

EAST LOTHIAN

Meeting 26 September 2019 at 10 a.m. in Council Chambers, Town House, Haddington, East Lothian

Licensing (Scotland) Act 2005

Temporary(s)	Premises	Applicant	Date Received	Comments
4	TEMPORARY VISITOR CENTRE AT GLENKINCHIE DISTILLERY GLENKINCHIE PENCAITLAND EAST LOTHIAN EH34 5ET	DIAGEO SCOTLAND LIMITED	28 August 2019	

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR TEMPORARY PREMISES LICENCE

Licensing (Scotland) Act 2005, section 47

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Temporary Visitor Centre at Glenkinchie Distillery
Glenkinchie
East Lothian
EH34 5ET

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.*

Diageo Scotland Limited

Edinburgh Park

5 Lochside Way

Edinburgh

EH12 9DT

Registration no. SC000750

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

[Empty box for club or other body information]

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.**

1) Eduardo Peroni Barp - [Redacted]

[Redacted]

2) Gavin Paul Crickmore - [Redacted]

[Redacted]

3) James Matthew Crayden Edmunds - [Redacted]

[Redacted]

4) Yvonne Elliott - [Redacted]

5) Sharon Lynnette Fennessy - [Redacted]

[Redacted]

6) Keith James Miller - [Redacted]

7) Hina Patel - [Redacted]

8) Gabor Zeisler - [Redacted]

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

Question 3

Previous applications

3 *Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?* **NO**

If YES – provide full details

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Question 4

Previous convictions

4 <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)</i>	NO (see letter)
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**If YES – provide full details*

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

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

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES *Licensing (Scotland) Act 2005, section 20(2)(a)*

Question 5

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

Portacabin structure located within grounds of Glenkinchie Distillery

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 *26/8/19*

Capacity AGENT

Telephone number and email address of signatory david.hossack@morton-fraser.com; 0131 247 1024

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	
<i>Layout plan</i>	
<i>Planning certificate</i>	<i>n/a</i>
<i>Building standards certificate</i>	<i>n/a</i>
<i>Food hygiene certificate</i>	<i>n/a</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	N/A
Building standards certificate	N/A
Food hygiene certificate	N/A

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	n/a
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.

Temporary Visitor Centre at Glenkinchie Distillery Glenkinchie Pencaitland East Lothian EH34 5ET
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Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	23:00
<i>Friday</i>	10:00	23:00
<i>Saturday</i>	10:00	23:00
<i>Sunday</i>	10:00	23:00

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>	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>
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**If YES – provide details*

The premises may close outwith the times stated in light of customer demand or weather conditions.

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	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	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.	NO	NO	NO
Club or other group meetings etc.	NO	NO	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	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	NO	NO	NO
Theatre	YES	YES	YES
Films	YES	YES	YES
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO

5(d) <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>Outdoor drinking facilities</i>	NO	NO	NO
5(e) <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>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.

Recorded music may be played in the premises during the entire hours of the operation. Live performances, theatre presentations and film performances may take place on the premises often but not exclusively related to the premises licence holder's products.

No alcohol will be served outwith core hours for any activity unless an extended hours application is made.

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.

The premises form an integral part of distillery tours run from the premises. All areas of the premises may be used in connection with tours and for other educational activities related to the production of whisky and other alcoholic products.

Such activities may include guided tours, exhibitions, talks and demonstrations by Diageo and others.

The premises will be used for the taking and dispatch of orders including by electronic commerce.

The premises may be used for tastings/sampling of whisky and other alcoholic products and food/snacks may be provided with these tastings.

The visitor shop may sell a wide variety of products other than alcohol products.

The premises may be used for a whole range of office functions at all times.

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?	N/A
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When fully occupied, are there likely to be more customers standing than seated?	N/A
*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 will be permitted entry into the premises only when accompanied by an adult. Young persons will be permitted into the premises without being accompanied by an adult.

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

All ages of children and young persons will be permitted entry.

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

Children and young persons will be permitted entry at all times.

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 permitted into all public areas.

Question 7

CAPACITY OF PREMISES

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

On sales	95
Off sales:	9.07m ²

Question 8

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

Personal details

8(a) Name

Rhona Paisley

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address and telephone number

[REDACTED]

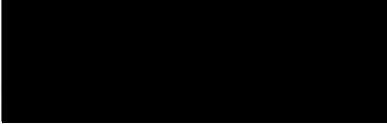
8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
01/09/2009	Edinburgh Licensing Board	259859

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)

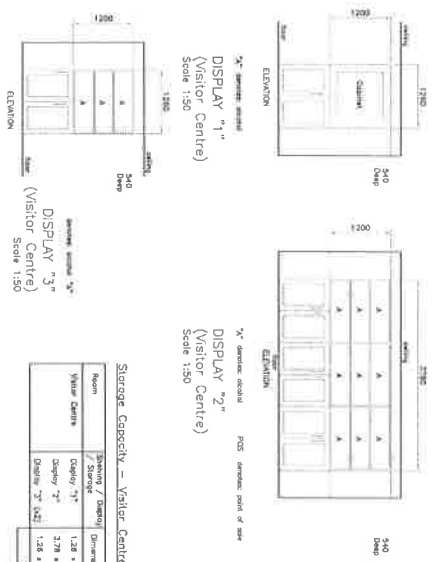
Date 26 August 2019

Capacity: AGENT

Telephone number and email address of signatory: 0131 2471024; david.hossack@morton-fraser.com

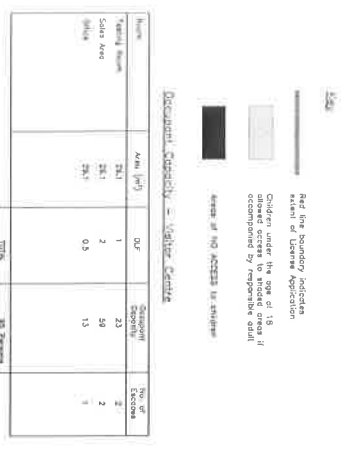
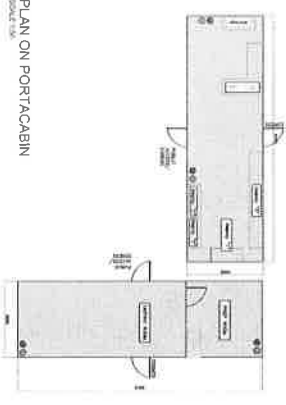
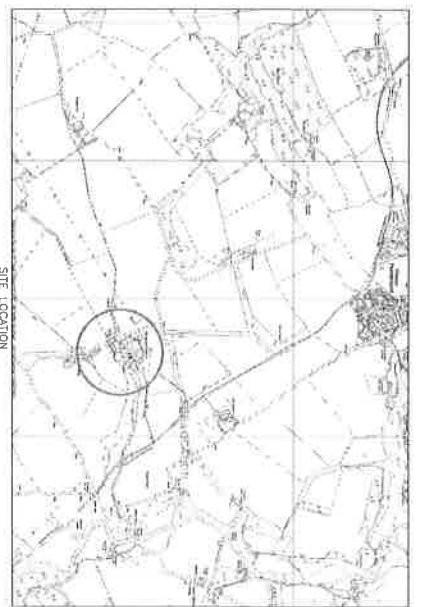
*** Data Protection Act 1998**

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Storage Capacity - Visitor Centre/Shop

Room	Storage / Display	Dimensions (m)	Storage Capacity (m ³)
Visitor Centre	Display '1'	1.28 x 1.20	1.53
	Display '2'	2.78 x 1.20	4.34
	Display '3'	1.28 x 1.20	2.02
	Shop		18.00m ³



Red line boundary indicates extent of license application
 Children under the age of 18 allowed access to public areas if accompanied by responsible adult
 Areas of high access to children

- LEGEND
- denotes cctv camera
 - denotes fire alarm
 - denotes emergency fire wall storage
 - denotes bank glass fire alarm panel
 - denotes FOLM fire extinguisher
 - denotes Ccd fire extinguisher
 - denotes WATER fire extinguisher
 - denotes WATER fire extinguisher
 - cctv monitor
 - denotes smoke detector

Occupant Capacity - Visitor Centre

Room	Area (m ²)	DUF	Occupant Capacity	No. of Exits
Central Atrium	231	1	23	2
Scale Area	231	2	50	2
Office	231	0.5	13	1
TOTAL			86	

PLAN ON PORTCABIN AT GROUND FLOOR SCALE 1:50

PLAN ON PORTCABIN AT FIRST FLOOR SCALE 1:50

PRELIMINARY DRAWING	DIAGEO LTD. SCOTLAND	GLENKINCHIE DISTILLERY	TEMPORARY SHOP/TOLET LOCATION PLAN	BYTH & BYTH
DATE: 2013				CONSULTANTS: 65 South Gyle Campus, Edinburgh EH11 2EB
				PROJECT NO: 10020344
				DRAWING NO: GLK-BB-GA-90-00-00-006

Date 05/09/2019

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

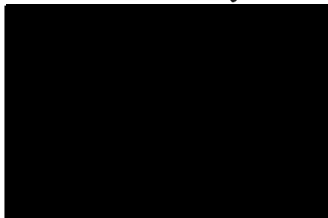
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
TEMPORARY PREMISES LICENCE
GLENKINCHIE DISTILLERY VISITOR CENTRE
GLENKINCHIE VISTORS CENTRE, ORMISTON, EAST LOTHIAN, EH34 5ET.
DIAGEO SCOTLAND LIMITED**

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.

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

From: Fruzynski, Rudi
Sent: 28 August 2019 08:16
To: Winter, Maree
Subject: RE: Temporary Licence - Glenkinchie Distillery

I have no comment to make on this application.

Rudi Fruzynski
Licensing Standards Officer
Accredited Paralegal
East Lothian Council



01620827363

Winter, Maree

From: Douglas, Andrew
Sent: 27 August 2019 12:03
To: Licensing
Cc: Slight, Lynn
Subject: FW: Temporary Licence - Glenkinchie Distillery
Attachments: Final Temporary Layout Plan.pdf; Signed temporary premises licence application.pdf; Signed LT Board enc temp lic application.pdf; Operating plan for temp licence.pdf

I have no objections to the granting of this licence, subject to the standard conditions.

Regards

Andrew Douglas
Environmental Health Team Manager - Business Regulation
Tel: 01620 827455

From: Environmental Health/Trading Standards
Sent: 26 August 2019 17:05
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Temporary Licence - Glenkinchie Distillery

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 26 August 2019 16:45
To: Lothian Scot Borders Licensing East Mid Lothian <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; douglas.harvey@firescotland.gov.uk; Grant, Shona <sgrant@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Licensing <Licensing@nhslothian.scot.nhs.uk>
Subject: FW: Temporary Licence - Glenkinchie Distillery

Hi,

Please find attached application and layout plan for a temporary licence for Glenkinchie Distillery, while work is being completed on their original premise. Could I please have any representations you may care to make asap.

Kind regards
Maree.

From: David Hossack <David.Hossack@morton-fraser.com>
Sent: 26 August 2019 16:35
To: Winter, Maree <mwinter@eastlothian.gov.uk>
Subject: RE: Temporary Licence