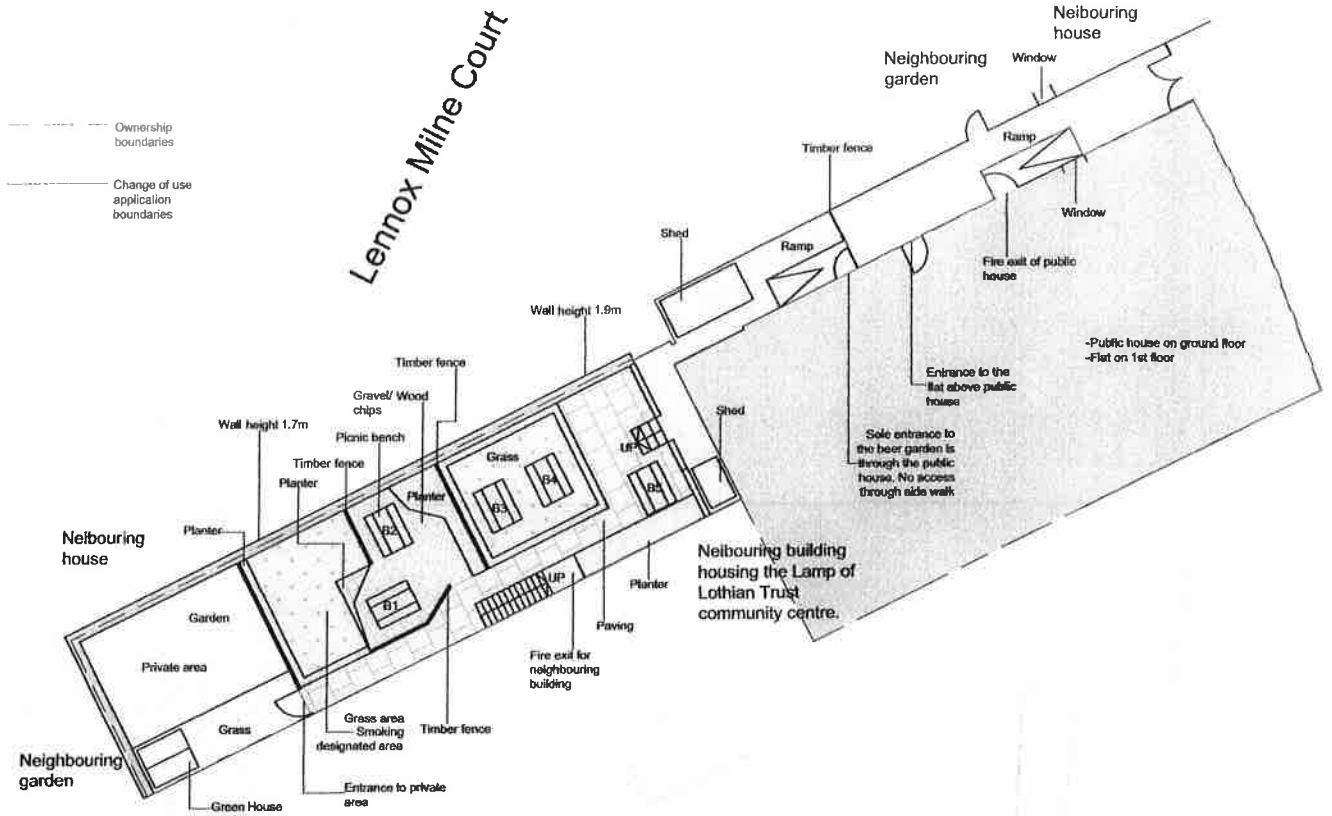
Signature



Date

19th

MAY 2019



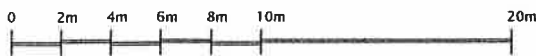
Site plan
Scale 1:200



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
Print Δ 2
Drawing No. 02
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

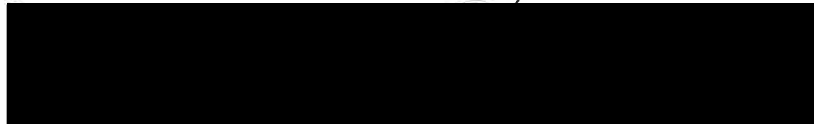
Dear Mrs MacNeill,

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
To: Clerk to the Licensing Board
Per: Neil Millar
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:

STATEMENT OF EXTENSION OF LICENSED HOURS - Scottish Golf Championship 2019

In terms of Section 67 of the Licensing (Scotland) Act 2005, the Board has determined that it is appropriate to grant a general extension of licensed hours for the Scottish Open Championship 2019. This extension will apply from Monday 8th to Sunday 14th July 2019 inclusive and will allow an extension of the terminal hours for the sale of alcohol until 1am.

This extension will only apply to on-sales and not to off-sales of alcohol.

4

There will be no general extensions beyond this although any applications for extended hours outwith the general extension will be considered on a case-by-case basis. It should be noted that such applications will require to be submitted no later than Monday 1st July 2019.

There is no need for licensees to apply for the general extension to 1am. On sales premises can utilise these hours to the extent they considered appropriate.