



MINUTES OF THE MEETING OF EAST LOTHIAN LICENSING BOARD

1

THURSDAY 29 AUGUST 2019
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON

Board Members Present:

Councillor F Dugdale (Convener)
Councillor L Bruce
Councillor J Goodfellow
Councillor J Henderson
Councillor W Innes
Councillor J McMillan

Clerk of the Licensing Board:

Mrs Kirstie MacNeill, Service Manager – People and Governance

Attending:

Mr R Fruzynski, Licensing Standards Officer
Ms M Winter, Licensing Officer
PC H Bowsher, Police Scotland
Insp A Harborow, Police Scotland

Present:

Ms S Saunders, Head of Communities and Partnerships
Ms J Totney, Team Manager – Democratic and Licensing

Committee Clerk:

Ms B Crichton

Apologies:

None

Declarations of Interest:

None

1. MINUTES FOR APPROVAL

The minutes of the East Lothian Licensing Board meeting of 27 June 2019 were approved as a true record of the meeting.

2. GRANT OF PROVISIONAL PREMISE LICENCE Thomson's of Tranent, 22b Winton Place, Tranent

Mr G Thomson, applicant, was present.

The Clerk advised that this application was continued from the June Board for the licence holder to appear and to clarify the area requested for the outdoor drinking area. She added that there were no objections from the public, the NHS, or the Community Council. Police Scotland had no adverse comment, but raised concerns about the size of the outside drinking area. She advised that the LSO has recommended that conditions be attached: delineation of the outdoor drinking area; the surrounding footpath would not be obstructed; the area to be used only for persons seated at tables; no music or entertainment to be permitted in the external licensed area; approved plastic glasses to be used in the outdoor area; the terminal hour would be not later than 22:00; the area to be cleared of furniture no later than 15 minutes after the outdoor terminal hour; the defined area to be kept clear of all waste; and the area should be capable of being monitored by staff.

Mr Thomson provided background information about the building and business, which is a café/eatery with table service. He stated that he would wish to be able to place a few tables beyond the canopy boundary. Mr Thomson highlighted the ambience and feel of Civic Square to which the café's outdoor seating area would contribute.

In response to questions from Members, Mr Thomson advised that the off-licence area in the new shop is somewhat larger than in the old shop; however, he highlighted that the alcohol section did not represent an overprovision. The LSO, referring to his letter dated 4 April 2019, advised that he had no objection to the off-licence provision. He highlighted that Scottish Government policy recommended that Licensing Boards always have consideration of off-licence capacity, and this should have been stated on the plans.

The LSO recommended that the terminal hour for the outdoor area be 20:00 to protect the business and its customers from potential volatile situations. Mr Thomson requested that the terminal hour be 22:00, and assured the Board that the area would be well-managed. He stated that the establishment's alcoholic drinks prices and the lack of draught alcohol would not encourage a young crowd to drink at Thomson's of Tranent.

In response to further questions from Members, Mr Thomson advised that the site would lend itself to music being played under the canopy; he noted that East Lothian Council had been supportive of the business and wanted to help make Civic Square a 'living square'.

Inspector Harborow referred to the Police Scotland letter dated 27 May 2019, and raised the issue of the terminal hour. He acknowledged the application's assertion that

alcohol would only be served with food in the outside area, but stressed that the applicant should ensure the outside area does not morph into a standing drinking area.

In response to a question from Councillor Goodfellow, Mr. Thomson stated that Thomson's of Tranent would join Pubwatch.

The applicant answered questions about the delineation of the outdoor area. Mr Thomson stated there was no intention of tables being positioned as far as the public walkway, and advised that he envisioned three or four additional; tables outwith the canopied area, only during busy periods. The Clerk enquired if this area would be delineated by way of a rope, suggesting that it would be added as a condition on the licence. Mr Thomson acknowledged that the war memorial is a sensitive site, and stated the shop and café would close during the Armistice Day service.

The LSO raised that current planning permission extended only as far as the canopy, and therefore the applicant would be in breach of current planning permission by placing tables beyond the canopy.

The Clerk pointed out that three permissions are required: planning permission; pavement permission; and a premises licence. She added that it would be prudent to have all three permission aligned. In response to Councillor Henderson, the Clerk advised that it is not normal to delineate an outside smoking area.

Responding to a question from Councillor McMillan, Mr Thomson advised that he would look to store furniture securely under the canopy at night.

The Board adjourned in private to debate the matter. On reconvening, Councillor Dugdale, Licensing Board Convener, delivered the decision.

Decision

East Lothian Licensing Board agreed to grant the provisional premise licence, including the outside area, subject to the following conditions:

- An updated operating plan is provided to Licensing Officers to show the capacity of the off-sales area: to be no greater than on the existing plan
- The licensed outside area to be in accordance with existing planning permission (only the area under the canopies); an updated operating plan is to be provided
- The terminal hour for alcohol consumption outside will be 22:00
- Alcohol may be served in the outside drinking only to those who are seated

Ms MacNeill, Clerk of the Board, explained that the applicant would need to re-apply to the Board in future to expand the pavement service within a clearly delineated area.

Sederunt: Mr G Thomson left the meeting

3. GRANT OF MAJOR VARIATION OF LICENCE

(a) North Berwick Golf Club, Beach Road, North Berwick

The Clerk advised that the application seeks to change from a club to an open licence, removing the local condition that no more than six guests may be signed in by any one member. The application also seeks to add activities: gaming and outdoor licensed area to the front of the Club House. She added that there are no objections from the public, Police Scotland, the LSO, the NHS, or the Community Council.

Ms E. McBride, General Manager of North Berwick Golf Club, was present to represent the applicant.

Ms McBride outlined the reasons for applying to change the premises from a club licence to an open licence, highlighting that this would avoid the need for members to sign guests in to functions.

The LSO referred to his letter dated 24 July 2019, and indicated he fully supported the application.

The Convener enquired as to the kind of gaming the Club anticipated. Ms McBride advised that the Club held raffles for charity on occasion.

Inspector Harborow referred to the Police Scotland letter dated 18 July 2019, and advised that Police had no further comment to make.

In response to a question for Councillor Bruce, Ms McBride advised that the Club were happy with the terminal hour of 22:00 for outdoor use, noting the need to maintain positive relationships with neighbours. Furthermore, the Club will not play amplified music outside.

Councillors Innes, McMillan, and Henderson voiced their full support of the application.

Decision

East Lothian Licensing Board agreed to grant the major variation of licence subject to the following conditions:

- No amplified entertainment outdoors
- The terminal hour for the outdoor drinking area will be 22:00

Sederunt: Ms McBride left the meeting

(b) Prestonpans Royal British Legion, 19D Rope Walk, Prestonpans

The Clerk explained that the application seeks to vary the premises licence to include an outside drinking area on the West side of the premises. The beer garden will operate 11:00 - 20:00, and children will access the outside area through the main gate or hall door. She added that there are no objections from the public, Police Scotland, the NHS or the Community Council. She advised that the LSO has recommended that conditions be attached: no music or entertainment to be permitted in the licensed area; the terminal hour of the area to be 20:00; and the area music the capable of being monitored by staff.

Mr T Thomson, Treasurer, was present to represent the applicant.

Mr Thomson outlined the reasons for applying to vary the premise licence, highlighting Club's desire to create a family-friendly atmosphere by allowing children to be present in the outdoor licensed area.

The Clerk advised that no complaints had been received while the beer garden had been in operation under occasional licences.

The LSO referred to his letter dated 24 July 2019, highlighting his request that a condition be attached that no music or amplified entertainment be permitted outdoors due to the proximity of neighbouring properties. He advised that 20:00 would be an acceptable terminal hour in a residential area. The LSO stated that good management

of outdoor areas and staff monitoring and/or CCTV would be essential. He offered his support to the application on the basis that these conditions be attached.

Inspector Harborow referred to the Police Scotland letter dated 10 July 2019, and advised that the Police had no further comment to make.

In response to a question from the Convener, Mr Thomson stated that the Club was happy with the LSO's suggested conditions.

Councillor Innes raised that the Prestonpans Royal British Legion Club is held in high regard, and felt the application would help to include families in the life of the Club. Councillor Bruce echoed these sentiments, and expressed a wish that East Lothian Council support the Club to maintain its vibrancy. Councillor McMillan expressed his view that the Club was well-run, and voiced that he had been impressed by the community spirit and by the work carried out by the Club.

Decision

East Lothian Licensing Board agreed to grant the major variation of licence subject to the following conditions:

- No music or entertainment will be permitted in the outside licensed area
- The terminal hour of use of the outside area will be no later than 20:00
- When in use, the outside area must be capable of being monitored by staff either physically or via an approved CCTV system

Sederunt: Mr T Thomson left the meeting

4. GRANT OF EXTENSION OF LICENSED HOURS **(a) North Berwick Rugby Football Club, North Berwick**

The application seeks to extend licensed hours on specified dates to cater for the Rugby World Cup. The Club would intend to open early to allow members and their guests to watch matches and have breakfast. Members would be required to pre-book their attendance.

Mr D Paul, Club Manager, was present to represent the applicant.

Mr Paul outlined the reasons for applying to change the premises from a club licence to an open licence, noting that members wished to celebrate the Rugby World Cup matches being played in Japan. The Club has installed a large screen for members to watch the matches. Mr Paul noted that the majority of the games begin early in the morning due to the time difference. The Club would require members and their guests to purchase a ticket, which would include breakfast. These events would be exclusive to members and their guests, and would not be advertised publically. Mr Paul highlighted the Police objection based on the Club being open in excess of the Scottish Government's recommended maximum period of 14 hours a day, and stated that the Club would close early on those days.

Inspector Harborow reminded members that it is also outwith Board policy for licensed establishments to be open more than 14 hours a day. He added that Police Scotland have no objection the earlier opening time but they are objecting to the earlier consumption of alcohol.

In response to questions from Members and the Police, Mr Paul advised that the Club has an open licence, but reiterated that the Rugby World Cup events would be for Club

members and their guests only. Mr Paul stated that there were no other events booked on the days the Club could be in breach of the Government's recommended maximum period of 14 hours; unless an event is on, the clubhouse seldom operates after 22:00.

Councillor Goodfellow noted that similar applications had been granted in the past, to his knowledge without repercussion. He indicated he would give his support to the application on the basis that attendees would pre-book.

Councillor Henderson highlighted the significance of the event. She advised that she was comfortable to grant the application on the basis that the Club would be running one-off events for a small group of people, and because due consideration had been given to opening hours on days when the maximum period of opening of 14 hours would otherwise have been breached.

Councillor Innes raised that members of the Rugby Club had a vested interest in the sport, and acknowledged that watching together in a group would be the next-best thing to attending the matches in person. He offered his support to the application.

Councillor Bruce echoed the views of fellow Board Members and offered his support to the application. Councillor McMillan stated he respected the Police view, but was minded to grant the application.

Mr Paul enquired whether it would be possible to close for a few hours in the afternoon to avoid breaching the maximum period of opening of 14 hours. The Clerk advised that this would be permissible, and it was agreed that the Club would inform the Police of any dates on which this arrangement would be made.

Decision

East Lothian Licensing Board agreed to grant the extension of licensed hours subject to the following conditions:

- The names of those attending will appear on a list in advance of the event, for which it will be compulsory to buy a ticket
- Breakfast is to be served throughout the extended licensing period
- The Club will adjust opening hours to avoid breaching the Scottish Government's recommended maximum period of opening of 14 hours. Any adjustments in hours are to be advised to the Licensing Office in advance.

(b) Nether Abbey Hotel, 20 Dirleton Avenue, North Berwick

The application seeks to extend licensed hours on specified dates to cater for the Rugby World Cup. The Hotel would like to serve Champagne breakfasts for the early Scotland opening Rugby World Cup game televised from Japan.

No one was present to represent the applicant.

Members discussed the opening and closing times so that the premises would avoid breaching the Scottish Government's recommended 14-hour maximum period of opening.

The LSO noted that the Nether Abbey Hotel has the Fly Half Bistro & Bar, and has had an interest in rugby for many years.

Decision

East Lothian Licensing Board agreed to grant the extension of licensed hours subject to the following conditions:

- Televised matches to be pre-booked/ticketed events and the names of those attending will appear on a list in advance of the event
- The premises will adjust opening hours to avoid breaching the Scottish Government's recommended maximum period of opening of 14 hours

The Clerk commented that other applications for extended licensing hours could be received before the Rugby World Cup. If there were objections to these applications, the Board agreed that the Clerk should communicate with Board members by email to determine these applications.

5. CHIEF CONSTABLE'S REPORT TO EAST LoTHIAN LICENSING BOARD 1 APRIL 2018 – 31 MARCH 2019

Sederunt: Ms M Winter left the meeting

Inspector Harborow presented the Chief Constable's Report to East Lothian Licensing Board, 1 April 2018 – 31 March 2019.

Inspector Harborow highlighted key points in the report, including the Ask Angela campaign, and East Lothian's ranking of 18/30 for local authority areas for alcohol outlet availability in Scotland; he noted that this was lower than Scotland as a whole. He thanked the LSO, Mr Fruzynski, and PC Heather Bowsher for their diligence and flexibility in carrying out inspections of East Lothian licensed premises. He also expressed his thanks to the Licensing Board for their work.

Inspector Harborow highlighted that PC Heather Bowsher is to retire in the coming year. He extended his thanks for her diligence and for the sterling work she has carried out.

Councillor Innes thanked Police Scotland for the report and Inspector Harborow for his presentation. He expressed that East Lothian Licensing Board are fortunate to have a positive relationship with Police Scotland and that the Police have positive relationships with licensees. He highlighted that the report showed there was not a high instance of alcohol-related crime in East Lothian. Councillor Innes stated that PC Bowsher would be a hard act to follow.

Councillor McMillan highlighted the exemplary work done with the Police Scotland Young Volunteer programme; to reduce drinking in public; and on the fake ID campaign. He thanked PC Bowsher for her leadership and engagement.

Councillor Henderson thanked the Police for their support, particularly as many Members had been new to Licensing. She commented that it is an enormous responsibility and privilege to be part of the licensing regime.

The Convener added her personal thanks to Police Scotland to the LSO.

Decision

East Lothian Licensing Board agreed to note the report.

6. PUBLIC RECORDS (SCOTLAND) ACT – EAST LoTHIAN COUNCIL AND EAST LoTHIAN LICENSING BOARD PROGRESS UPDATE REVIEW 2019

The Clerk presented the Progress Update Review from the National Records of Scotland, dated 17 July 2019.

She highlighted the accompanying letter from the Public Records Officer, encouraging East Lothian Council to publish the report on their website to highlight their good work and progress in records management arrangements.

Decision

East Lothian Licensing Board agreed to note the report.

Signed

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Councillor Fiona Dugdale
Convener of East Lothian Licensing Board

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
1	FIDRA FINE SPIRITS UNIT1 THE CARTSHED KILDUFF FARM NR. ATHELSTANEFORD NORTH BERWICK	FIDRA FINE SPIRITS LTD.	9 August 2019	
2	WHITEKIRK HILL WHITEKIRK NORTH BERWICK EH39 5PR	WHITEKIRK HILL LIMITED	26 July 2019	A high quality clubhouse, which will offer 2 restaurants, a bar, a wellness centre, leisure facilities and a children's play barn

FLO 365

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.

UNIT 1
THE CARTSHED
KILDUFF FARM
NR ATHELSTANEFORD
NORTH BERWICK, EH39 5BD

Question 2

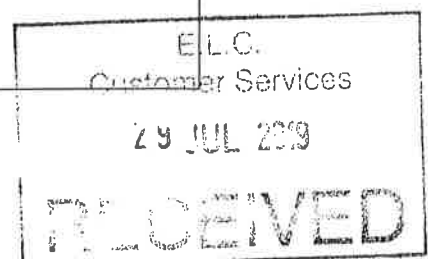
Particulars of applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

N/A

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

N/A



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

FIDRA FINE SPIRITS LTD
COMPANY REG NO - SC576964
REG OFFICE - BALENCRIEFF GARDEN COTTAGE,
LONGNIDARY,
EAST LOTHIAN, EH32 0PJ

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

N/A

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.*

- ALISON JOANNE BRYDIE
D of B - [REDACTED] - [REDACTED]
ADDRESS - [REDACTED]

- EMMA LOUISE BOUSLET
D of B - [REDACTED] - [REDACTED]
ADDRESS - [REDACTED]

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

Question 3

Previous applications

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

If YES – provide full details

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Question 4

Previous convictions

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

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

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

(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)

- THE PREMISES ARE LOCATED ON A FARM (KILDUFF FARM) IN A RURAL AREA OUTSIDE ATHELSTANEFORD IN EAST LOTHIAN
- THE UNIT IS PART OF AN OLD CARTSHED AND THE REST OF THE SHED IS CURRENTLY USED FOR STORAGE.
WE WISH TO LICENSE THE UNIT TO BE RUN AS A SMALL CRAFT DISTILLERY FOR THE PRODUCTION, BOTTLING, LABELLING AND DISPATCH OF FIDRA GIN (AND OTHER SPIRITS). THERE IS A SMALL OFFICE SPACE WHICH WE PLAN TO USE AS SUCH.
- WE MAY HOST GIN SOCIETY OR SIMILAR TALKS / TASTINGS.
- WE MAY HOST CHARITY FUND-RAISING EVENTS.
- WE MAY HOST DISTILLERY TOURS / OPEN DAYS OCCASIONALLY.

Question 6

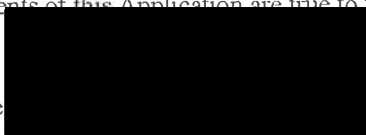
6 To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
*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  * (see note below)

Date 21/7/17

Capacity APPLICANT/AGENT (delete as appropriate)

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>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

*** Data Protection Act 1998**

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

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (<i>INITIALS</i>)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

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

**EAST LoTHIAN LICENSING BOARD
OPERATING PLAN**

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

Name, address and postcode of premises to be licensed.

UNIT 1, THE CART SHED KILDUFF FARM NR ATHELSTANEFORD NORTH BERWICK, EH39 5BD

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>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES
<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 am	10pm
<i>Tuesday</i>	11 am	10pm
<i>Wednesday</i>	11 am	10pm
<i>Thursday</i>	11 am	10pm
<i>Friday</i>	11 am	10pm
<i>Saturday</i>	11 am	10pm
<i>Sunday</i>	11 am	10pm

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	NO	NO
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.	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	YES
Live performances – see 5(g)	YES	YES	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO

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

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

We may play ambient background music in the office area of the unit if we are doing paperwork or other work outwith core times.

We may play ambient background music in the main area of the unit outwith core times if we are in to clean or do other work.

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.

<p>We may host gin society or similar talks/tastings on the premises.</p> <p>We may host charity fund-raising events on the premises.</p> <p>We may host distillery tours/open days on the premises.</p>
--

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>	NO
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	NO
<i>*Delete as appropriate</i>	

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 must be accompanied by an adult.

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

Children - 0-15 years
Young Persons - 16/17 years

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

All times when the premises are open for business.

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

All public areas.

Question 7

CAPACITY OF PREMISES

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

Dimensions of unit incl kitchen/office/loo - 8.76m x 5.91m

Capacity - Interior - 25 persons

External - 20 persons

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

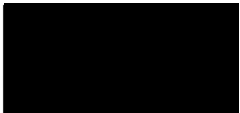
If signing on behalf of the applicant please state in what capacity.

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

Signature  * (see note below)

Date 18/7/19

Capacity APPLICANT 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>Our company, Fidra Fine Spirits Ltd, will be based at Unit 1, The Cartshed, Kilduff Farm, Nr Athelstaneford.</p> <p>We plan to use the unit as a small craft distillery where we will produce, bottle, label, store and dispatch Fidra Gin, and any other spirits which we may branch into the production of.</p> <p>The unit will primarily be used as a small craft distillery but we may host occasional events, for example: Gin Society or similar talks/tastings Charity fund-raising events Distillery tours/Open days.</p> <p>Adjacent to the unit is an outdoor double car parking area leading to a pleasant grassed area, both of which we hope to occasionally use as an outdoor seating area when we are hosting events.</p> <p>Unit 1 is only a small part of The Cartshed and, should we wish to expand, the dividing wall can be easily moved to provide more floor space.</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) On consumption - We may wish to occasionally sell drinks such as Gin & Tonics on the premises when we are hosting events such as distillery tours, open days etc.</p> <p>b) Off consumption - The unit will be mainly a distillery for producing, bottling, labelling; storing and dispatching Fidra Gin, both directly to customers via online sales, farmers markets, gin festivals etc and to the trade (bars, restaurants, farm shops, delicatessans etc). We may also occasionally offer tastings/make sales from the unit if a customer/tourist was to drop in. A small shop selling gin and other spirits in the future is a possibility.</p>

Clarification is required in relation to the content of your proposed Operating Plan

(extend the boxes below if you require additional space)

<p>To what extent do you intend to use any of the following: Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:</p> <p>N/A</p>
<p>Social Functions – Weddings; Birthdays; Retirements ; Other - If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:</p> <p><u>Other</u> As per the Operating Plan we may host gin society or similar talks/tastings, charity fund-raising events and distillery tours/open days on the premises.</p> <p>We anticipate that we will hold events such as the above on an occasional basis, perhaps every 6-8 weeks.</p> <p>The nature of these events will be low-key with around 15-20 people maximum (and often less).</p>
<p>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:</p> <p><u>Recorded Music</u> We may play ambient background music in the office area of the unit if we are doing paperwork or other work outwith core times. We may play ambient background music in the main area of the unit if we are cleaning or doing other work outwith core times.</p> <p><u>Live Performances</u> We may look to have low key live music at some of the events mentioned in the above box. It is anticipated that this would be a guitarist or similar ie. not loud or disruptive and would help to create a pleasant atmosphere. Live music will be infrequent and within core times.</p>
<p>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:</p> <p>The double car parking area and grassed area shown on the enclosed Layout Plan would be a lovely spot to place a few tables and chairs if the weather is good and we are holding a small event. We hope to use this space on occasion as an outdoor seating/drinking area for guests.</p>
<p>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</p>

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:

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:

See above.

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.

Children aged 0-15 yrs and Young Persons aged 16/17 yrs will be allowed entry to all public areas of the premises at all times when the premises are open for business. They must be accompanied by an adult.

We will provide a fold out baby changing table and well equipped changing bag for babies requiring changed.

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:

- Unit 1, The Cartshed is situated on a working farm (Kilduff Farm) which is covered by CCTV and which we will be protected by.
- We plan to fit the unit with an intruder alarm.
- We plan to fit window locks on all windows.

Securing Public Safety:

- The premises are situated on a working farm with all the obvious safety concerns such as heavy machinery and vehicles in the yard. As such, children and young persons will be permitted entry to the premises and all outdoor areas only when accompanied by an adult.
- When we are hosting events, open days, distillery tours etc we will rope off areas of the unit which we deem a risk to public safety, such as the still/condenser, bottling and labelling areas.
- At events etc we will not overcrowd the unit/outdoor areas.
- There will be no access to working areas of Kilduff Farm.
- We will keep a well-stocked first aid kit on site.

Preventing Public Nuisance:

- The events we plan to host will be small, low key affairs which we do not anticipate to be rowdy in nature.
- Where alcohol is to be offered to guests/visitors, we will encourage responsible and moderate drinking to prevent drunkenness/excessive noise.
- Any live music will be kept to low volume.
- Events will only be held within core times.

Protecting and Improving Public Health:

- As a distillery we will encourage safe and responsible drinking.
- We will offer tap water free of charge or soft drinks to guests/visitors who do not wish to consume alcohol at events, open days etc.
- The premises are in a rural location and we expect visitors/guests to often drive to them so we will obviously discourage drink driving.

Protecting Children and Young Persons From Harm:


- We take very seriously our commitment to protecting children and young persons from harm and, as such, will comply with all legislation designed to do this.
- There will be absolutely no sale or consumption of alcohol to any underage visitor to the 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. We very much hope the Board will support our application as we currently make our gin at a distillery near Aviemore (using local East Lothian ingredients), with the obvious associated logistical drawbacks. We feel very strongly that we will be a much more efficient - and truly local - business if we are granted a premises license to allow us to produce, bottle, label and dispatch our gin from here in East Lothian. We feel our locally sourced and produced gin - and our premises - will prove a true asset to the local tourist economy for years to come.

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	29 July 2019 29/7/19

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 / 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.

THE PREMISES IS A SINGLE LEVEL UNIT
IN THE CARTSHED, KILDUFF FARM.
THERE ARE DOUBLE DOORS ON LEVEL GROUND,
EASILY WIDE ENOUGH FOR WHEELCHAIR
ACCESS, AND THE FLOOR OF THE UNIT IS
FLAT CONCRETE.

Question 3

Facilities available

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

N/A

Question 4

Other provisions

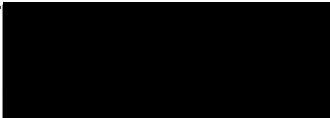
Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

ASSISTANCE DOGS WELCOME (MUST BE KEPT ON A LEAD).

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

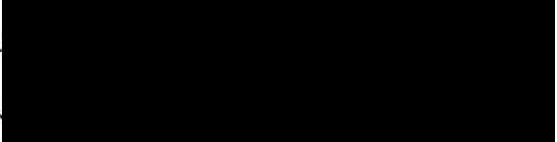
If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief

Signature  * (see note below)

Date 9/8/19

Capacity APPLICANT APPLICANT/AGENT

Telephone number and email address of signatory Tel. E. 

*** 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.



East Lothian Council

LICENSING (SCOTLAND) ACT 2005
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

SECTION 50 PLANNING CERTIFICATE

APPLICANT:

Ms Jo Brydie

NAME AND
ADDRESS OF
PREMISES:

Fidra Fine Spirits Ltd, Kilduff Farm, Athelstaneford, North Berwick

SECTION 50 PLANNING CERTIFICATE

- I confirm that planning permission (ref: 19/00225/P) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

- I confirm that planning permission (ref:.....) or outline planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.
- I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License/Confirmation of Provisional License to cover the above proposals.

Signed:

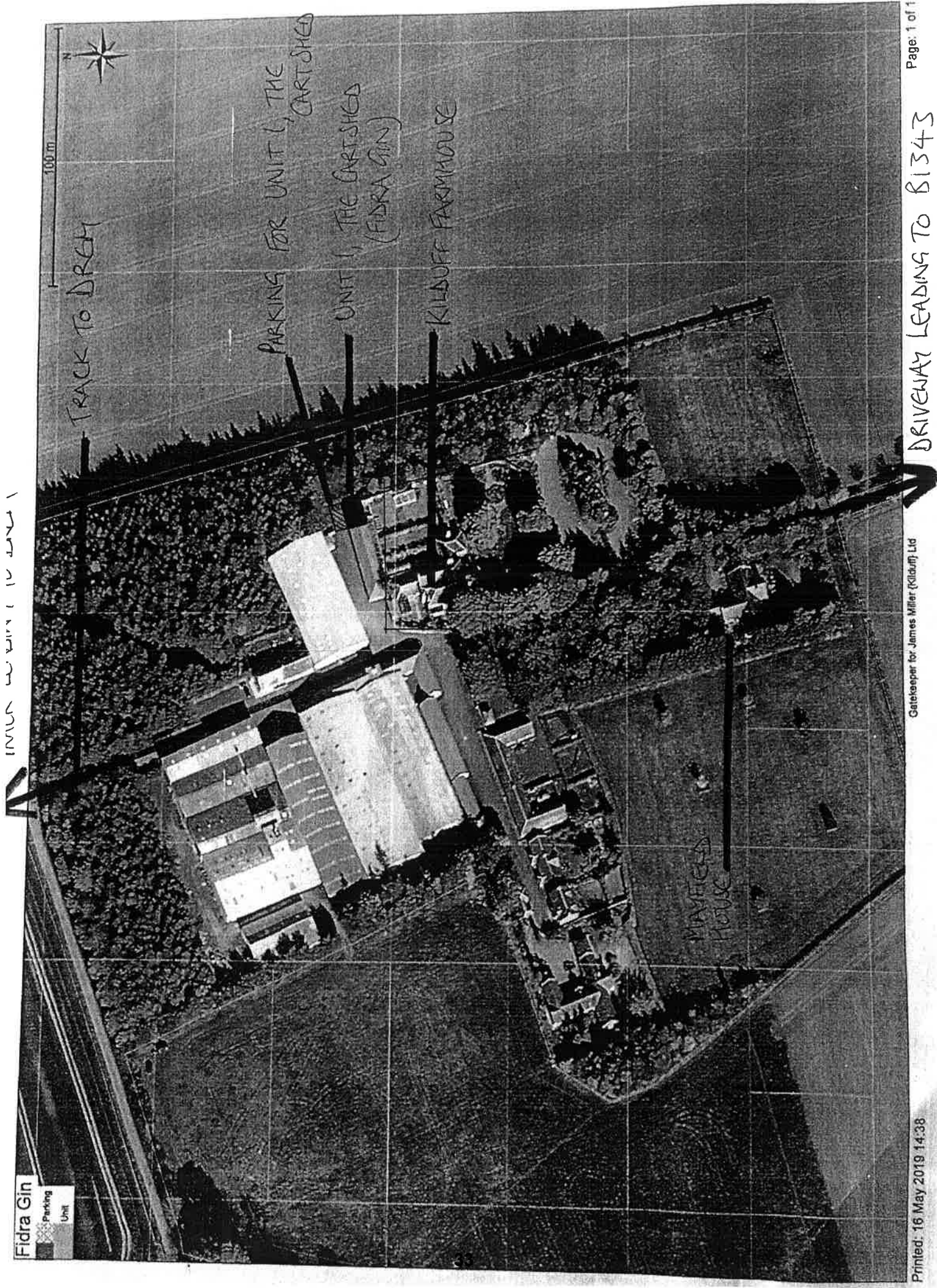


Date:

14th June 2019

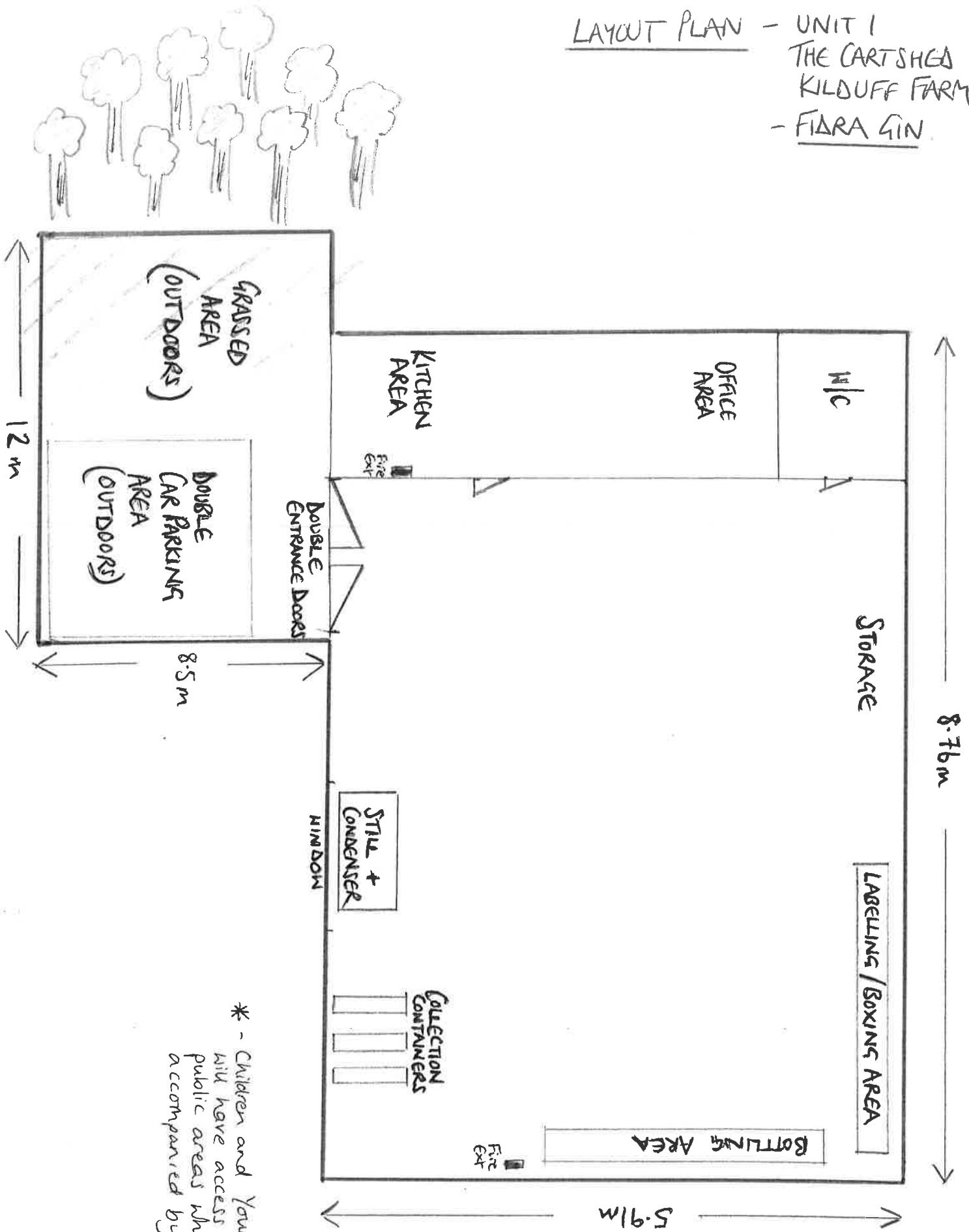
Neil Millar
Planning Officer

LOCATION PLAN - SHOWING LOCATION OF UNIT 1, THE CARP SITE
KILDUFF FARM, NR ATHELSTANCFORD



Fidra Gin
Parking
Unit

LAYOUT PLAN - UNIT 1
 THE CARTSHED
 KILDUFF FARM
 - FIARA GIN



* - Children and Young Persons will have access to all public areas when accompanied by an adult.

Date 21/08/2019

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,

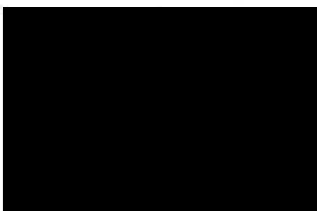
**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PROVISIONAL PREMISES LICENCE
UNIT 1 THE CARTSHED
KILDUFF FARM, NR ATHELSTANEFORD, EAST LOTHIAN, EH39 5BD.
FIDRA FINE SPIRITS LTD**

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

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

Police Scotland have no adverse comment to make in relation to the 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: 12 Aug. 19

Subject: LICENSING SCOTLAND ACT 2005
PROVISIONAL PREMISES LICENCE APPLICATION

Unit 1, The Cartshed, Kilduff Farm, Athelstaneford, East Lothian EH39 5BD

I refer to the above subject and can confirm that the provisional premises licence application has been assessed and I am satisfied that the Operating and Layout Plans are in accordance with the Act.

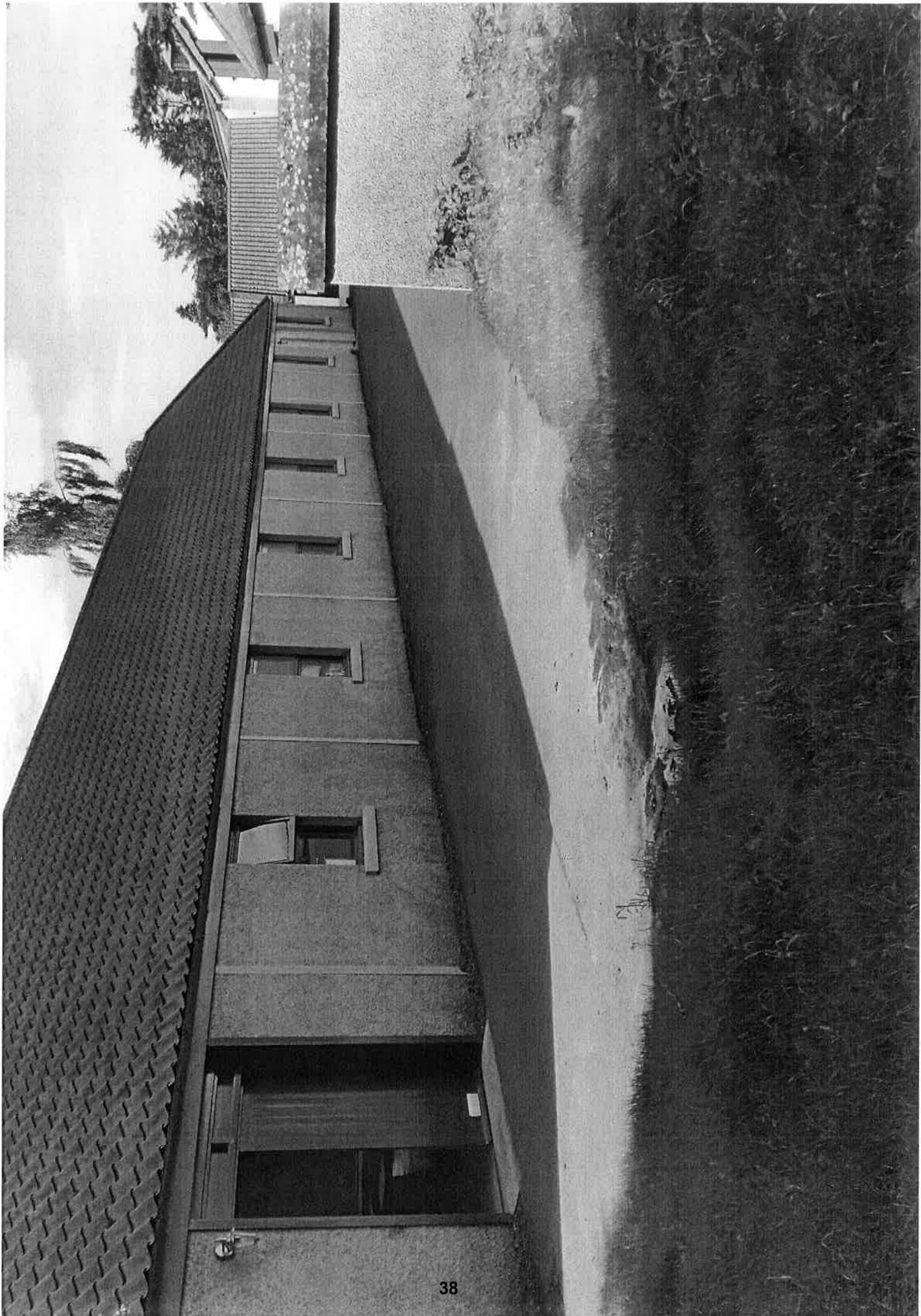
I have visited the Cartshed and taken some coloured photographs of the interior of the unit and also the proposed outdoor seating areas to the assist Board members see what the premises are like and to assist in determining this application.

The applicant has clarified the following points:

- For safety purposes, the preparation, distilling, bottling, labelling and storage sections will be delineated at all times the public have access to the premises for visits and tours.
- The two parking spaces, which will form part of the outdoor area, will be suspended on any occasion it is to be used for the purposes of licensed events. To be clear, there is plenty of available parking nearby, when the two designated parking bays are out of operation.
- Since 24/09/2018 to the date of this report, the applicant has been granted Occasional Licences covering 291 days for the sale and supply of alcohol at local markets, gin tasting events and to support internet sales without any problems having been identified.

I support this application.

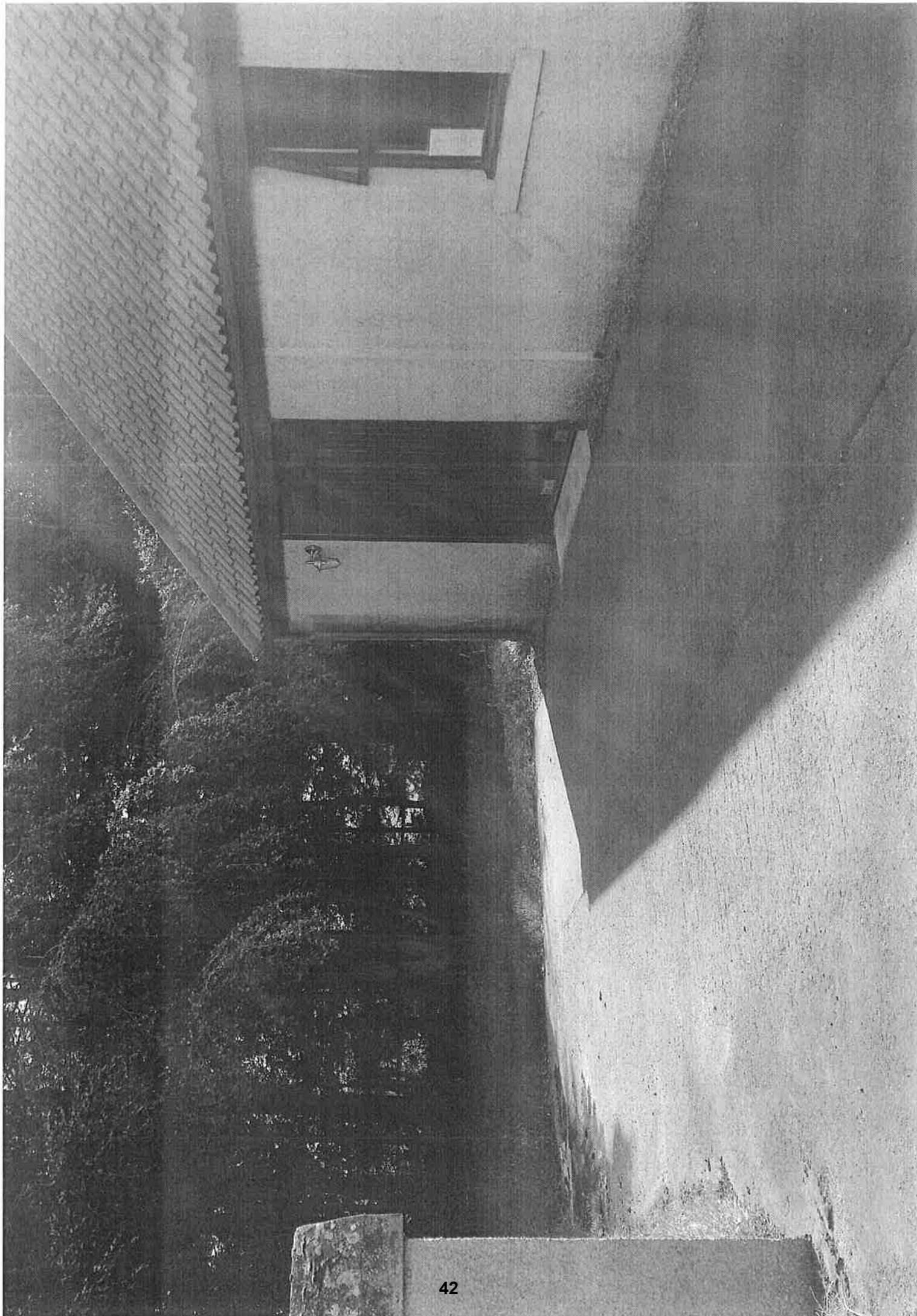
R. Fruzynski
Licensing Standards Officer

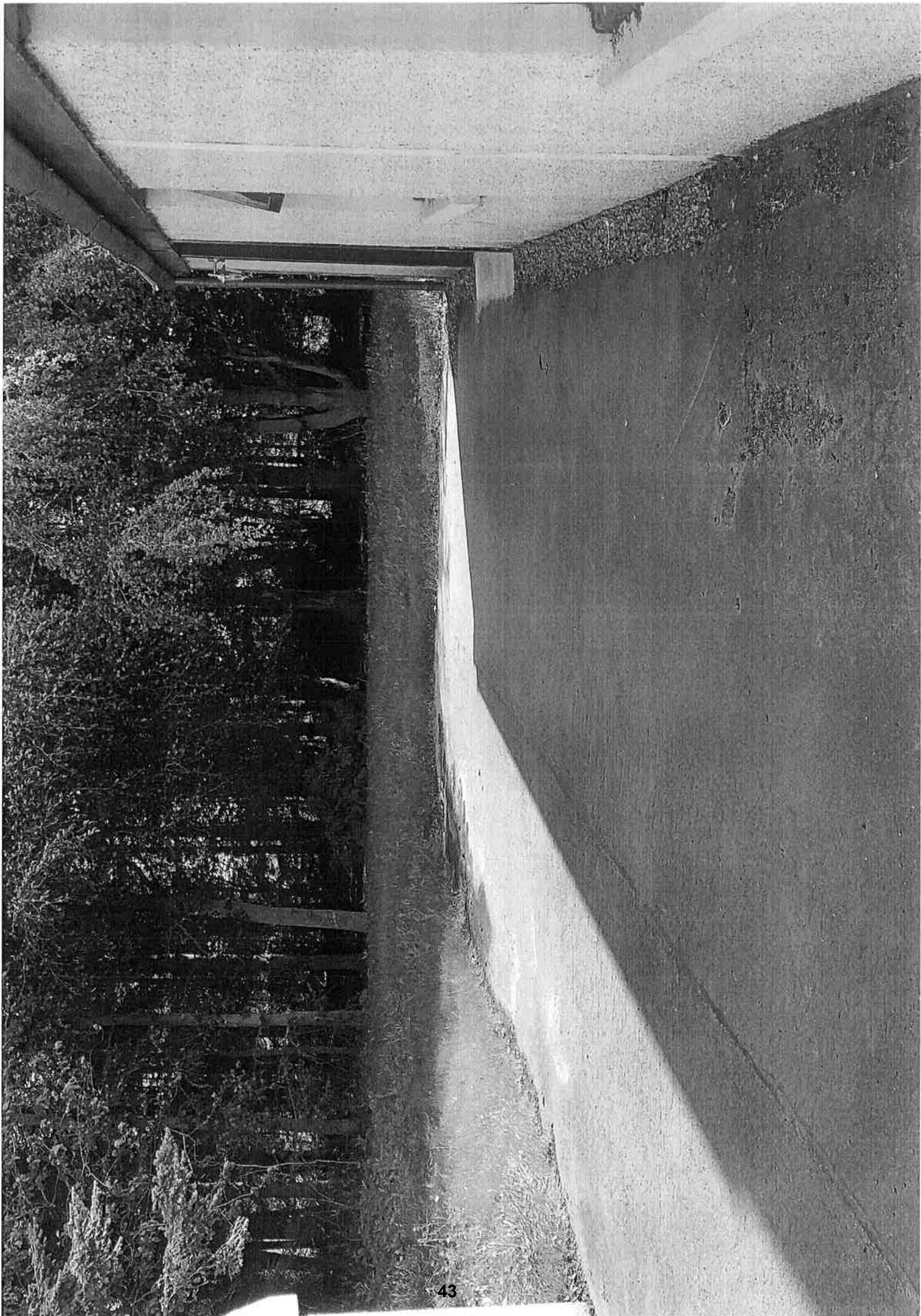












EAST LOTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery

To: Clerk to the Licensing Board

Per: Neil Millar

Per: Licensing Board

Cc:

Date: 21st August 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Fidra Fine Spirits Ltd, Ballencrieff Garden Cottage, Longniddry

Application type: Premises Licence

There are no objections to the grant of a premises licence. No planning permission is required for the sale of alcohol on the premises.

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Provisional(s)	Applicant	Date Received	Comments
Premises			
1 FIDRA FINE SPIRITS UNIT1 THE CARTSHED KILDUFF FARM NR. ATHELSTANEFORD NORTH BERWICK WHITEKIRK HILL WHITEKIRK NORTH BERWICK EH39 5PR	FIDRA FINE SPIRITS LTD. WHITEKIRK HILL LIMITED	9 August 2019 26 July 2019	 A high quality clubhouse, which will offer 2 restaurants, a bar, a wellness centre, leisure facilities and a children's play barn

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.

Whitekirk Hill
Whitekirk
North Berwick
EH39 5PR



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.*

[Empty rectangular box for providing applicant particulars for question 2(a)]

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

[Empty rectangular box for providing applicant particulars for question 2(b)]

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

--

Question 4

Previous convictions

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

**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.

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.

Whitekirk Hill

Whitekirk

North Berwick

EH39 5PR

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.*

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.*

Whitekirk Hill Limited

3 Forth Street Lane

North Berwick

EH39 4JB

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.**

1. *Norman Springford* – [REDACTED]

[REDACTED]

2. *James Wilkie* – [REDACTED]

[REDACTED]

3. *Andrew Wilkie* – [REDACTED]

[REDACTED]

4. *Iain Wilkie* – [REDACTED]

[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

--

Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	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)

<p><i>A high quality clubhouse and holiday lodges to be built in the future. The clubhouse will offer 2 restaurants, a bar, a wellness centre, leisure facilities and a children's play barn.</i></p>

Question 6

6 To be completed by members' clubs only

<p><i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i></p>	<p><i>YES/NO*</i></p>
<p><i>* Delete as appropriate</i></p>	

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

Capacity APPLICANT/AGENT (delete as appropriate)

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>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

*** Data Protection Act 1998**

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

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (<i>INITIALS</i>)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

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

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

*Whitekirk Hill
Whitekirk
North Berwick
EH 39 5PR*

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>	<i>11:00</i>	<i>23:00</i>
<i>Tuesday</i>	<i>11:00</i>	<i>23:00</i>
<i>Wednesday</i>	<i>11:00</i>	<i>23:00</i>
<i>Thursday</i>	<i>11:00</i>	<i>01:00</i>
<i>Friday</i>	<i>11:00</i>	<i>01:00</i>
<i>Saturday</i>	<i>11:00</i>	<i>01:00</i>
<i>Sunday</i>	<i>11:00</i>	<i>24:00</i>

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>	<i>10:00</i>	<i>22:00</i>
<i>Tuesday</i>	<i>10:00</i>	<i>22:00</i>
<i>Wednesday</i>	<i>10:00</i>	<i>22:00</i>
<i>Thursday</i>	<i>10:00</i>	<i>22:00</i>
<i>Friday</i>	<i>10:00</i>	<i>22:00</i>
<i>Saturday</i>	<i>10:00</i>	<i>22:00</i>
<i>Sunday</i>	<i>10:00</i>	<i>22:00</i>

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 like to take advantage of any general extension to hours in respect of local or national events of importance, 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 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	Yes	N/A	N/A
Conference facilities	Yes	Yes	Yes
Restaurant facilities	Yes	Yes	Yes
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	Yes
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	Yes	Yes	Yes
Theatre	No	No	No
Films	Yes	Yes	Yes
Gaming	Yes	Yes	Yes
Indoor/outdoor sports	Yes	Yes	Yes
Televised sport	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>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>
<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>	<i>No</i>	<i>No</i>	<i>No</i>

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

- 1. Conference facilities – conferences may start at 8am*
- 2. Restaurant facilities – we will be serving breakfast from 6am*
- 3. Receptions – these may start at 8am*
- 4. Club or other meetings – these may start at 8am*
- 5. Recorded music – there will be soft music played on opening the facilities until close*
- 6. Live performances – these may start early and end late*
- 7. Dance facilities – ie: salsa, these classes may commence at 9am*
- 8. Films – these may start early and end late*
- 9. Gaming – ie: bridge groups, these may start early and/or end late*
- 10. Indoor/outdoor sports – these may start early, ie: running, walking or cycling groups*
- 11. Televised sport – this will be dependant on international time zones which may be early or late in the United Kingdom*
- 12. Outdoor drinking facilities – this will be dependent on events and functions.*

To be clear, no alcohol will be sold or supplied out with core licenced hours except on the application and grant of an occasional extension.

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 be allowed access while supervised by an adult.

The playbarn will be a wonderful experience for the children. This is an area that is specifically designed for early development and learning.

This area will also host children's birthday parties.

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

0 – 15 children

16 – 17 year olds (young adults)

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

Generally accepted up to 22:00 but until close of any pre-organised function

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

All public areas

Question 7

CAPACITY OF PREMISES

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

Lounge/Bar – 200
Orangery – 150
Restaurant – 150
Gym/Spa – 100
Play barn - 100
Total - 700

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

Capacity 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.

Phase 1:

Coffee Shop

Restaurant

Bar

Sports/Health club including gym and pool

Wellness Spa with treatment rooms

Children's indoor play barn

Phase 2:

In future – self-catering holiday lodges

(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) *Bar/Restuarants and Functions*

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

b) *Guests will be allowed to take home unfinished bottles of wine*

consumption & deliveries	

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:

These will be used on a daily basis.

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:

These will be used ad hoc but probably on a weekly basis.

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 daily.
 Live music will be played in relevant functions and events, the frequency of this will depend on the demand.
 Dance classes such as salsa etc. will also be on demand and may commence at 8 or 9am.
 There will be running/cycling a walking groups, these will be run on a weekly basis and my commence early.
 Televised Sport will be shown in the small snug bar as and when there are sporting events televised.*

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:

*Walled garden with tables and chairs
 Paved terrace to restaurant
 Picnics throughout grounds
 These will be served with food under management supervision*

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:

There may be exercise/dance classes that will commence earlier than 10am as well as running/walking and cycling groups.

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:

We are going to host events such as weddings, wakes, picnics and birthday parties. As this is a new project, we are hoping to host one of these types of events weekly.

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.

Baby changing will be accessible in toilets and the children's playbarn

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. *There will be no underage drinking*
2. *There will be no drunkenness on premises*
3. *There will be no illegal possession or use of drugs*
4. *There will be no violent or anti social behaviour*
5. *There will be no unauthorised advertising*

Securing Public Safety:

1. *There will be a sufficient number of people employed or engaged to secure the safety of the premises and patrons*
2. *There will be appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons*
3. *There will be an implementation of crowd management measures*
4. *There will be proof of regular testing and certification where appropriate of procedures, appliances and safety systems.*
5. *There will be suitable and sufficient risk assessments, including compliance with the requirements of the Fire (Scotland) Act 2005*

Preventing Public Nuisance:

1. *There will be effective and responsible management of premises*
2. *There will be appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, for instance to ensure that customers leave quietly*
3. *There will be control of operating hours for all parts of the premises, for instance garden areas, including deliveries and disposal of glass*
4. *There will be management of people, including staff and vehicular traffic arriving and leaving premises*
5. *We will liaise with public transport providers*
6. *There will be management arrangements for collection and disposal of waste and empty bottles*
7. *There will be effective ventilation systems to prevent nuisance from odour and noise from air conditioning units.*

Protecting and Improving Public Health:

1. *We will be vigilant at all times to the risks of excessive consumption*
2. *Children and young persons will be protected*
3. *There will be informative signage displayed in appropriate places to educate the public about excessive drinking.*
4. *There will be a wide selection of reasonably priced non alcoholic beverage on offer.*

Protecting Children and Young Persons From Harm:

1. *We will demonstrate that suitable and sufficient measures will be identified and will be implemented and maintained to protect children and young persons from harm.*
2. *Children will be accompanied by responsible adults*

3. *Children's food and drinks will be served in suitable and safe containers*
4. *Stairs on the premises are risk assessed and where necessary will be adequately guarded by suitable means*
5. *All heating appliances will be risk assessed and where necessary will be adequately guarded*
6. *All electrical plug sockets in areas accessible to children will be adequately protected*
7. *All furniture and fittings shall be of safe design having regard to their use by children*
8. *The floor covering in the public toilets will be a non-slip and easily cleaned material*

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

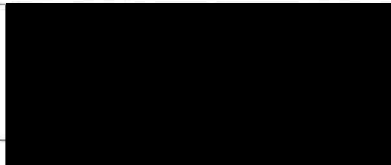
Supporting Comments: i.e. reasons why the Board should support your application.
Whitekirk Hill is a development of high quality that is not supplied anywhere else in East Lothian.

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	26 / 7 / 2019
-----------	---	------	---------------

“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
*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.

*There is specified disabled parking near the entrance door.
The entire ground floor has level access*

Question 3

Facilities available

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

*There are three accessible toilets
There is a platform lift in the children's play area.*

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.

*All assistance dogs will be welcome
There will be large print menu's
There will be a hearing loop at reception.*

DECLARATION BY APPLICANT OR AGI

If signing on behalf of the applicant please st

The contents of this disabled access and facilitie
and belief.

Signature



Date 26/7/2019

Capacity DIRECTOR

Telephone number and email address of signatc

*** Data Protection Act 1998**

The information on this form may be held on ar
to members of the public on request.”



LICENSING (SCOTLAND) ACT 2005
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**SECTION 50
PLANNING CERTIFICATE**

APPLICANT:

Whitekirk Hill Limited

NAME AND
ADDRESS OF
PREMISES:

Whitekirk Golf Club, Whitekirk, North Berwick

SECTION 50 PLANNING CERTIFICATE

- I confirm that planning permission (ref: 18/00312/P) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

- I confirm that planning permission (ref:.....) or outline planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.
- I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License/Confirmation of Provisional License to cover the above proposals.

Signed:



Date:

23rd July 2019

Neil Millar
Planning Officer

Our Ref: DEV65318
Your Ref:
Date: 23rd July 2019
Ask For: Neil Millar
Direct Line: 01620 827383
Fax No: 01620 827723
Email: environment@eastlothian.gov.uk



Whitekirk Hill Limited
Whitekirk Hill
Whitekirk
East Lothian
EH39 5PL

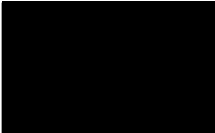
Dear Sir / Madam,

Re: Section 50 Planning Certificate – Whitekirk Golf Club, Whitekirk, North Berwick, East Lothian.

Please find enclosed the Section 50 Planning Certificate for the above subject.

In the meantime, should you wish to discuss any of the above, please do not hesitate to contact me.

Yours sincerely,



Neil Millar
Planner

Please mark all correspondence to Planning Delivery

Date 19/08/2019

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**

**WHITEKIRK HILL, WHITEKIRK, NORTH BERWICK, EAST LOTHIAN, EH39
5PR.
WHITEKIRK HILL LIMITED, 3 FORTH STREET LANE, NORTH BERWICK**

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

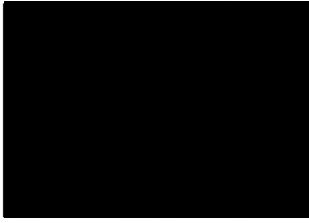
I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

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

I note that the applicant wishes to have 'off sales'. I would respectfully request that the applicant clarifies in what context 'off sales' would be utilised. i.e. is there plans to sell alcohol from the café / restaurant? Or is it required for 'taking away' a half finished bottle of wine etc. following the conclusion of a meal?

I would also request, as required, that the applicant submit layout plans which clearly show the licensed area, delineated in red and also include where the child access is.

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: 07 Aug. 19

Subject: LICENSING SCOTLAND ACT 2005
PROVISIONAL PREMISES LICENCE APPLICATION

Whitekirk Hill, Whitekirk, East Lothian EH39 5PR

I refer to the above subject and can confirm that the provisional premises licence application has been assessed and I am satisfied that the Operating Plan is in accordance with the Act.

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: 16th August 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Whitekirk Hill, Whitekirk, North Berwick
Application type: Premises Licence

There are no objections to the grant of a premises licence. No planning permission is required for the sale of alcohol on the premises.

Winter, Maree

From: Johnson, Darren
Sent: 07 August 2019 08:18
To: Licensing
Cc: Environmental Health/Trading Standards; Muir, Marion
Subject: FW: Application for Provisional Premise Licence - Whitekirk Hill
Attachments: Proforma Objection or Representation.Jun2018.doc; Provisional premise licence application - Whitekirk Hill.pdf; Whitekirk Hill -Provisional Premise licence - layout plan.pdf

No objections

Darren

From: Environmental Health/Trading Standards
Sent: 06 August 2019 16:54
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: Application for Provisional Premise Licence - Whitekirk Hill

From: Winter, Maree
Sent: 06 August 2019 16:17
Subject: Application for Provisional Premise Licence - Whitekirk Hill

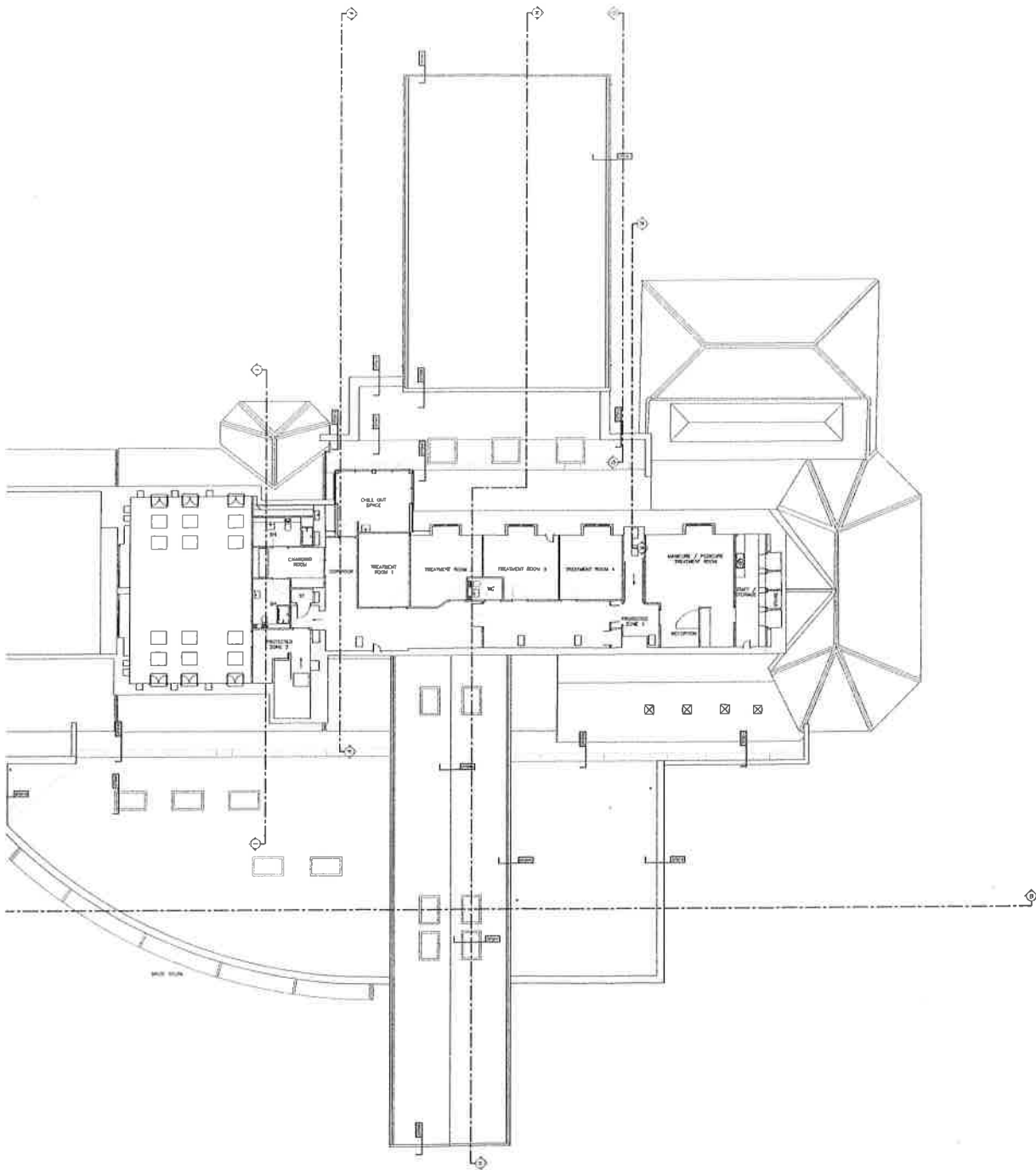
Dear all,

Please find attached application for a Provisional Premise Licence for Whitekirk Hill, Whitekirk. Could I please have any objections/representations you may care to make by Monday 2nd September 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





PROJECT INFORMATION	
PROJECT NAME	WATERKIRK CLUBHOUSE
CLIENT	WATERKIRK HILL LTD
DATE	18/05/2011
SCALE	1:500
PROJECT NO.	18005(00)101-L
DESIGNER	EMA
CHECKED BY	
DATE	

ema
architects + masterplanners

18005(00)101-L

WATERKIRK HILL LTD
PROPOSED REFURBISHMENT,
ALTERATIONS & EXTENSION
WATERKIRK CLUBHOUSE

FIRST FLOOR PLAN
AS PROPOSED

DATE	18/05/2011
SCALE	1:500
PROJECT NO.	18005(00)101-L
DESIGNER	EMA
CHECKED BY	
DATE	



THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS AND PERMISSIONS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

NO.	REVISION	DATE	BY
A	TITLE BOUNDARY AMENDED	1/18	02.10.18

— TITLE BOUNDARY

— CLUBHOUSE APPLICATION SITE BOUNDARY (SEPARATE APPLICATION)



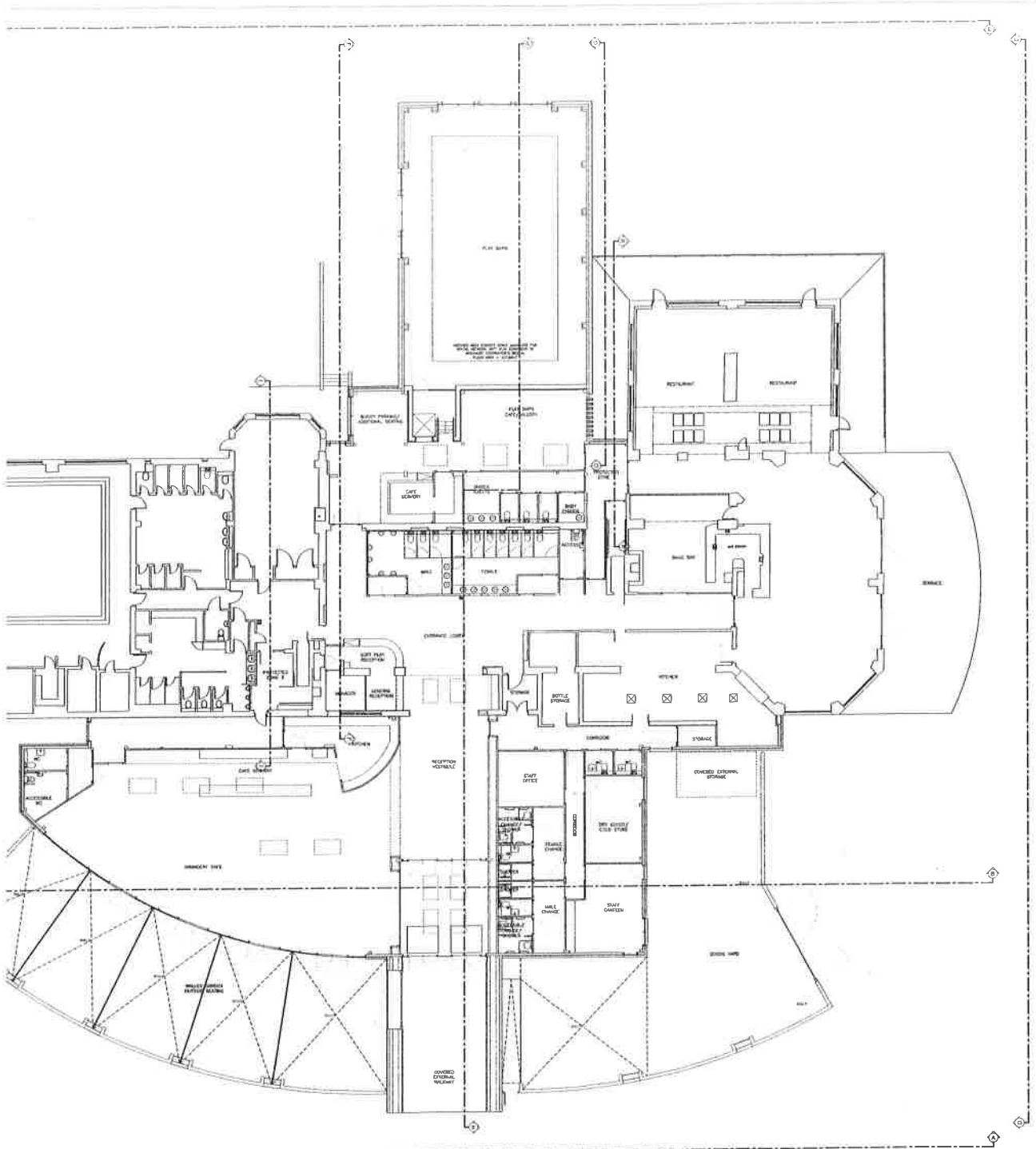
ema
architects + masterplanners

42 CHARLOTTE SQUARE
EDINBURGH
EH2 4ND
E: INFO@EMA-ARCHITECTS.CO.UK F: 0131 347 8882
W: WWW.EMA-ARCHITECTS.CO.UK

WHITEKIRK HILL
WHITEKIRK GOLF & COUNTRY CLUB
WHITEKIRK
EAST LOTHIAN

LOCATION PLAN
WITH TITLE BOUNDARY

PROJECT NO.	17154	DATE	15.08.18	SCALE	1:1
PROJECT NAME	17154(OS)001A				
CLIENT NAME					
CLIENT ADDRESS					
PROJECT LOCATION					



Project Name	Whitekirk Hill Ltd
Client	Whitekirk Hill Ltd
Site Address	Whitekirk Hill, Whitekirk, West Lothian, Scotland
Project No.	15005(00)100-N
Scale	1:500
Date	15/05/2015

ema
architects + masterplanners

WHITEKIRK HILL LTD
PROPOSED REFURBISHMENT,
ALTERATIONS & EXTENSION
WHITEKIRK CLUBHOUSE

GROUND FLOOR PLAN
AS PROPOSED

Client	Whitekirk Hill Ltd
Project No.	15005(00)100-N
Scale	1:500
Date	15/05/2015

EAST LOTHIAN

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

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises Applicant Date Received Comments

3 WINTON ARMS
WINTON ARMS
A6093 (08) FROM LEMPOCKWELLS
ROAD (C80) TO PENCAITLAND
CROSSROADS (B6355)
PENCAITLAND

PUNCH PARTNERSHIP LIMITED

9 August 2019

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)

..... COPY LAYOUT PLAN REQUIRED

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL099

2(b) Name and Address of Premises

Winton Arms, High Street, Pencaitland

Post Code

EH34 5DN

Phone No.

01875 341 278

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

Punch Partnership Ltd, Jubilee House, Second Avenue, Burton on Trent

Post Code

DE14 2WF

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

[Empty box for providing 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)

We wish to amend the opening time for On and Off Sales on a Sunday to 11.00am

We wish to amend the wording in the Q4 - Seasonal Variations to

“We shall apply for or take grant of extension to licensing hours during any local, national and international festivals and/or holidays as and when applicable, in accordance with the East Lothian Licensing Board's policies/guidelines.

We may also apply for extensions for special events i.e. sporting events, functions, charity evenings etc.”

We wish to amend 5A) for Restaurant facilities and bar meals to columns 1, 2 & 3 to YES

We wish to amend Q6 as follows:

6B) Children and Young Persons will be allowed access if accompanied by an adult

6D) Until 10pm daily, unless attending a private function in the lounge bar, where they will be permitted until the end of the function

We wish to amend the Premises manager to:

EL033 - Elaine McCormack, [Redacted]

Date of Birth [Redacted]

Email - [Redacted]

Telephone -- [Redacted]

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.

We do not wish to make any changes to the Layout Plan however we wish to request a copy as this has not been provided to us by the seller.

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 **£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 £ is enclosed.

Signature



..... (See note 5 below)

Date

7/8/19

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
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>

EL099

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

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>	11.00am	11.00pm
<i>Tuesday</i>	11.00am	11.00pm
<i>Wednesday</i>	11.00am	11.00pm
<i>Thursday</i>	11.00am	1.00am
<i>Friday</i>	11.00am	1.00am
<i>Saturday</i>	11.00am	1.00am
<i>Sunday</i>	11.00am	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>	11.00am	10.00pm
<i>Tuesday</i>	11.00am	10.00pm
<i>Wednesday</i>	11.00am	10.00pm
<i>Thursday</i>	11.00am	10.00pm
<i>Friday</i>	11.00am	10.00pm
<i>Saturday</i>	11.00am	10.00pm
<i>Sunday</i>	11.00am	10.00pm

Question 4

SEASONAL VARIATIONS

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

**If YES – provide details*

We shall apply for or take grant of extension to licensing hours during any local, national and international festivals and/or holidays as and when applicable, in accordance with the East Lothian Licensing Board's policies/guidelines.

We may also apply for extensions for special events i.e. sporting events, functions, charity evenings etc.

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	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.	Yes	Yes	Yes
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	No
Dance facilities	No	No	No
Theatre	No	N/A	N/A
Films	No	N/A	N/A
Gaming	Yes	Yes	No
Indoor/outdoor sports	Yes	Yes	No
Televised sport	Yes	Yes	No

<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	No
<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	N/A	N/A

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

Functions, meetings etc associated with functions may start from 11am onwards – the sale of alcohol shall not commence until core hours begin.

Activities/services shall continue for the additional hours specified in Question 4 above.

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

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>	N/A
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	N/A
<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 and young persons will be allowed access if accompanied by an adult

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

5-17 years old

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

Until 10pm daily, unless attending a private function in the lounge bar, where they will be permitted until the end of the function

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

Lounge, toilets and outdoor drinking area. Also routes to access them.

Question 7

CAPACITY OF PREMISES

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

On sales - 254

Question 8

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

Personal details

8(a) Name

Elaine McCormack

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 September 2009	East Lothian	EL033

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

CapacityAPPLICANT

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.

Date 15/08/2019

Your Ref: EL099

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
THE WINTON ARMS, HIGH STREET, PENCAITLAND, EAST LoTHIAN, EH34
5DN.
PUNCH PARTNERSHIP LTD, JUBILEE HOUSE, SECOND AVENUE, BURTON
ON TRENT**

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

The variation requested consists of a change to the operating plan in respect of on and off sales on a Sunday, seasonal variations, addition of restaurant and bar meals, children and young persons access and a change of DPM.

In terms of Section 29(5) this request can be considered a major variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

Winter, Maree

From: Fruzynski, Rudi
Sent: 13 August 2019 08:01
To: Winter, Maree
Subject: RE: Minor Variation - Winton Arms - Pencaitland

I have no objection to the proposals in this Major Variation.

Rudi Fruzynski
Licensing Standards Officer
Accredited Paralegal
East Lothian Council



01620827363

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 12 August 2019 16:35
To: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>
Subject: Minor Variation - Winton Arms - Pencaitland

Hi

Please find attached minor variation – change of dpm.

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

Internal Memorandum

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

Date: 21st August 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Winton Arms, High Street, Pencaitland

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.

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 details]

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.**

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

--

Question 4

Previous convictions

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

**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

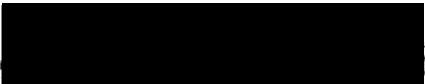
6 *To be completed by members' clubs only*

<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
--

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>
--	------------

**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
---	-----

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]

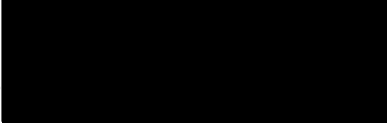
8(e) Personal licence

<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)

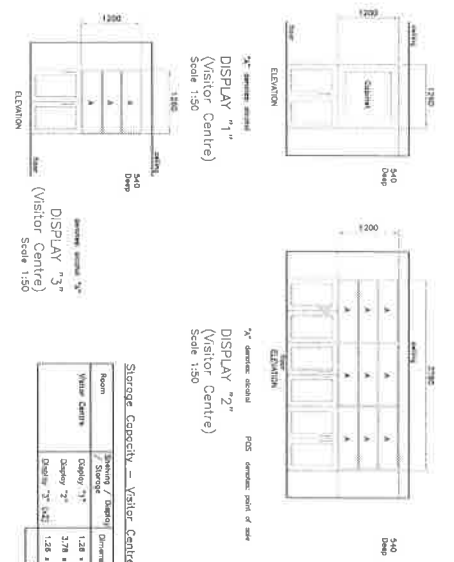
Date 26 August 2019

Capacity: AGENT

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

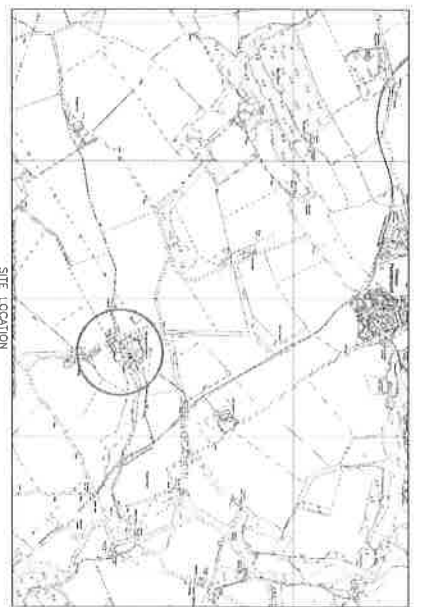
*** Data Protection Act 1998**

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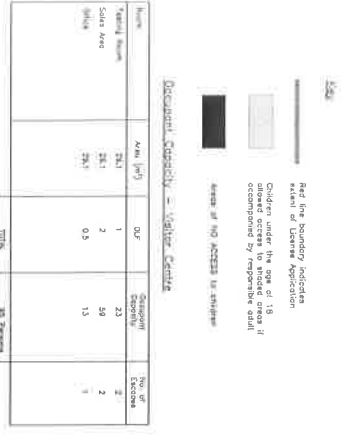
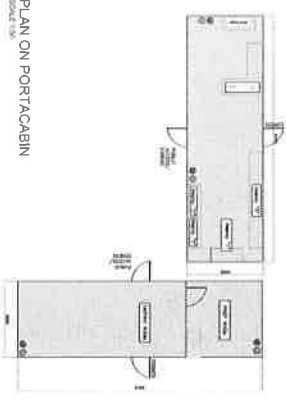


Storage Capacity - Visitor Centre/Shop

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		1.00m ³



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SCALE: 1:10,000



Red line boundary indicates extent of debris protection
Children under the age of 18 should not be allowed access to product areas if deemed necessary by responsible staff
Areas of high access to shelves

denotes CCTV camera
denotes fire alarm
denotes emergency fire wall storage
denotes bank glass fire alarm panel
denotes FOLM fire extinguisher
denotes CO2 fire extinguisher
denotes WATER fire extinguisher
CCTV monitor
denotes smoke detector

Decorative Capacity - Visitor Centre

Items	Area (m ²)	DUF	Display Capacity	No. of Stock
Table	23.1	1	23	2
Chair	23.1	2	50	2
Shelf	23.1	0.5	13	1
TOTAL			86	

PLAN ON PORTOCABIN AT GROUND FLOOR SCALE 1:50

PLAN ON PORTOCABIN AT FIRST FLOOR SCALE 1:50

DATE: 28/01/2014

PRELIMINARY DRAWING

DIAGEO LTD. SCOTLAND

GLENKINCHIE DISTILLERY

TEMPORARY SHOP/TOLLET LOCATION PLAN

BYTH & BYTH
Consultants, 65 South Gyle Campus
Edinburgh EH11 2EB
Tel: 0131 622 2222

Drawing No: G1K-BB-GA-90-00-00-006

Date 05/09/2019

Your Ref:

Our Ref: J/LIC/3705/HB



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

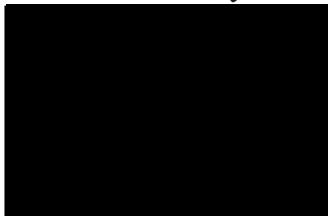
Dear Sir/Madam,

**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 <ehts@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