



AGENDA FOR THE MEETING OF EAST LOTHIAN LICENSING BOARD

THURSDAY 28 NOVEMBER 2019 at 10.00 am
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

Agenda of Business

Apologies

Declarations of Interest

Members and officers should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

1. Minutes for Approval

East Lothian Licensing Board, 31 October 2019 (pages 1-4)

2. New Premise Licence

(i) Event Space, Archibald Hope House, Eskmills Park, Inveresk, Musselburgh (pages 5-44)

3. Provisional Premise Licence

(i) Aldi, Gateside West, West Road, Haddington (pages 45-68)

4. Major Variation of Premise Licence

- (i) Lodge Nisbet 1112 Social Club, Rannoch House, 30 Ormiston Road, Tranent (pages 69-88)
- (ii) Muss-Bar & Kitchen (Formerly Habaneros), 83 High Street, Musselburgh (pages 89-126)
- (iii) Town House Fish & Chicken Bar, 17 Market Street, Haddington (pages 127-154)

5. Personal Licence (continuation)

(i) Mei Mei Ni (pages 155-168)

6. Occasional Licence Application(s)

- (i) Occ592/19- Speakeasy Style Bar – 4 Brewery Lane, Belhaven (pages 169-208)
- (ii) Occ593/19 - Speakeasy Style Bar – 4 Brewery Lane, Belhaven (pages 209-252)
- (iii) Occ607/19- Speakeasy Style Bar – 4 Brewery Lane, Belhaven (pages 253-264)
- (iv) Occ608/19 - Speakeasy Style Bar – 4 Brewery Lane, Belhaven (pages 265-278)
- (v) Occ609/19 - Speakeasy Style Bar – 4 Brewery Lane, Belhaven (pages 279-289)

Kirstie MacNeill
Clerk of the Licensing Board
21 November 2019

Public papers for this meeting are available to view on the East Lothian Council website:
http://www.eastlothian.gov.uk/meetings/committee/53/east_lothian_licensing_board



MINUTES OF THE MEETING OF EAST LOTHIAN LICENSING BOARD

1

THURSDAY 31 OCTOBER 2019
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON

Board Members Present:

Councillor F Dugdale (Convener)
Councillor L Bruce
Councillor Goodfellow
Councillor J Henderson

Clerk of the Licensing Board:

Mr C Grilli (Depute Clerk), Service Manager – Legal

Attending:

Ms G Herkes, Licensing Officer
Ms C Shiel, Licensing Officer
Mr R Fruzynski, Licensing Standards Officer
PC H Bowsher, Police Scotland

Committee Clerk:

Ms J Totney, Team Manager – Democratic and Licensing

Apologies:

Councillor W Innes
Councillor J McMillan

Declarations of Interest:

None

1. MINUTES FOR APPROVAL

1a. The minutes of the East Lothian Licensing Board meeting of 26 September 2019 were approved as a true record of the meeting.

1b. The minutes of the East Lothian Licensing Board and East Lothian Local Licensing Forum joint meeting of 26 September 2019 were approved as a true record of the meeting.

**2. GRANT OF PROVISIONAL PREMISES LICENCE
Iceland, trading as Food Warehouse, Unit 3, Haddington Retail Park,
Haddington**

Mr H Hassard, TLT Solicitors, was present to represent the applicant. Ms J McGuinness, a Food Warehouse Manager, was also present.

The application is for a retail supermarket type premises providing customers with a wide range of foodstuffs, good and other services including the sale of alcoholic products for consumption off the premises. There were no public objections and no adverse comments from Police Scotland or the Licensing Standards Officer (LSO).

Mr Hassard outlined the background to Iceland Stores and explained how the Food Warehouse model differs from the traditional Iceland frozen food retailer model; tabled pictorial images of a Food Warehouse store; explained that the off-sales of alcohol is an ancillary part of the business accounting for 5% of the retail space; and provided details of Iceland's high standards of due diligence, staff training, and premises security.

In response to a question from Councillor Henderson regarding existing Food Warehouse stores, Mr Hassard stated that the alcohol sales capacity has not been increased in any of the stores since they opened.

PC Bowsher referred to the Police Scotland letter dated 2 October 2019 and supported the application. She commented that Mr Hassard's presentation had addressed CCTV and the theft of alcohol to her satisfaction. She suggested that conditions be added to the licence in respect of these items, and urged that the applicant reports all under-age thefts of alcohol.

The LSO had nothing further to add to his report dated 17 October 2019.

Councillor Goodfellow referred to a fairly recent application from Iceland in Musselburgh and asked if there had been any adverse reports from that store since that major licence variation was granted; Mr Hassard confirmed that there had been no such reports and stated that the theft of alcohol had actually reduced.

In response to Councillor Bruce, Mr Hassard confirmed that his client would be agreeable to having conditions placed on the licence as suggested by Police Scotland.

Councillor Henderson welcomed the investment in the new store format in East Lothian.

Decision

East Lothian Licensing Board unanimously agreed to grant the provisional licence subject to the following conditions:

- CCTV to be maintained in full working order; and
- All thefts of alcohol to be reported to Police Scotland

The Clerk introduced an additional item.

3. STATEMENT ON OCCASIONAL EXTENDED HOURS OVER THE FESTIVE PERIOD

The Clerk reminded Board members that the Board Policy provides for occasional extended opening hours during the festive period. The Board agreed that this policy should apply for the 2019/20 Christmas and New Year period.

Councillor Dugdale, Convener, therefore read out the extended hours statement that would apply. She advised that in terms of section 67 of the Licensing (Scotland) Act 2005, the Board has determined that it is appropriate to grant a general extension of licensed hours for the festive period. This extension will apply on Christmas Eve – Tuesday 24 December 2019, Christmas Day – Wednesday 25 December 2019, Boxing Day – Thursday 26 December 2018, Hogmanay - Tuesday 31 December 2019; and New Year's Day – Wednesday 1 January 2020 and will allow an extension of the terminal hour for the sale of alcohol during that period until 2 am. This extension will only apply to on-sales and not to off-sales of alcohol. There will be no general extensions outwith these days although any applications for extended hours out with the general extension will be considered on a case-by-case basis. It should be noted that such applications will require to be submitted no later than 2 December 2018. There is no need for licensees to apply for the general extension to 2 am. On-sales premises can utilise these hours to the extent they consider appropriate.

Decision

East Lothian Licensing Board agreed the occasional extended hours over the festive period 2019/20.

Before closing the meeting, Councillor Goodfellow commented that all annual licence fees had been received on time for 2019. He commended council officers for their efforts in this regard and the Board Convener added her appreciation to those staff involved.

Signed

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Councillor F Dugdale
Convener of East Lothian Licensing Board

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

New Grant(s)	Premises	Applicant	Date Received	Comments
2	EVENT SPACE ARCHIBALD HOPE HOUSE ESKMILLS PARK STATION ROAD INVERESK MUSSELBURGH	G H EVENT CATERING LTD	24 October 2019	The premises form part of Archibald Hope House, in the development at Eskmills, Musselburgh. The premises are in a residential/mainly commercial area and consists of function suite, kitchens, toilets and ancillary storage space.

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

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

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

G H Event Catering Ltd

Stuart House

Eskmills

Station Road

Musselburgh

EH21 7PQ

* 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 ()	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

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

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 form part of Archibald Hope House, in the development at Eskmills, Musselburgh. The premises are in a residential / mainly commercial area and consists of function suite, kitchens, toilets and ancillary storage space

Question 6

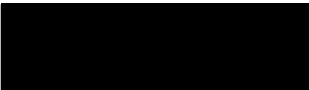

6 *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	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)
 Date21st October 2019.....
 CapacityApplicant..... APPLICANT/AGENT (delete as appropriate)
 Telephone number and email address of signatorychris@eskmillsvenue.com.....
 

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

<i>Operating plan</i>	x
<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.

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

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

For use by the Licensing Board only	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	

Operating plan	
Layout plan	

EAST LOTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

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Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	12:00	00:00 (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>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
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**If YES – provide details*

The premises will operate the extended hours offered by the licensing board at the Christmas and New Year 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	No	N/A	N/A
Conference facilities	Yes	Yes	Yes
Restaurant facilities	No	No	No
Bar meals	No	No	No

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

	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>	<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.

Conferences - this activity may take place outwith the core hours but not before 7am and not later than the terminal hour of operation

Receptions - this activity may take place outwith the core hours but not before 9am and not later than the terminal hour of operation

Club or group meetings - this activity may take place outwith the core hours but not before 7am and not later than the terminal hour of operation

Recorded music - this activity may take place outwith the core hours but not before 7am and not later than the terminal hour of operation

Live performances - this activity may take place outwith the core hours but not before 7am and not later than the terminal hour of operation

Theatre - this activity may take place outwith the core hours but not before 7am and not later than the terminal hour's operation

Films - this activity may take place outwith the core hours but not before 7am and not later than the terminal hour of operation

Televised sport - this activity may take place outwith core hours but not before 7am and not later than the terminal hour of operation

NB: Please note that no alcohol will be sold outwith core hours without there being in place a general extended hours application approved by the local authority

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><i>Exhibitions, fashion shows, wedding fairs, corporate events, charity events</i></p>

5(g) Late night premises opening after 1.00am

<p><i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i></p>	<p>NO*</p>
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<p><i>When fully occupied, are there likely to be more customers standing than seated?</i></p>	<p>NO*</p>
<p><i>*Delete as appropriate</i></p>	

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 a statement of the TERMS under which they will be allowed entry*

Children and young persons will have access to these premises but only when accompanied by a responsible person and not within 1.5 meters of the bar

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

Children - birth to 15 years old

Young persons - 16 and 17 years old

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

At all times an event is in operation, unless deemed inappropriate by the management. Children and young persons will always be accompanied by a responsible adult or under suitable professional childcare provision.

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

Due to the nature of these premises being run as an events hub, it is essential that children and young persons be allowed to remain on these premises until the conclusion of the events.

Management do reserve the right to refuse entry to children and young persons should they feel that the event is not suitable for them.

Children will never be allowed within 1.5 meters of the bar area

Question 7

CAPACITY OF PREMISES

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

On sales

Question 8

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

Personal details

8(a) *Name*

Mr Christopher Campbell

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address and telephone number*

chris@eskmillsvenue.com
[REDACTED]

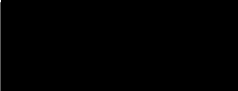
8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
10th December 2014	Edinburgh	272705

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)

Date21st October 2019.....

CapacityApplicant..... APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory ...chris@eskmillsvenue.com / 

*** 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>Eskmills Venue is one of East Lothian's gems. A stylish, stunning and magical venue to host weddings, events and conferences. Exclusively managed by the award-winning Hickory, Eskmills is situated in a stunning traditional building full of character but with all the modern touches you'd expect from the most contemporary of venues.</p> <p>When it comes to creating dream wedding days we can style the interior with breath-taking florals, candlelit tables or sparkling dancefloors and we can make things look spectacular outside in our gorgeous garden too. From a red carpet on arrival to pop up cocktail bars and everything in-between, we can create a beautiful garden party.</p> <p>The versatile and distinctive venue has 23 arched windows flooding the venue with natural light. A clever specially made partition system including a stunning curtain of fairy lights, can be used to create a beautiful ceremony area keeping everything under one starlit roof.</p> <p>Eskmills is where wedding dreams come true.</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) Operation of an event venue with fully pre-booked events, no walk-up / general public sales will take place in the course of on sales.</p> <p>b) N/A</p>

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

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

Occasional conferences are carried out in the venue, usually for local charity / business groups, AGM.

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:

The venue is operated primarily as a wedding and party venue for pre-booked events. In general we host 2-4 events per week.

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:

Weddings and parties in general will have either a live function band or DJ in attendance. They are generally from our recommended supplier list so they know the venue, its constraints, etc.

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 the use of such facilities:

We provide a small ancillary beer garden / smoking area directly outside the front of the venue. This is the grass and cobble area only and does not include the public footway or car parking area adjacent to the front of the venue.

External courtyard to the rear of the building is also used for receptions and photographic opportunities on occasion.

No outdoor drinking is permitted anywhere outside the venue after 10pm. A small smoking area directly outside the main venue doors is maintained however, all drinks must be left within the building.

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency of use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

N/A

Activities Outwith Licensed Core Hours - In your Operating Plan, directly below question 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

On occasion a conference may start prior to our licensed core hour, these will only be served soft and hot drinks a breakfast / reception option, often along with a breakfast roll or buffet.

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:

Other events such as a fashion show or exhibition are a very infrequent occurrence as our primary business is weddings and parties, however, we would like the opportunity to hoist these going forward so do not wish to exclude them from our application.

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 and your persons will be in attendance at events as guests of family and friends only, nit unaccompanied children / young people are permitted.

A 1.5meter exclusion zone is maintained in front of the bar at all times when the bar is in operation.

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:

Proof of age scheme is in operation and staff accordingly trained

A full CCTV system is in operation, management team are all trained in the operation of this and the ability to download footage - a minimum of 31 days worth of footage are retained at all times

Notices are displayed throughout the venue in relation to the prevention of consumption and use of illegal substances

Regular toilet check are completed throughout each event and are accordingly documented

Where necessary SIA door staff are employed via an approved regular contractor

External lighting is provided in all areas of the venue with regularly emptied litter bins and cigarette bins available

Safe drinking / anti drink driving materials are displayed throughout the venue. We also work closely with local taxi firms and notify them of big events.

We encourage wedding parties, etc to use pre-booked taxis / min buses or coaches wherever possible to negate the risk of drink driving and also the impact of noise on surrounding properties

Wine is available multiple measures when sold by the glass (including 125ml measures)

A refusal sheet is maintained within the venue

Last orders are usually called 30 minutes prior to the terminal hour, with time called 15 minutes prior to the terminal hour

An incident log is maintained should anything occur at an event

Staff are all aware of their duty to cooperate with licensing and police should an incidence of crime / disorder or violent / etc take place

Securing Public Safety:

Full and detailed risk assessments have been carried out for the premises and are regularly reviewed and updated

CCTV is in operation at the venue internally and externally and a recording facility of at least 31 days is available

All staff in the venue have completed the required 2 hours of licensing training and certificates are available from an online portal

Due to the nature of the business, all guests are allocated a seat at each event for the meal that we will be serving them as part of an event

A written duty of care policy is in effect throughout the venue

Empty bottles and glassware are regularly cleared by the front of house and bar staff throughout the course of an event

All public footways are always kept clear of furniture

No drinking is permitted on the public footway at any time

Appropriate first aid fascines and trained staff are available at every event. A defibrillator is available within the Eskmills business complex

All equipment in the venue is regularly tested for PAT compliance of gas safety compliance

We would inform the police and licensing department of any appropriate special events that were to take place should we feel they are of a 'special' nature

Where necessary SIA door staff are employed via an approved regular contractor

A cleaning team and maintenance team regularly clean and maintain internal and external areas of the venue

Preventing Public Nuisance:

We are happy to adhere to any additional local conditions imposed by the police or licensing department

Staff are appropriately trained in the prevention of public nuisance via the compulsory 2-hour licensing training

People are effectively managed by either staff members of SIA contractor during access and egress times

Notices are displayed at the exit to ensure guests leave quietly and with respect for neighbours. Where possible we encourage patrons to leave utilising coaches or min bus to reduce vehicle noise etc.

A period of time between the ceasing of alcohol service and the closing up of the premises is built into all events to ensure a smooth and gradual flow of people leaving the venue instead of a mass exodus.

Events are always pre-booked and number confirmed a minimum of 7 days in advance of an event so no over attendance is possible

Patrons are encouraged at all times to be mindful of our neighbours when leaving / using smoking areas etc. Event holders are also encouraged to provide lollies or similar for the end of a night to aid in the decreasing volume of patron leaving.

We have a robust litter and recycling policy in place and win awards for our environmental commitment and recycling commitment

Where required we use alternatives to single-use plastic as far as possible. Straws etc are always paper variants

Sound setups within the venue are set up with regard for the direction of noise bleed to neighbours as far as possible

Event holders are encouraged to utilise pre-booked taxis / minibuses and coaches where possible. We also have relationships with local taxi companies to ensure that safe dispersal takes place as quickly as possible for those guest with no onward travel arrangements pre-booked

A commercial extraction system is in operation in the venue and kitchen are at all time of venue operation

CCTV is in operation internally and externally to the venue with 31-day minimum recording facility

SIA staff are employed through an approved contractor when necessary

Protecting and Improving Public Health:

Posters are displayed throughout the venue discouraging drink driving

Sensible drinking posters are displayed throughout the venue

Our staff handbook contains information on dealing with drink problems

Multiple choice of drinks size are available and promoted

We offer a wide range of low and no alcohol drinks at reasonable prices in relation to alcoholic drinks

Potable drinking water is always available both from the bar and often a separate water station also

Events always incorporate a food element offering as part of our business

A sheet detailing local alcohol dependency support services is displayed in the venue

Our prices all exceed MUP and special offers are not available within the venue

The dealing with patrons who are intoxicated is covered by our venue duty of care policy

All glassware used in the venue is of a toughened variety

Protecting Children and Young Persons From Harm:

All staff are trained as part of the compulsory licensing training in the prevention of alcohol sales to children and young people

Where possible a separate drinking water station is in operation at an event and tap water is available on all meal tables during an event

A disabled toilet is available within the venue

Baby change facilities are available within the venue


High chairs are available within the venue

Bespoke children's menus are available at an event with prior notification

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

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

SIGNATURE AND DECLARATION BY APPLICANT			
IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION			
(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))			
The contents of this Application are true to the best of my knowledge and belief			
Signature		Date	21/10/19

SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

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

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

Question 2

Disabled access to, from and within the premises

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

The whole venue is situated on the ground floor and in its entirety is disabled accessible

Disabled toilet facilities are available within the venue

Question 3

Facilities available

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

Disabled toilet

Large print menus on request

All areas have wide double door access

All tables within the venue can accommodate wheelchairs

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.

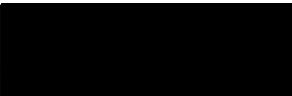
Large print menus on request

Guide dogs / assistance dogs are welcome within the venue

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 21/10/19

Capacity APPLICANT APPLICANT/AGENT

Telephone number and email address of signatory. CHRIS@ESKMILLVALE.COM


* 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.



**LICENSING (SCOTLAND) ACT 2005
BUILDING (SCOTLAND) ACTS 1959/70**

**SECTION 50
BUILDING STANDARDS CERTIFICATE**

Section 50 Application No: 11/00006/S50

Applicant: Isteral Ltd, 15 Atholl Crescent, Edinburgh EH3 8HA

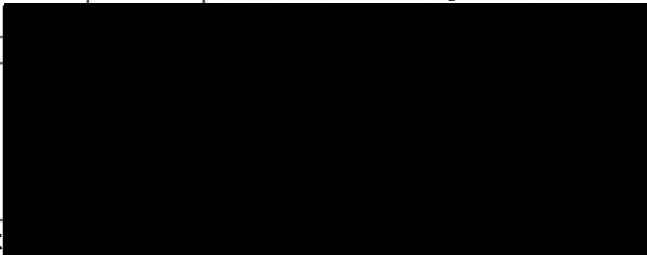
Agent: Mary Renton, A & W M Urquhart, 16 Heriot Row, Edinburgh EH 3 6HR

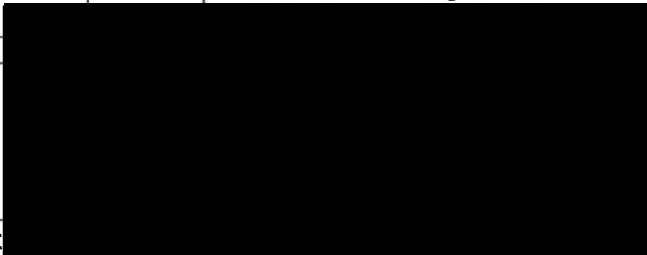
Premises Address: Function Suite, Archibald Hope House, Eskmills, Musselburgh

Proposed Use of Premises: Licensed Function Suite

I confirm that building warrants 07/00675/BW _S2 & 07/00675/BW _A have been issued for these premises and a completion certificate was accepted on 07.02.2011. Therefore, in terms the above Acts, I have no objections to the granting of the Liquor Premises License.

Drwg No.	Rev.	Description.	Source.
		Full set of Building warrant drawings for W A	CLWG, 38 Dean Park Mews, Edinburgh EH14 1GD

Signed:  **Date:** 21.09.2011

Contact:  n Council, John Muir House, Haddington, East Lothian EH41 3HA
Tel No: 01620 827 266
Fax No: 01620 827 723
Email: environment@eastlothian.gov.uk
 [Marked for the attention of John Murdoch]

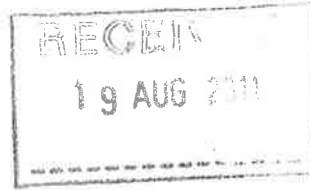
Issued To: Mary Renton, A & W M Urquhart, 16 Heriot Row, Edinburgh EH 3 6HR

Copied To: Marie Winter, per Clerk of the Licensing Court, East Lothian Council, John Muir House, Haddington
 Malcolm Gillies, Isteral Ltd, 15 Atholl Crescent, Edinburgh EH3 8HA



East Lothian Council

Our ref: GPF/JD
Your ref: RMU/mlr/ISER0001/0001
Direct Line: 01620 827365
Fax Number: 01620 827918
E Mail: ehs@eastlothian.gov.uk



Peter Collins
DIRECTOR OF ENVIRONMENT

John Muir House
Haddington
East Lothian
EH41 3HA
Tel 01620 827827
Fax 01620 827450

16 August 2011

A & W M Urquhart, Solicitors
16 heriot Row
EDINBURGH
EH3 6HR

Dear Sirs

THE LICENSING (FOOD HYGIENE REQUIREMENTS) (SCOTLAND) ORDER 2011

I hereby certify, in terms of Section 50 of the Licensing (Scotland) Act 2005, that the premises operated by Archibald Hope House, as a Function Suite, at Eskmills Musselburgh does comply with the requirements the EU provisions which are listed in Schedule 2 to the Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3)

I also acknowledge receipt of your cheque for the sum of £42.07.

Musselburgh


George Fairgrieve
Food and Safety Manager

cc copy to Licensing Board

Our Ref: 07/00685/FUL
Ask For: Stephanie Greaves
Direct Line: 01620 827373
Fax. No: 01620 827723
Date: 21 April 2008



The Glasshouse At Eskmills
Stuart House
Eskmills
Station Road
Musselburgh
East Lothian
EH21 7PQ

FAO Steven Adair

Dear Sir,

Request for a Section 23 Certificate – Licensing (Scotland) Act 1976
Request for a Section 50 Certificate – Licensing (Scotland) Act 2005

Archibald Hope House, Eskmills, Musselburgh

I refer to the above matter and your letter of the 11th April 2008.

I can confirm that on 17th January 2008 East Lothian Council, as Planning Authority, granted planning permission (Ref: 07/00685/FUL) for the use of the ground floor of the premises at Archibald Hope House, Eskmills, Musselburgh for conference and private function uses.

On behalf of East Lothian Council, as planning authority, I hereby certify in terms of Section 23(1) of the Licensing (Scotland) Act 1976 and Section 50(1) of the Licensing (Scotland) Act 2005, that there is no planning objection to the granting of a public house license for the ground floor premises of Archibald Hope House, Eskmills, Musselburgh, provided such license accords with and is ancillary to the use of the ground floor premises for conference and private function uses approved by the grant of planning permission 07/00685/FUL.

I trust that this is of assistance to you.

Yours faithfully

Stephanie Greaves
Planner

Cc. Licensing Dept.

Date 29/10/2019

Your Ref: EL368

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
PREMISES LICENCE
EVENT SPACE, ARCHIBALD HOPE HOUSE, ESKMILLS PARK, STATION
ROAD, INVERESK, MUSSELBURGH, EAST LoTHIAN, EH21 7PQ.
G H EVENT CATERING 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.

Having looked at the application, I note that the applicant has selected 'yes' to outdoor drinking but there is no reference to this area in the layout plan provided. I would therefore request that an amended layout plan be submitted with all licensed areas delineated in red.

Should the outside area be required, I would also request that this is not used after 2200 hours or earlier if planning permission dictates otherwise.

Question 7 – capacity: I would request that this be completed also.

I note that the applicant states there is CCTV in operation and I would request that this is maintained in good working order.

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

EAST LoTHIAN COUNCIL

PEOPLE and GOVERNANCE

1

Licensing Standards Officer

Clerk to the Licensing Board

Date: 11 Nov. 2019

Subject: LICENSING SCOTLAND ACT 2005 - PREMISES LICENCE APPLICATION

**Archibald Hope House, Eskmills Park, Station Road, Inveresk, Musselburgh East
Lothian EH21 7PQ**

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

I request that the Board consider the following local licence conditions, as attached to the previous Premises Licence:

Local Conditions:

1. In the interests of public safety, children must be excluded from an area of 1.5 metres from any bar servery in the premises.
2. Terminal hour of outside drinking area to be 22.00 hours.

This report is submitted for the information of Board members.

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: 11th November 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Event Space, Archibald Hopes House, Eskmills Park, Musselburgh

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

Planning permission is not required for the sale of alcohol on the premises.

However, I can confirm that there are no records of a grant of planning permission for the use of a beer garden / external drinking area within the grounds of the premise.

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

Winter, Maree

From: Boyle, Fiona <Fiona.Boyle@nhslothian.scot.nhs.uk> on behalf of Licensing <Licensing@nhslothian.scot.nhs.uk>
Sent: 01 November 2019 10:19
To: Winter, Maree
Subject: Current East Lothain Applications

Dear Maree

NHS Lothian are not submitting letters for the following current East Lothian Applications:

Lodge Nisbett
Town House Chippy
Habaneros High Street
Event Space

Many thanks, fiona

Fiona Boyle
PA/Administrator to:

Dr Fredi Garbe, Consultant in Public Health
Ms Alison Milne, Supporting Pregnancy & Newborn Screening
Mr Jim Sherval, Consultant in Public Health

Direct Dial: 0131 456 5817 (35817)
PHM Tel: 0131 465 5460
Email: fiona.boyle@nhslothian.scot.nhs.uk
Address: NHS Lothian, Public Health & Health Policy, Waverley Gate, 2-4 Waterloo Place, Edinburgh, EH1 3EG

** Please note my working hours are Monday - Friday; 8.00am to 1.00pm **



This email has been sent across an internal secure connection

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Provisional(s)	Premises	Applicant	Date Received	Comments
3	ALDI GATESIDE WEST WEST ROAD HADDINGTON EAST LOTHIAN EH41 3DF	ALDI STORES LIMITED	9 October 2019	Purpose built supermarket with car parking.

EAST LoTHIAN LICENSING BOARD

EL367
sent in Reg 14/17

**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.

**Aldi
Gateside West
West Road
Haddington
EH41 3DF**

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 box for individual applicant details]

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

[Empty box for partnership applicant details]

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

Aldi Stores Limited
Holly Lane
Atherstone
Warwickshire
CV9 2SQ
Company Registration Number - 2321869

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.**

Please see attached.

*** 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>YES</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>
<i>Aldi Stores Limited</i>	<i>24.02.16</i>	<i>Teesdale Crown Court</i>	<i>Section 2 of the Health & Safety at Work etc. Act</i>	<i>Fine £100,000</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)*

Purpose built supermarket with car parking.

Question 6

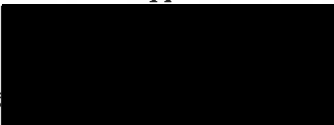
6 *To be completed by members' clubs only*

<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)

Date08.10.19.....

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>x</i>
<i>Layout plan</i>	<i>x</i>
<i>Planning certificate</i>	<i>x</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	

ALDI DIRECTOR'S HOME ADDRESSES – NOT FOR CIRCULATION

Name	Date of Birth	Place of Birth	Address	Any Convictions
Julie Ashfield	[REDACTED]	[REDACTED]	[REDACTED]	None
James Hutcheson	[REDACTED]	[REDACTED]	[REDACTED]	None
Giles Hurley	[REDACTED]	[REDACTED]	[REDACTED]	None
Daniel Ronald	[REDACTED]	[REDACTED]	[REDACTED]	None
Oliver James King	[REDACTED]	[REDACTED]	[REDACTED]	None

**SECTION 50
PLANNING CERTIFICATE**

APPLICANT:	Aldi Store Ltd
NAME AND ADDRESS OF PREMISES:	Gateside West, West Road, Haddington

SECTION 50 PLANNING CERTIFICATE

I confirm that planning permission (ref: 11/00729/PPM) 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:	12 th September 2019
Neil Millar Planning Officer			

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

Question 2

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

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

Question 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>NO</i>
--	-----------

**If YES – provide details*

Question 5

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

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

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

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

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

SALE OF OTHER GOODS CONSISTENT WITH THE BUSINESS OF A SUPERMARKET WITHIN AND OUTWITH CORE HOURS.

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	N/A
*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

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

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

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

Question 7

CAPACITY OF PREMISES

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

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

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 08.10.19

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.

SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

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

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

Question 2

Disabled access to, from and within the premises

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

- Access to the premises is via an automatic door entrance approached normally from a level or ramped surface.
- The entrance door features an assistance bell positioned at a low level for a disabled person to summon help if necessary.
- The store has an extra wide checkout (900mm) which is fitted with a hearing induction loop.
- The width of the aisles are appropriate to allow free movement and safely accommodate electric scooters and wheelchairs.
- All customer areas are on the ground floor

Question 3

Facilities available

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

- The premise has a disabled toilet on the ground floor, which can be made available to any disabled customer should the need arise.

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 are welcome and a sign to this effect is displayed at the store entrance
- Some products may be displayed in cabinets or on shelving which may not be easily accessible to wheelchair users. Staff are available to assist customers as required.
- The premises will have at least 1 fire exit route which is suitable for persons with mobility issues. An Evac Chair will be provided where no level escape route can be provided.
- Price Tickets and Point of Sale material has appropriate colour contrast and font size of at least 14 point where practical.

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)

Date08.10.19

Capacity APPLICANT/AGENT

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

*** Data Protection Act 1998**

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

Date 15/10/2019

Your Ref: EL367

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
ALDI GATESIDE WEST HADDINGTON
GATESIDE COMMERCE PARK, HADDINGTON, EAST LOTHIAN, EH41 3ST.
ALDI STORES LIMITED, HOLLY LANE, ATHERSTONE, WARWICKSHIRE.**

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, other than what has been declared on the application form.

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

Herkes, Gillian

From: Douglas, Andrew
Sent: 15 October 2019 09:46
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Provisional Licence for Aldi Gateside, Haddington
Attachments: Aldi Provisional Haddington.pdf; Aldi Provisional Haddington Plan.pdf

I have no objections to the granting of this provisional licence. The premises will require a section 50 from Environmental Health once the building has been built.

Can this be scanned to Uniform please – I cant find an entry on Uniform so I am not sure if a planning application has been submitted yet.

Kind Regards

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

From: Environmental Health/Trading Standards
Sent: 14 October 2019 14:40
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Provisional Licence for Aldi Gateside, Haddington

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 14 October 2019 14:37
To: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>;
Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Environment Reception
<environment@eastlothian.gov.uk>; torquil.cramer@firescotland.gov.uk; Boyle, Fiona
<Fiona.Boyle@nhslothian.scot.nhs.uk>; licensing@nhslothian.scot.nhs.uk; Grant, Shona
<sgrant@eastlothian.gov.uk>
Cc: [REDACTED]
Subject: Provisional Licence for Aldi Gateside, Haddington

Hi

Please find attached Provisional Licence application for Aldi, Gateside West, Haddington for report.

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington

EAST LoTHIAN COUNCIL

PEOPLE and GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 22 Oct. 19.

Subject: LICENSING SCOTLAND ACT 2005
PROVISIONAL PREMISES LICENCE APPLICATION

Aldi, Gateside West, West Road, Haddington, East Lothian EH41 3DF

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.

In accordance with the Board's statement of licensing policy 2018 to 2023, in relation overprovision and the availability of alcohol, I can confirm that there are no other licensed premises within 800 metres of the proposed Iceland store. There is however another Provisional Licence application in progress in relation to another proposed new store nearby, which relates to a request to display 17.60m² of alcohol.

I have paid particular attention to the layout of this store. The proposed alcohol display is at the very rear of the store and not in sight of checkout operators. The LSO and Police Licensing Officer have found that out of sight displays have a negative impact on deterring and preventing theft of alcohol, which is recognised as being a major problem for supermarkets. Therefore, as a standard now being set for all new off-sales premises, all theft of alcohol should be reported to the police and a CCTV camera, maintained to a standard acceptable to Police Scotland, should cover the alcohol display. It is also recommended that a member of staff should operate in the area at busy periods.

This report is submitted for the information of Board members.

R. Fruzynski
Licensing Standards Officer

Lothian NHS Board

Public Health and Health Policy

Telephone 0131 465 5460

www.nhslothian.scot.nhs.uk



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

Date 31st October 2019

Your Ref

Our Ref JS/fb

Enquiries to Jim Sherval

Extension 35436

Direct Line 0131 465 5436

Email jim.sherval@nhslothian.scot.nhs.uk

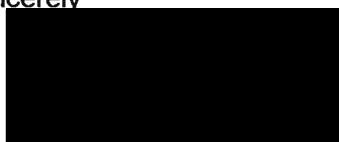
Dear Ms Winter

PROVISIONAL LICENCE: ALDI , HADDINGTON

We have no objection to this application on the grounds of the Licensing (Scotland) Act as this is a new premises that has yet to trade and is in an area where there has been substantial house building. However, we would like to make a representation to the Board at this point about the size of the display area being asked for. In the spirit of the Act's desire to protect public health we are interested in preventing problems related to alcohol in this new community from the outset.

A recent application from Iceland was for 17.6 square metres of display (shelving of approx. 8 metres long and 2.2 metres tall). We note that this application is for 34.02 square metres (shelving of approx. 16.96 metres long and 2 metres tall). This is twice the amount requested by the adjacent premises. We are concerned that there might be a desire between the outlets to compete on price and amount of alcohol offered and we would like to draw the Board's attention to this, and we respectfully urge the Board to seek the reasons why this applicant is seeking such a large amount of alcohol display. We also ask the Board that they monitor the development of this area in terms of alcohol sales and harm over the next few years.

Yours sincerely



JIM SHERVAL FFPH
Consultant in Public Health



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

Chair Brian G. Houston
Chief Executive Tim Davison

Lothian NHS Board is the common name of Lothian Health Board

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Variation (Major)(s)	Premises	Applicant	Date Received	Comments
14	LODGE NISBET NO. 1112 SOCIAL CLUB RANNOCH HOUSE ORMISTON ROAD TRANENT EAST LOTHIAN	LODGE NISBET NO. 1112 SOCIAL CLUB	9 October 2019	Change of Status from open premise to a registered Club

EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

SECTION 1: TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary-
(Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

ELO 240

2(b) Name and Address of Premises

LODGE NISBET 1112 SOCIAL CLUB
RANNOCH HOUSE
30 DENISON ROAD
TRANENT

Post Code EH33 2DL

Phone No.

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

Post Code

Phone No.

SECTION 3: NATURE OF VARIATION

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

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

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

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)

CHANGE STATUS FROM OPEN PREMISE TO REGISTERED CLUB.

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.

N/A

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~~ 200

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

8th October 2019

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>

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

LODGE NISBET 1112.

RANNOCH HOUSE, ORMISTON ROAD. TRANENT. EAST LoTHIAN. EH33 2DL

Question 1

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

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>YES</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	
<i>*Delete as appropriate</i>	

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00	23.00
<i>Tuesday</i>	11.00	23.00
<i>Wednesday</i>	11.00	23.00
<i>Thursday</i>	11.00	01.00
<i>Friday</i>	11.00	01.00
<i>Saturday</i>	11.00	01.00
<i>Sunday</i>	12.30	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>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 4

SEASONAL VARIATIONS

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

**If YES – provide details*

CHRISTMAS EVE – OPEN TILL MIDNIGHT
NEW YEARS EVE – 1AM ON NEW YEARS DAY

Question 5

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

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

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

N/A

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.

FUNDRAISING EVENTS. CHARITY WORK.

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

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

CHILDREN WILL ONLY BE ALLOWED ON THE PREMISES WHEN THEY ARE ATTENDING A PRIVATE FUNCTION. THEY MUST BE WITH A RESPONSIBLE ADULT, THEY WILL BE ALLOWED TO STAY FOR THE PERIOD OF THE FUNCTION AND IT WILL BE THE RESPONSIBILITY OF THE BAR STEWARD TO MONITOR THE BEHAVIOUR OF ANY CHILDREN ON THE PREMISES. CHILDREN WILL NOT BE ALLOWED WITHIN 1.5 METRES OF EITHER OF THE BARS

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

CHILDREN BETWEEN THE AGES OF FIVE AND SEVENTEEN YEARS WILL BE ALLOWED ON THE PREMISES

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

CHILDREN WILL BE ALLOWED ON THE PREMISES TO ATTEND A PRIVATE FUNCTION ONLY, AND WILL BE PERMITTED TO STAY FOR THE DURATION OF THE FUNCTION

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

CHILDREN WILL BE ALLOWED IN THE FUNCTION HALL, TOILETS, AND ALL PASSAGEWAYS LEADING TO THE TOILETS AND TO THE EXITS

Question 7

CAPACITY OF PREMISES

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

ON SALES - 170

Question 8

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

Personal details

8(a) Name

MR IAIN BUCHAN

8(b) Date of birth

[Redacted]
8(c) Contact address

[Redacted]
8(d) Email address and telephone number

[Redacted]
8(e) Personal licence

APPLICATION BY MR IAIN BUCHAN IS CURRENTLY BEING PROCESSED BY E.L.COUNCIL

<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 .. [Redacted] * (see note below)

Date

Capacity ...Secretary..... APPLICANT (delete as appropriate).

Telephone number and email address of signatory . [Redacted]

* Data Protection Act 1998

BYE LAWS of LODGE NISBET No 1112

Holding of the GRAND LODGE of Antient, Free & accepted Masons of Scotland

1. Introduction - Lodge Nisbet No 1112 (hereinafter referred to as "the Lodge") shall be governed by the Constitution and Laws of the Grand Lodge of Scotland and by these Bye Laws.
2. Meetings - All meetings shall be held within Rannoch House, 30, Ormiston Road, Tranent, East Lothian or at such other venue as the Lodge may decide.
3. The Regular meetings, other than the Installation meeting, shall be held on the first and third Thursday of each month from September to April at seven-fifteen o'clock pm or at such other hour as the Lodge at a previous regular meeting may appoint.
4. The Nomination and Election of Office-bearers, members of the General committee and members of the Committee of Enquiry shall take place at the Regular meeting on the third Thursday in October.
5. The Annual meeting shall be the Regular meeting on the first Thursday in November. At that meeting the Abstract of Accounts and Balance Sheet shall be considered.
6. The Installation of Office-bearers for the ensuing year shall take place on the first Saturday in December. The time of the installation meeting shall be five pm or such other hour as the Lodge at its previous Regular Meeting shall appoint.
7. Except as in hereinafter mentioned, all meetings shall be convened by intimation at the previous Regular Meeting. Special Meetings for the

conduct of business other than degrees shall be convened by circular delivered or posted to every qualified member at least five days prior to the meeting.

8. Office Bearers. The Office-bearers of the Lodge shall be the R.W. Master, the Immediate Past Master, Depute Master, Substitute Master, Senior Warden, Junior Warden, Secretary, Treasurer, Almoner, Director of Ceremonies, Chaplain, Senior Deacon, Junior Deacon, Architect, Jeweller, Bible-bearer, Sword-bearer, Organist, Standard-bearer, Director of Music, Inner guard, President of Stewards, a maximum of seven other stewards and Tyler.

9. The Master at his Installation shall appoint his Depute Master. All other Office-bearers except the Immediate Past Master shall be elected annually by the Lodge.

10. Any Office-bearer, the Master and Immediate Past Master excepted, absenting himself from three Regular meetings of the Lodge consecutively shall be communicated with by the Secretary and should no reason for his absence satisfactory to the Lodge be given, the Lodge may declare the Office vacant and elect another Brother to it as provided for in Law 139.

11. The Secretary and Treasurer shall receive such remuneration as the Lodge at its annual meeting shall decide.

12. Committees. The General Committee shall consist of the Master, Depute Master, Substitute Master, Senior Warden, Junior Warden, Senior Deacon, Junior Deacon, Inner Guard, Secretary, Treasurer, Almoner, all ex Officiis, together with four elective members. All qualified members of the Lodge including Office-bearers shall be eligible for election. Past Masters who are qualified members of Lodge Nisbet shall be members of General Committee unless they decline to.

13. There shall be a Benevolent sub-committee appointed by the General committee from their number, of which the Master, Secretary, Treasurer and the Almoner shall be members. The duty of the sub committee shall be to investigate the cases of applicants for benevolence and make recommendations.

14. The membership of the committee of Enquiry shall be as specified in Law 150.

15. Fees. The fees exigible by the Lodge shall be as follows, namely:

- Initiation - £ 200.00
- Affiliation fee - £ 70.00
- Fee for the Mark - £30.00

In terms of Law 173 each Initiate and each affiliate from another Constitution shall make a direct contribution to the General Fund of Grand Lodge. The amount of this contribution which is payable through the Lodge is set forth in the first Schedule, item 16 and is presently £70.00. The annual contribution (Test Fee) shall be payable in advance on or before August 31st and shall be £40.00. The Tyler shall be exempt from the payment of the annual contribution.

16. Benevolent Fund. The Benevolent fund shall receive one-fifth of each annual contribution.

17. The Master may give casual relief at his discretion but in no case shall the sum given to any individual exceed £100.00

18. The Financial year shall end on the 31st August annually.

19. An Auditor or auditors having the qualifications specified in the first Schedule of the laws shall be appointed at the 2nd Regular meeting in September annually. He or they should complete his or their audit and report not later than 14 days prior to the Annual meeting.

20. Intimation shall be made at the Regular Meeting preceding the Annual meeting that copies of the Abstract of accounts and Balance sheet with the Auditor's Certificate will be available at the annual meeting and will be supplied, on request to qualified members at any time during the ten days preceding the meeting.

21. Club License, The Lodge shall have the power to apply for and hold a club license in terms of the Licensing (Scotland) 2005 Act. Such club shall be subject to the following provisions: The Club shall be under the control of the Master, Wardens, Secretary, Treasurer and Premise Manager.

- The membership of the club shall consist of qualified members of the Lodge
- The accounts of the club shall form part of the accounts of the Lodge
- The club shall not be open while the Lodge is in session
- The club shall not open on a Sunday.

BYE LAWS APPROVED BY THE GRAND LODGE OF SCOTLAND
23rd APRIL 2015

SIGNED BY GRAND SECRETARY:
Bro GEORGE PRESTON

Date 16/10/2019

Your Ref: EL240

Our Ref: J/LIC/3705/HB



**POLICE
SCOTLAND**

Keeping people safe

The Clerk of the Licensing
Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
LODGE NISBET No. 1112 SOCIAL CLUB
RANNOCH HOUSE, ORMISTON ROAD, TRANENT, EAST LOTHIAN, EH33
2DL.
LODGE NISBET COMMITTEE**

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 request to change status from an 'open licence' to a registered club.

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

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: 22 Oct. 19.

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

Lodge Nisbet 1112 Social Club, Rannoch House, 30 Ormiston Road, Tranent, East Lothian EH33 2DL

I refer to the above subject. The application does not share reasons for the return to a Club Licence with lesser facilities than it currently holds and could be seen to be a retrograde step.

In April 2013 Lodge Nisbet 1112 applied for an Open Licence in order to host events and functions without the need to comply with the restrictive requirements of signing in of non-members, which necessitated the club applying for 8 Occasional Licences in 2012 and 10 in 2013 in order to cater for non-member attended events. The Board was very supportive of such applications and granted the variation in June that year.

Since the grant of the club's open licence, it has only been required to apply for an occasional licence once every year in order to licence the unlicensed garden area on the days of the annual Orange Walk and Dance.

During the period of the Open Licence, Lodge Nisbet 1112 has not had to apply for occasional licences for such things as birthday parties, gala events, advertised entertainment shows, funeral purveys etc.

The move to an Open Licence off sets the need for signing in procedures relating to access by non-members, but does require the nomination of a Designated Premises Manager, which was not required before, and for a small increase in annual fee, from £180 to £280. The extra fee is normally met from the amount spent by applicants on occasional licences fees. These fees are

currently under review by the Scottish Government and are likely to cost significantly more than the present £10 charged per licence. The annual permitted allocation of 12 occasional licences to clubs and voluntary organisations are also under review and this could also impact on the number of non-member events they are able to host.

Clubs applying to move to an Open Licence are informed that the reversion of the licence to a Club Licence can be applied for if deemed necessary, but there is no guarantee that the Board will grant the backward move.

This report is submitted for the information of Board members.

R. Fruzynski
Licensing Standards Officer

Winter, Maree

From: Boyle, Fiona <Fiona.Boyle@nhslothian.scot.nhs.uk> on behalf of Licensing <Licensing@nhslothian.scot.nhs.uk>
Sent: 01 November 2019 10:19
To: Winter, Maree
Subject: Current East Lothian Applications

Dear Maree

NHS Lothian are not submitting letters for the following current East Lothian Applications:

Lodge Nisbett
Town House Chippy
Habaneros High Street
Event Space

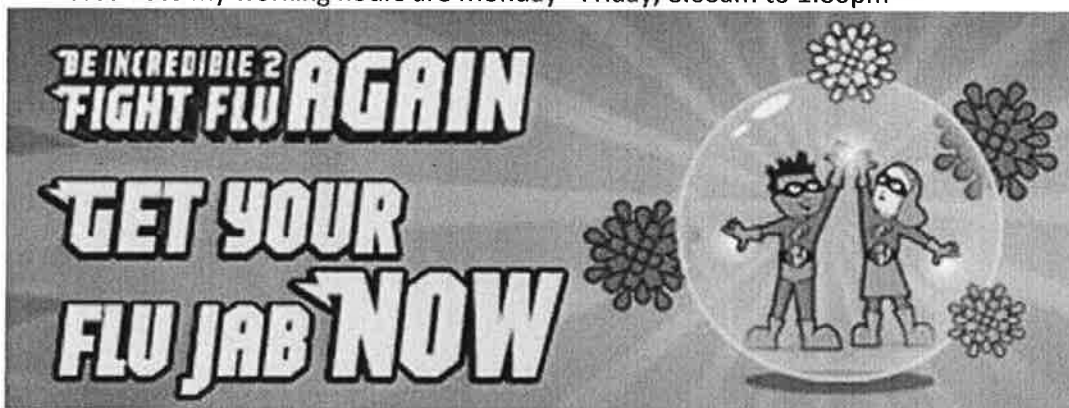
Many thanks, fiona

Fiona Boyle
PA/Administrator to:

Dr Fredi Garbe, Consultant in Public Health
Ms Alison Milne, Supporting Pregnancy & Newborn Screening
Mr Jim Sherval, Consultant in Public Health

Direct Dial: 0131 456 5817 (35817)
PHM Tel: 0131 465 5460
Email: fiona.boyle@nhslothian.scot.nhs.uk
Address: NHS Lothian, Public Health & Health Policy, Waverley Gate, 2-4 Waterloo Place, Edinburgh, EH1 3EG

** Please note my working hours are Monday - Friday; 8.00am to 1.00pm **



This email has been sent across an internal secure connection

EAST LoTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
4 MUSS - BAR & KITCHEN (FORMERLY HABANEROS) 83 HIGH STREET MUSSELBURGH EAST LoTHIAN EH21 7DA	PUNCH PARTNERSHIPS (PTL) LIMITED C/O FLINT BISHOP SOLICITORS ST MICHAELS COURT ST MICHAELS LANE DERBY	17 October 2019	Vary the terminal hour from 12 Midnight to 1am on a Thursday, include conference, receptions, club group meetings, films, outdoor drinking outwith core hours. Permit children from 8am to 10pm daily, unless attending a private function when can remain until end of function and permit young persons from 8am until end of core hours. Amend Layout plan to reposition internal bar, modify internal fixed seating, increase size kitchen, remove external fence to allow rear external drinking area to be extended, creation of covered timber

EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

SECTION 1: TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary-
(Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0105

2(b) Name and Address of Premises

Habaneros (TBK Muss – Bar & Kitchen)
83 High Street
Musselburgh
East Lothian

Post Code EH21 7DA

Phone No.

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

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

Post Code W1W 8BE

Phone No.

SECTION 3: NATURE OF VARIATION

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

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

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

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

1. Q2 – Extend the terminal hour for on sales on Thursday to 01.00 the following day
 2. Q5(a) – Permit conference facilities during and outwith core hours
 3. Q5(b) – Permit receptions and club or other group meetings etc. outwith core hours
 4. Q5(c) – Permit films during and outwith core hours
 5. Q5(d) – Permit outdoor drinking facilities outwith core hours
 6. Q6(d) – Permit children from 8am to 22.00 daily, unless attending a pre-arranged function when they can remain until the end of the function. Permit young persons from 8am until the end of core hours for on sales

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.

Amend the Layout Plan in accordance with drawing number LIC 001 dated September 2019 which accompanies this application. The proposed changes to the layout are:-

- Repositioning of internal bar servery
 - Modification of internal fixed seating
 - Increase size of existing kitchen
 - Removal of existing external fence to allow for the rear external drinking area to be extended
 - Creation of covered timber pergola in rear external drinking area with pop up servery units for the sale of alcohol to be positioned underneath when in use and then dismantled/stored in the rear storage area
 - Creation of designated smoking area in the rear external drinking area

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

Provide details below of any other variation sought to the Premises Licence

(e.g. Alteration to the description of the premises contained within the Premises Licence)

To change the name of the premises as shown on the Premises Licence to “Muss - Bar & Kitchen”

To amend the description of the premises to “Modern family friendly community premises with food and drinks offering”

SECTION 4: LICENCE TO BE AMENDED

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

Note 2:

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

Note 3:

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

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

Note 4:

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

Note 5:

Data Protection Act 1998

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

Contact Us:

East Lothian Licensing Board
Licensing Office
John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114

Fax: 01620 827253

Email: licensing@eastlothian.gov.uk

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

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

HABANEROS (TBK Muss – Bar & Kitchen)
83 HIGH STREET
MIUSSELBURGH
EH21 7DA

Question 1

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

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

Question 2

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

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

Question 3

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

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

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

*If YES – provide details

WE WOULD SEEK TO TAKE ADVANTAGE OF ANY GENERAL EXTENSIONS ALLOWED BY THE BOARD
--

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES

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

ACTIVITIES/SERVICES WILL CONTINUE DURING THE EXTENSIONS SOUGHT IN QUESTION 4.

THE PREMISES MAY OPEN OUTWITH CORE LICENSED HOURS FOR THE PROVISION OF TEAS, COFFEES, BREAKFAST, MEALS AND TAKEAWAY. THE PREMISES MAY BE USED FOR VARIOUS ACTIVITIES AS NOTED ABOVE PRIOR TO THE COMMENCEMENT OF CORE LICENSED HOURS.

DURING THIS TIME THE ACTIVITIES ABOVE MAY BE PROVIDED BUT NO ALCOHOL WILL BE SOLD OUTWITH THE CORE LICENSED HOURS

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

CHARITY EVENTS, BUSINESS NETWORKING AND MEETING FACILITIES, COMMUNITY EVENTS AND MEETINGS, TASTINGS AND FOOD AND DRINK EVENTS, CULTURAL AND ARTISTIC DISPLAYS OR PERFORMANCES, SUPPER CLUB AND TAKEAWAY

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 AND YOUNG PERSONS WILL BE PERMITTED ACCESS

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

0 TO 17 YEARS

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

CHILDREN FROM 08.00 TO 22.00 DAILY, UNLESS ATTENDING A PRE-ARRANGED FUNCTION WHEN THEY CAN REMAIN UNTIL THE END OF THE FUNCTION.
YOUNG PERSONS FROM 8AM UNTIL THE END OF CORE HOURS FOR ON SALES.

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

ALL PARTS OF THE PREMISES TO WHICH THE PUBLIC HAVE ACCESS.

Question 7

CAPACITY OF PREMISES

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

ON SALES - 178

Question 8

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

Personal details

8(a) *Name*

MALCOLM BINNIE

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address and telephone number*

[REDACTED]

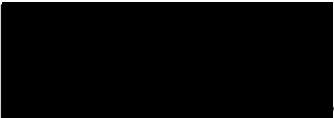
8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
31 AUGUST 2009	FALKIRK COUNCIL	FC0685

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)

Date15th October 2019.....

Capacity AGENT (delete as appropriate).

Telephone number and email address of signatory

George Domleo, Flint Bishop LLP, 
 George.domleo@flintbishop.co.uk

*** Data Protection Act 1998**

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

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

Premium stylish bar restaurant located in Musselburgh High Street with vibrant all day food offer and a landscaped area to the rear offering alfresco food and drink.

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

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

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

The name of the premises is being changed to Muss – Bar & Kitchen to better reflect the image which we want to portray to the broad base of custom that we wish to attract.

(extend this box if you require additional space)

<p>On/Off Consumption</p> <p>(a) Please describe the type of business you intend to operate in respect of On consumption.</p> <p>(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries</p>	<p>a) <u>Food & Alcoholic & non Alcoholic Beverages</u></p> <p>a) <u>Alcoholic Beverages at core hours</u></p>
---	--

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

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

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

Social Functions – Weddings; Birthdays; Retirements ; Other - If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:

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

All group functions will be at The Licensee's discretion

Entertainment – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming;

Indoor/outdoor sports; Televised Sport - If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

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

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

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

Outdoor Drinking Facilities - If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

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

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

It isn't happening! N/A

Activities Outwith Licensed Core Hours - In your Operating Plan, directly below question 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

Food & non alcoholic beverages will be available outside core hours, as per the Operating Plan

Any Other Activities - In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

N/A

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

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

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

There will also be a children's size portions (small plates)

We are keen to accommodate families of all ages.

Licensing Objectives - Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at the following link or the Council website [policy link](#)

(extend the boxes below if you require additional space)

Preventing Crime and Disorder:

1/ Take all reasonable measures to prevent use of illegal substances by displaying notices and supervising toilets regularly

2/ All staff trained in Challenge 25 Policies. Heineken (Star Pubs) has a Mystery Visitor programme to test compliance

- 3/ CCTV will be in operation both inside and outside the premises
- 4/ Full staff training in all licensing legislation, particularly not serving those who are intoxicated.
- 5/ A Refusal Book will be in operation. Also, an Incident Book
- 6/ The Licensee will join the local Pub Watch scheme.
- 7/ All glasses will be regularly cleared from tables as part of the table service operation

Securing Public Safety:

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

Preventing Public Nuisance:

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

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

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

Disability access facilities will be clearly marked.

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

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

Protecting and Improving Public Health:

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

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

Measures will include 125ml wine and 25ml spirits

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

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

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

Protecting Children and Young Persons From Harm:

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

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

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

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

A Refusal Book will record any incidents

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

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

The premises are being upgraded to a very high standard (spend circa 275k).

The facilities are being expanded to include a full food service, as well as a full bar operation (alcoholic & non alcoholic beverages), to attract a broad cross section of the local community; Seniors, Families, Visitors, Business people and Residents within the surrounding area.

Comfort, accessibility, full service, and the improved range of facilities will help put Muss Bar & Kitchen at the heart of Musselburgh town centre.

Finally, the Business Operator has over 10 years' experience of running licensed premises in Edinburgh, and is committed to providing a great quality operation in a stylish venue.

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	17/10/2019
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“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

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

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

Question 2

Disabled access to, from and within the premises

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

<p>There will be access for Disabled customers at the Entrance</p> <p>The whole premises is on one level to allow access to Disabled Toilets</p> <p>There will be adequate space between tables for wheel chair access</p> <p>There will be table service to assist service to Disabled customers</p>

Question 3

Facilities available

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

Disabled Toilets

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

Question 4

Other provisions

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

Guide Dogs allowed in all areas

Table service – staff will assist visually impaired customers with menus

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

Table service for food & drinks

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature  * (see note below)

Date 17th October 2019.....

Capacity AGENT

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

 and George.domleo@flintbishop.co.uk

*** Data Protection Act 1998**

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

Winter, Maree

From: [REDACTED]
Sent: 08 November 2019 11:48
To: Licensing
Subject: Licensing (Scotland) Act 2005 - Muss Bar, 83 High Street, Musselburgh EH21 7DA

Dear Ms MacNeill

With reference to your letter of 18th October regarding the licensing hours at the proposed new bar Muss at 83 High Street, Musselburgh, I would like to put forward the following points.

[REDACTED] Musselburgh EH21 7QZ. My bedroom windows look out on to the proposed outside space to be used by the bar. Please note that a majority of the flats have bedrooms to the rear of the building. In the past, when this was used by a previous bar, the noise, fighting, screaming etc got out of hand and I think this is what resulted in the previous bar closing down. I wonder if you or anyone on the Council would like to live with this. I think the hours for outside use should be drastically cut down especially the hours where children can be present.

I would like these points to be taken into account when considering the licence application.

Yours sincerely

[REDACTED]

Winter, Maree

From: [REDACTED]
Sent: 03 November 2019 10:56
To: Licensing
Subject: Objection to licensing application: KmacN/mjw/EN/L/L1

Dear Licensing Board,

As a resident of the Millhill Wynd development, I wish to lodge my object to the application for variation of premises at 83 High Street (formerly Habaneros), Musselburgh EH21 7DA.

The particular objections I have relate to:

- varying the terminal hour from 12 midnight to 1am on a Thursday
- extension of outdoor drinking area outwith core hours
- outdoor smoking

all of the above would have a negative impact on our quality of life. The additional noise and potential anti-social behaviour due to the extended drinking hours would negatively affect those of us in full time work who need a full night's rest. We would be subjected to noise and possibly music/television at late hours. Additionally, we would be subjected to second hand smoke with the outdoor designated smoking area.

At the moment in the warmer weather, residents are able to have their windows open and enjoy the peace and quiet. With this application for extended outdoor drinking and smoking, that would be impossible. Allowing this would have a huge negative impact on our health & wellbeing and our right to enjoy our homes in peace and quiet. I therefore strongly and vehemently object to this licensing application.

Sincerely yours,

[REDACTED]

Date 29/10/2019

Your Ref: EL105

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
HABANEROS
83 HIGH STREET, MUSSELBURGH, EAST LOTHIAN, EH21 7DA.
PUNCH PARTNERSHIPS (PTL) LIMITED**

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

The variation requested consists of several changes to the operating plan and layout plan.

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

In relation to the outside area, the premises are currently licensed to use this until 8pm, this is due to the close proximity to residential properties and historical noise complaints. I would request that any use of the outside area does not exceed this time. I would also request that there is no amplified music or speech in the outside area.

Children and Young Person access: I would request that young persons are not permitted within the premises until the end of core hours as applied for.

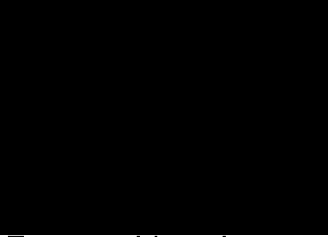
I would request that young persons vacate the premises at 2200 hours, as with children. The exception would be if young persons were having a meal or when

attending a private, pre-arranged function, they would be permitted to remain for the duration of that meal/function.

I note that the applicant states there is CCTV in operation, inside and outside the premises. I would request that this is maintained in good working order at all times.

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

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

Hello Maree

In response to the representation from Police Scotland, we would be happy to accept the following for children and young persons access:-

- Permit children from 8am to 10pm daily, unless attending a pre-arranged function when they can remain until the end of the function. Permit young persons from 8am until 10pm daily, unless having a meal or attending a pre-arranged function when they will be permitted to remain until the end of the meal/function

I also attached the proposed layout plan which was submitted with our variation.

Kind regards

George

George Domleo
Solicitor
Licensing

DD 01332 226 192 ext: 258
F 01332 207 601
DX 729320 DERBY 24

Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ



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From: Winter, Maree <mwinter@eastlothian.gov.uk>

Sent: 12 November 2019 10:04

To: George Domleo <George.Domleo@flintbishop.co.uk>

Subject: LIC39A PREMISES VARIATION - REPRESENTATION - MODIFICATION REQUEST.RTF

Importance: High

Hi,

Please find attached representation from Police Scotland.

Kind regards
Maree

Winter, Maree

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 13 November 2019 16:27
To: Winter, Maree
Subject: RE: LIC39A PREMISES VARIATION - REPRESENTATION - MODIFICATION
REQUEST.RTF [OFFICIAL]

OFFICIAL

Hi Maree

I am happy with the C & YP access

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk
Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk
Website / Làrach-lìn: www.scotland.police.uk
Twitter: @policescotland
Facebook: www.facebook.com/policescotland

From: Winter, Maree [mailto:mwinter@eastlothian.gov.uk]
Sent: 13 November 2019 16:17
To: Lothian Scot Borders Licensing East Mid Lothian
Subject: FW: LIC39A PREMISES VARIATION - REPRESENTATION - MODIFICATION REQUEST.RTF

Hi Heather,

Are you okay with this now, or do you still have any concerns.

Kind regards
Maree.

From: George Domleo <George.Domleo@flintbishop.co.uk>
Sent: 13 November 2019 16:14
To: Winter, Maree <mwinter@eastlothian.gov.uk>
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PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk

Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk

Website / Làrach-lìn: www.scotland.police.uk

Twitter: @policescotland

Facebook: www.facebook.com/policescotland

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I also attached the proposed layout plan which was submitted with our variation.

Kind regards

George

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Subject: LIC39A PREMISES VARIATION - REPRESENTATION - MODIFICATION REQUEST.RTF

Importance: High

Hi,

Please find attached representation from Police Scotland.

Kind regards
Maree

EAST LoTHIAN COUNCIL

PEOPLE and GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 11 Nov. 19.

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

Habaneros (to be known as Muss – Bar & Kitchen, 83 High Street, Musselburgh
East Lothian EH21 7DA

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

I make the following observations and recommendations:

- The current restricted size of the beer garden was mutually agreed by the Board and leaseholder of the premises when it was Brewed and Baked, partly in the interests of the business and partly to reduce the size of the outdoor footprint which had been the subject of noise and anti-social behaviour complaints from residents in the neighbouring block of flats. If the Board are minded to permit the extension of the beer garden once again and to allow the operation of a portable bar, the applicant should be reminded that the conditions of use of the beer garden are that the area should be closed by 20:00 hours and that there should be 'no public entertainment, amplified music, amplified vocals or live music played in the garden to ensure the use of the beer garden does not cause nuisance neighbouring residential properties' (Ref. Planning consent 12 May 2005). In addition the door leading out to the beer garden should be fitted with a door closure mechanism to prevent noise breakout from inside the premises to surrounding residential properties.
- It is acknowledged that the applicant has stated they will become a member of Pub Watch. This should be made a formal condition of the premises Licence.
- It is also acknowledged that the applicant will not put out bottles and rubbish between 07:00 and 23:00 each day. Again, this issue was the subject of a previous noise nuisance

complaint relating to the premises when it was a pub. The current statement of licensing policy recommends that rubbish etc., should be placed in 'appropriate receptacles between 09:00 and 21:00, not to affect nearby residents' (Ref. Section 13.5 of policy statement).

- Should the applicant operate a service of delivery of alcohol to customers, the terms of the Licensing (Scotland) Act 2005 Section 119 and those of Section 32.1 to 32.4 of the Board's statement of licensing policy on deliveries of alcohol, should be complied with, namely:

Licensing (Scotland) Act 2005:

Section 119 Delivery of alcohol from vehicles etc.

(1) A person who, pursuant to a sale of alcohol by that person, delivers the alcohol from a vehicle or receptacle without the information mentioned in subsection (2) having been entered, before the despatch of the alcohol, in—

(a) a day book kept on the premises from which the alcohol is despatched, and

(b) a delivery book or invoice carried by the person delivering the alcohol,

commits an offence.

(2) The information referred to in subsection (1) is—

(a) the quantity, description and price of the alcohol, and

(b) the name and address of the person to whom it is to be delivered.

(3) A person who carries in a vehicle or receptacle in use for the delivery of alcohol pursuant to a sale of the alcohol by that person any alcohol the quantity, description and price of which was not entered as mentioned in subsection (1) commits an offence.

(4) A person who, pursuant to a sale of alcohol, delivers the alcohol to an address not entered as mentioned in subsection (1) commits an offence.

(5) A person who refuses to allow a constable or a Licensing Standards Officer to examine—

(a) any vehicle or receptacle in use for the delivery of alcohol, or

(b) any—

(i) day book kept as mentioned in subsection (1)(a), or

(ii) delivery book or invoice carried as mentioned in subsection (1)(b),

commits an offence.

(6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

East Lothian Licensing Board Statement of Licensing Policy 2018 -2023

Deliveries

- 32.1 Applicants for licences that include any type of alcohol delivery should produce a 'policy' on preventing children and young persons accessing the alcohol. This should include the staff training that will be provided, and how deliveries are recorded. Police and LSO will have access to delivery records.
- 32.2 Applications for deliveries from cafes, restaurants and other food businesses, not considered to be predominantly grocers/supermarkets outlets, may be granted home delivery services, provided the order is ancillary to a meal and, any alcohol purchased with the order, is proportionate. The licensee will be expected to be responsible for deciding what is proportionate in relation to individual orders placed bearing in mind the licensing objectives.
- 32.3 When making a delivery that includes alcohol, certain checks should be carried out such as Challenge 25 and checking that the customer is 18 years or over. No orders that include alcohol are to be left in nominated safe places. Staff delivering alcohol must be trained to the same level as staff who sell or supply alcohol in licensed premises. Licensees who use couriers to make their deliveries should ensure that they comply with the checks and standards required by the Licensing Board.
- 32.4 A meal is considered to be a substantial food offering. Snacks, sandwiches and crisps are not considered to constitute a substantial meal.

This report is submitted for the information of Board members.

R. Fruzynski
Licensing Standards Officer

Winter, Maree

From: George Domleo <George.Domleo@flintbishop.co.uk>
Sent: 13 November 2019 15:59
To: Winter, Maree
Subject: RE: LSO Report Major Variation Habaneros October 2019.doc
Attachments: LSO Report Major Variation Habaneros October 2019.doc

Hello Maree

In response to the attached report from your LSO we can confirm that any rubbish etc. will be placed in appropriate receptacles between 09:00 and 21:00 only in line with Board policy.

We do not accept the membership and attendance of Pub Watch to be made a formal condition on the premises licence as this is a voluntary scheme, it would be impossible to monitor and what happens if Pub Watch ceases to exist in that area.

Are there any other conditions requested by your LSO that I have missed?

Kind regards

George

George Domleo
Solicitor
Licensing

DD 01332 226 192 ext: 258
F 01332 207 601
DX 729320 DERBY 24

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From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 12 November 2019 10:01
To: George Domleo <George.Domleo@flintbishop.co.uk>

Subject: LSO Report Major Variation Habaneros October 2019.doc

Importance: High

Hi George,

Please see attached report from our LSO. Please advise if you agree with these conditions or not.

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



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Winter, Maree

From: Boyle, Fiona <Fiona.Boyle@nhslothian.scot.nhs.uk> on behalf of Licensing <Licensing@nhslothian.scot.nhs.uk>
Sent: 01 November 2019 10:19
To: Winter, Maree
Subject: Current East Lothian Applications

Dear Maree

NHS Lothian are not submitting letters for the following current East Lothian Applications:

Lodge Nisbett
Town House Chippy
Habaneros High Street
Event Space

Many thanks, fiona

Fiona Boyle
PA/Administrator to:

Dr Fredi Garbe, Consultant in Public Health
Ms Alison Milne, Supporting Pregnancy & Newborn Screening
Mr Jim Sherval, Consultant in Public Health

Direct Dial: 0131 456 5817 (35817)
PHM Tel: 0131 465 5460
Email: fiona.boyle@nhslothian.scot.nhs.uk
Address: NHS Lothian, Public Health & Health Policy, Waverley Gate, 2-4 Waterloo Place, Edinburgh, EH1 3EG

**** Please note my working hours are Monday - Friday; 8.00am to 1.00pm ****



This email has been sent across an internal secure connection

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
# TOWN HOUSE FISH & CHICKEN BAR 17 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JL	ANNA TANZI	14 October 2019	Vary the licence to include the facility of supplying alcohol to customers who have purchased a hot food meal for delivery by our own courier service. alcohol would not be supplied on its own or with snack type food. Recorded music to be played in the background for the benefit of customers and staff. Music may be played out with core hours while staff are cleaning or preparing food.

EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

SECTION 1: TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary-
(Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

East Lothian Council
Licensing
11 OCT 2019
Received

2(a) Licence Number of Premises

EL291

2(b) Name and Address of Premises

Town House Fish & Chicken Bar
17 Market Street
Haddington
East Lothian

Post Code	EH41 3JL	Phone No.	01620823293
-----------	----------	-----------	-------------

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

Anna Tanzi

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

SECTION 3: NATURE OF VARIATION

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

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

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

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

We would wish to include the facility of supplying alcohol to customers who have purchased a hot food meal for delivery by our own courier service. Alcohol would not be supplied on its own or with snack type food.

We would also wish to play ambient background music via an ipad/radio for the benefit of customers and staff. Music may be played outwith core hours while staff are cleaning or preparing food prior to opening.

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.

Not applicable

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)

Not applicable

SECTION 4: LICENCE TO BE AMENDED

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

- YES NO

If the answer is NO, please provide an explanation.

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

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

SECTION 5: FEE PAYABLE

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

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£220** (see note 4 below)

If submitted with an application for transfer, please specify the order in which the applications are to be considered-

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £ is enclosed.

Signature



SARA SANTANGELO
PARTNER

(See note 5 below)

Date

11-10-2019

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

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

simon@townhousechippy.demon.co.uk

Note 1:

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

Note 2:

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

Note 3:

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

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

Note 4:

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

Note 5:

Data Protection Act 1998

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

Contact Us:

East Lothian Licensing Board

Licensing Office

John Muir House

Haddington, East Lothian

EH41 3HA

Phone: 01620 827217 / 827867 / 820114

Fax: 01620 827253

Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY

<i>Received & Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

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 Please describe your business offering.</p> <p>The Town House Fish & Chicken Bar provides a hot food takeaway service to the public. The premises are on the ground floor in Haddington town centre with the entrance directly off the main street at 17 Market Street.</p> <p>At present we have an alcohol licence to provide an off-sales facility to customers. We also provide a hot food delivery service which we would like to supplement by offering the option to customers of the facility of delivering a small quantity of alcohol with telephone ordered meals. No alcohol would be delivered without the purchase of a full meal.</p> <p>We currently have a late hours caterers licence in place until midnight each day.</p> <p>(extend this box if you require additional 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) Not applicable</p> <p>b) Off sales of beer, spirits and wine to customers who call at the premises. To supply a delivery service of a small quantity of alcohol along with a hot food meal.</p>

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

(extend the boxes below if you require additional space)

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

Hot food restaurant takeaway service. Off sales of alcohol to customers calling at the premises.

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:

Not applicable

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:

We would wish to play ambient background music via an ipad/radio for the benefit of customers and staff. Music may be played outwith core hours while staff are cleaning or preparing food prior to opening.

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:

Not applicable.

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:

Not applicable.

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:

Sale of hot food until midnight at weekends, but close early most week nights.

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:

Not applicable.

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 and young persons are welcome on the premises at all times to purchase hot food offerings, snacks, sweets and soft drinks. A strict challenge 25 policy is in place to prevent underage sales of alcohol.

Licensing Objectives - Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at the following link or the Council website [policy link](#)

(extend the boxes below if you require additional space)

Preventing Crime and Disorder:

We operate a strict Challenge 25 policy and checks.

The shop area is covered by a 30 day recording CCTV system

All staff who serve alcohol are trained to the standards required of the Licensing (Scotland) Act 2005 and have a signed staff training record.

Our staff frequently collect any discarded litter by customers within the shop and immediate area outside it.

We have a zero tolerance policy to anti-social behaviour.

Securing Public Safety:

The shop area is covered by a 30 day recording CCTV system

We have a zero tolerance policy to anti-social behaviour.

We have on site first aid facilities.

We carry out frequent fire safety checks and comply with the requirements on fire prevention and provision of fire extinguishers.

We comply with all food and appliance safety requirements.

We do not sell alcohol to persons who are drunk.

We ensure that the premises are maintained in good, clean and tidy condition at all times and our staff frequently collect any discarded litter by customers within the shop and immediate area outside it.

Protecting Children and Young Persons From Harm:

We operate a family friendly hot food takeaway service.

Only designated adult staff are permitted to sell alcohol.

Staff are trained to operate a strict Challenge 25 policy and checks.

Our customer area is covered by CCTV.

We do not tolerate anti-social behaviour or drunkenness on our premises.

Our stock of alcohol is held behind the service counter and not directly accessible to customers.

Light refreshments and non-alcoholic soft drinks are available for purchase.

Strong language is not tolerated on our premises.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

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

We have operated as a hot food takeaway restaurant in Haddington for many years and have a very good reputation as a responsible business supplying a service to the public. We work with the police and LSO to ensure that we comply with all aspects of our alcohol licence and with other officials to ensure that our commercial food operation is always of a high standard, professional and safe. We hope that the Licensing Board is assured that our track record will continue to be so operated with the inclusion of the facility to provide small deliveries of alcohol with hot food meals. We ask you for your support in granting this variation application.

Preventing Public Nuisance:

We monitor customers for noise and improper conduct and do not tolerate anti-social or drunken behaviour.

We have a no smoking policy in place in compliance with the prohibition of smoking in public places legislation.

We display a sign to our customers ' Be Nice To Our Neighbours – Please Leave Quietly'

Our staff frequently collect any discarded litter by customers within the shop and immediate area outside it.

We do not provide entertainment on the premises and any music played will be of a low level ambient background nature.

We have a proper waste management contract in place for disposal of rubbish and waste materials.

Protecting and Improving Public Health:

We stock light refreshments as well as non-alcoholic soft drinks.

In relation to sales of alcohol, we only hold a small stock of beer, spirits and wines and do not cater for large off sale carry outs. All alcohol sold complies with the requirements of Minimum Unit Pricing.

We do not operate alcohol drinks promotions.

All our off sale alcohol stock is securely held behind the service counter and not accessible to the public except on a request to purchase. This prevents theft and access by underage persons.

We operate a strict challenge 25 policy.

We do not sell alcohol to drunks.

In relation to our proposed delivery of alcohol to customers, who request telephone orders, we will:

- Maintain records of all sales, as required by law.
- Our delivery drivers will be trained to the same standard as those who sell and supply alcohol on our premises.
- Delivery drivers will operate the Challenge 25 policy.
- No orders will be left in any place unless accepted by an adult.
- Orders of small quantities of alcohol will only be made as part of the sale of a hot food meal. No deliveries will be made with snack type food.
- A delivery book will be held by the driver recording details of Challenge 25 checks, refusals and the like.

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	11-10-2019
-----------	---	------	------------

SARA SANTANGELO
PARTNER .

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

Question 1

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

1(a) Will alcohol be sold for consumption solely ON the premises	
1(b) Will alcohol be sold for consumption solely OFF the premises	YES
1(c) Will alcohol be sold for consumption both ON and OFF the premises	
*Delete as appropriate	

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

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	12:00	22:00
Tuesday	12:00	22:00
Wednesday	12:00	22:00
Thursday	12:00	22:00
Friday	12:00	22:00
Saturday	12:00	22:00
Sunday	12:00	22:00

NOTES:

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO
---	-----------

*If YES – provide details

None

Question 5

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

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

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

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

AMBIENT BACKGROUND MUSIC MAY BE PLAYED DURING CORE HOURS FOR THE BENEFIT OF CUSTOMERS AND STAFF. MUSIC ALSO MAY BE PLAYED OUTWITH CORE HOURS WHILE STAFF ARE CLEANING OR PREPARING FOOD PRIOR TO OPENING.

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.

DELIVERIES OF ALCOHOL WITH ORDERS FOR HOT FOOD MEALS.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing either live or recorded music, dancing or adult entertainment, any combination of these or all please provide the following details

Will the music 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	NO
	*Delete as appropriate	

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

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

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

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

Question 7

CAPACITY OF PREMISES

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

OFFSALES - 1.18M3

Question 8

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

Personal details

8(a) *Name*

ANNA TANZI

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

SIMON@TOWNHOUSECHIPPY.DEMON.CO.UK

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
17 DECEMBER 2009 RENEWAL – 28 MARCH 2019	EAST LOTHIAN LICENSING BOARD	EL605

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  *SARA SANTANGELI, PARTNER* * (See note below)

Date *11-10-2019*

Capacity APPLICANT

Telephone number and email address of signatory

01620823293

SIMON@TOWNHOUSECHIPPY.DEMON.CO.UK

* Data Protection Act 1998

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

SCHEDULE

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

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

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

Question 2

Disabled access to, from and within the premises

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

A single step is located at the entrance to the premises. A small ramp will be made to facilitate wheelchair user access.

The small customer accessible area within the shop is on one level. It is flat and provides easy movement for wheelchair users.

Question 3

Facilities available

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

The shop is easily accessible to everyone from the street.

A single unisex toilet is available for staff and the public, but is not fitted with any specific aids for disabled users.

Question 4

Other provisions

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

All our food offerings are displayed in big print and in pictorial format.

Guide dogs are permitted access with their users.

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  *SARA SANTANGELI, PARTNER* * (see note below)

Date *11-10-2019*

Capacity APPLICANT

Telephone number and email address of signatory 01620823293
simon@townhousechippy.demon.co.uk

*** Data Protection Act 1998**

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

Date 23/10/2019

Your Ref: EL291

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
TOWN HOUSE FISH & CHICKEN BAR
17 MARKET STREET, HADDINGTON, EAST LoTHIAN, EH41 3JL.
ANNA TANZI**

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 to allow the premises to make deliveries of alcohol and to play background music within the premises.

The premises is a well known hot food takeaway, which has been operating in Haddington for a number of years now. It has a small offering of alcoholic beverages.

Should the Board be minded to grant this variation, I would take this opportunity to remind the applicant of her obligations under Section 119 of the Act in relation to keeping records of these deliveries.

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

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: 22 Oct. 19.

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

**Town House Fish and Chicken Bar, 17 Market Street, Haddington, East Lothian
EH41 3JL**

I have no objection to this application.

The applicant's Operating Plan and Supplementary Information Form indicates that they will conform with the recommended practice as shown in Section 32 of the Board's Statement of Licensing Policy and Section 119 of the Licensing (Scotland) Act 2005, namely:

Deliveries

- 32.1 Applicants for licences that include any type of alcohol delivery should produce a 'policy' on preventing children and young persons accessing the alcohol. This should include the staff training that will be provided, and how deliveries are recorded. Police and LSO will have access to delivery records.
- 32.2 Applications for deliveries from cafes, restaurants and other food businesses, not considered to be predominantly grocers/supermarkets outlets, may be granted home delivery services, provided the order is ancillary to a meal and, any alcohol purchased with the order, is proportionate. The licensee will be expected to be responsible for deciding what is proportionate in relation to individual orders placed bearing in mind the licensing objectives.
- 32.3 When making a delivery that includes alcohol, certain checks should be carried out such as Challenge 25 and checking that the customer is 18 years or over. No orders that include alcohol are to be left in nominated safe places. Staff delivering alcohol must be trained to the same level as staff who sell or supply alcohol in licensed premises.

Licencees who use couriers to make their deliveries should ensure that they comply with the checks and standards required by the Licensing Board.

32.4 A meal is considered to be a substantial food offering. Snacks, sandwiches and crisps are not considered to constitute a substantial meal.

Licensing (Scotland) Act 2005:

Section 119 Delivery of alcohol from vehicles etc.

(1) A person who, pursuant to a sale of alcohol by that person, delivers the alcohol from a vehicle or receptacle without the information mentioned in subsection (2) having been entered, before the despatch of the alcohol, in—

(a) a day book kept on the premises from which the alcohol is despatched, and

(b) a delivery book or invoice carried by the person delivering the alcohol,

commits an offence.

(2) The information referred to in subsection (1) is—

(a) the quantity, description and price of the alcohol, and

(b) the name and address of the person to whom it is to be delivered.

(3) A person who carries in a vehicle or receptacle in use for the delivery of alcohol pursuant to a sale of the alcohol by that person any alcohol the quantity, description and price of which was not entered as mentioned in subsection (1) commits an offence.

(4) A person who, pursuant to a sale of alcohol, delivers the alcohol to an address not entered as mentioned in subsection (1) commits an offence.

(5) A person who refuses to allow a constable or a Licensing Standards Officer to examine—

(a) any vehicle or receptacle in use for the delivery of alcohol, or

(b) any—

(i) day book kept as mentioned in subsection (1)(a), or

(ii) delivery book or invoice carried as mentioned in subsection (1)(b),

commits an offence.

(6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

R. Fruzynski

Licensing Standards Officer

Herkes, Gillian

From: Johnson, Darren
Sent: 18 October 2019 11:16
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Major Variation - Town House Fish & Chicken Bar.pdf
Attachments: Major Variation - Town House Fish & Chicken Bar.pdf

No objections from Food & Safety.

Darren

From: Environmental Health/Trading Standards
Sent: 18 October 2019 09:39
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: Major Variation - Town House Fish & Chicken Bar.pdf

From: Winter, Maree
Sent: 18 October 2019 08:58
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>; torquil.cramer@firescotland.gov.uk; Grant, Shona
<sgrant@eastlothian.gov.uk>; Licensing <Licensing@nhslothian.scot.nhs.uk>; fiona.boyle@nhslothian.scot.nhs.uk;
[REDACTED]
Subject: Major Variation - Town House Fish & Chicken Bar.pdf

Dear all

Please find attached major variation from the Town House Fish and Chicken bar to vary their licence to include the facility of supplying alcohol by delivery to a customer along with a meal. They also would like to include ambient background music for the benefit of customers and staff.

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**

Winter, Maree

From: Boyle, Fiona <Fiona.Boyle@nhslothian.scot.nhs.uk> on behalf of Licensing <Licensing@nhslothian.scot.nhs.uk>
Sent: 01 November 2019 10:19
To: Winter, Maree
Subject: Current East Lothian Applications

Dear Maree

NHS Lothian are not submitting letters for the following current East Lothian Applications:

Lodge Nisbett
Town House Chippy
Habaneros High Street
Event Space

Many thanks, fiona

Fiona Boyle
PA/Administrator to:

Dr Fredi Garbe, Consultant in Public Health
Ms Alison Milne, Supporting Pregnancy & Newborn Screening
Mr Jim Sherval, Consultant in Public Health

Direct Dial: 0131 456 5817 (35817)
PHM Tel: 0131 465 5460
Email: fiona.boyle@nhslothian.scot.nhs.uk
Address: NHS Lothian, Public Health & Health Policy, Waverley Gate, 2-4 Waterloo Place, Edinburgh, EH1 3EG

** Please note my working hours are Monday - Friday; 8.00am to 1.00pm **



This email has been sent across an internal secure connection

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Personal Licence(s)

Applicant

Date Received

Comments

MEI MEI NI

31 January 2018

Continued from May 2019
Licensing Board Meeting.

5

EL1455
PC 11/2/18

SCHEDULE 2

East Lothian Licensing Board

Application for a personal licence

FIRST APPLICATION/RENEWAL APPLICATION (delete as appropriate)

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary. You may wish to keep a copy of the completed form for your records.

1. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Mrs Miss <input checked="" type="checkbox"/> Ms Other (please state)	
Surname	NI
Forenames	Mei Mei
Date and Place of Birth	[REDACTED]
NI Number	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	
E-mail address (if you would prefer us to correspond with you by e-mail)	
Address for correspondence associated with this application (if different to the address above)	
Post town	Post code

RECEIVED
31 JAN 2018
Customer Services
E.L.C.

2. Your licensing qualification		
Read note 2	Please tick	
I hold an accredited qualification	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time		Please tick
Do you currently hold a personal licence?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Has any personal licence held by you been forfeited in the last 5 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Licensing Board	REMOVED BY EDINBURGH CITY COUNCIL	
Licence number		
Date of issue		
Date of expiry		
Any further details		

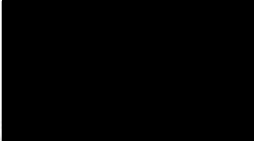
4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	

Other personal licence		
Note: You may only hold one personal licence at a time		Please tick
I confirm that I do not hold any other personal licences other than the one submitted for renewal	Yes	No

5. CHECKLIST	
I have	Please tick yes
• Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3.	<input checked="" type="checkbox"/>
• Enclosed a copy of any licensing qualification I hold	<input checked="" type="checkbox"/>
• Enclosed my current personal licence (renewal only)	<input type="checkbox"/>
• Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/> PAID

6. Previous Convictions
You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

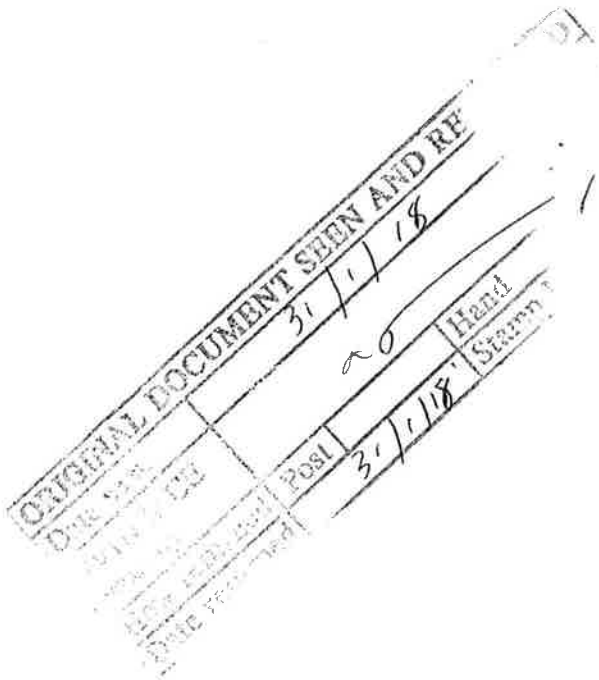
Offence	Court	Date	Penalty
			

7. Declaration		
The contents of this application are true to the best of my knowledge and belief		
SIGNATURE – read note 5 Applicant/Agent* (*Delete as appropriate)		DATE 3/01/2018

I understand that East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. East Lothian Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

NOTES

Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)



This is to certify that

MEI MEI NI

has been awarded the

Scottish Certificate for Personal Licence Holders (Refresher) at SCQF Level 6

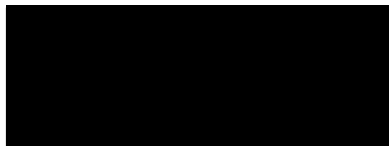
This qualification was credit rated by SQA accreditation

Qualification Accreditation Number: R351 04

Certificate Number: 181222

Date Achieved: 17/01/2018

Learner Number: XXXXXXXXXX



Denise Thomson
Responsible Officer



Date 20th February 2018

Your Ref: EL1455

Our Ref: J/LIC/3705/HB

The Clerk of the Licensing
Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA



**POLICE
SCOTLAND**

Keeping people safe

Iain Livingstone QPM
Deputy Chief Constable Designate

Local Area Commander
The Lothians and Scottish Borders Division
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Dear Madam,


**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE - OBJECTION
MEI MEI NI, [REDACTED]**


I refer to the above application and in terms of Section 73(3)(a) of the Licensing (Scotland) Act 2005, I have to advise you that, based upon the information provided to Police Scotland, the applicant has not been convicted of any relevant offence.

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

In terms of Section 73(5) of the 2005 Act the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application:-

The applicant does however have the following pending case:

Date	Court	Offence	Disposal
			Pending case


The case has been reported to the Procurator Fiscal and is subject to ongoing criminal proceedings.

In light of the above, the Chief Constable considers that it is necessary for the purposes of the preventing crime and disorder licensing objective, that the application be refused. The Chief Constable accordingly makes a recommendation to that effect in terms of Section 73(4) of the 2005 Act.

It is respectfully requested that the Board consider, that having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a personal licence and should be refused under terms Section 74(6A)(a).

Yours faithfully



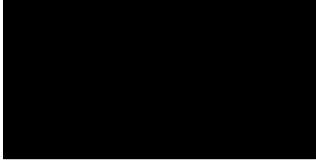
Iain Livingstone QPM
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

Our Reference: KMacN/mjw/EN/L/PL
Your Reference:

Date: 22nd March 2018

Mei Mei Ni



Dear Madam

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I write to inform you that the Licensing Board at their meeting held on 22nd March 2018, decided to continue consideration of your application for a Personal licence until the September Board Meeting.

As previously advised the Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s).

I shall write to you in due course with the details of the September board.

Yours faithfully

KIRSTIE MACNEILL
Depute Clerk to the Licensing Board

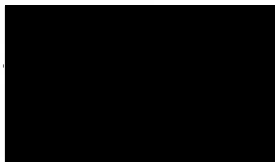
Direct Dial: 01620 827867(Maree Winter)
Email: licensing@eastlothian.gov.uk

Our Reference: CG/mjw/EN/L/PL
Your Reference:

Date: 26th October 2018



Mei Mei Ni



Kirstie MacNeill
CLERK OF THE LICENSING BOARD

John Muir House
Haddington
East Lothian
EH41 3HA
licensing@eastlothian.gov.uk

Dear Madam

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I refer to my letter of 22nd March 2018 informing you that the Licensing Board at their meeting held on 22nd March 2018 which you were in attendance decided to continue consideration of your application for a Personal licence for a further six months.

As previously advised the Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s).

You are therefore requested to attend the next meeting of the board, for your application to be considered. The meeting will be held at 10am in the Council Chambers, Town House, Haddington, East Lothian on the 22nd November 2018.

Please note that failure to attend this meeting may result in the Licensing Board declining to consider your application.

Yours faithfully

Carlo Grilli
Depute Clerk to the Licensing Board

Direct Dial: 01620 827867(Maree Winter)
Email: licensing@eastlothian.gov.uk

eastlothian.gov.uk

Our Reference: KM/gh/EN/L/PL

Your Reference:

Date: 26th November 2018



Mei Mei Ni



Kirstie MacNeill
CLERK OF THE LICENSING BOARD

John Muir House
Haddington
East Lothian
EH41 3HA
licensing@eastlothian.gov.uk

Dear Madam

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I write to inform you that the Licensing Board at their meeting held on 22nd November, 2018, which you attended, decided to continue consideration of your application for a further six months until the May Board Meeting.

As previously advised the Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s).

I shall write to you in due course with the details of May Board.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

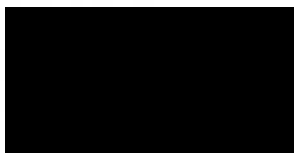
Direct Dial: 01620 820114/827867
Email: licensing@eastlothian.gov.uk

Our Reference: KMacN/mjw/EN/L/PL
Your Reference:

Date: 10th May 2019



Mei Mei Ni



Kirstie MacNeill
CLERK OF THE LICENSING BOARD

John Muir House
Haddington
East Lothian
EH41 3HA
licensing@eastlothian.gov.uk

Dear Madam

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I write to inform you that the Licensing Board at their meeting held on 22nd November, 2018, which you attended, decided to continue consideration of your application for a further six months until the May Board Meeting.

As previously advised the Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s).

The meeting will be held in the Council Chambers, Town House, Haddington at 10am on 23rd May 2019 which you are requested to attend or be represented.

An agenda will follow in due course.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

Direct Dial: 01620 827867 (Maree Winter)
Email: licensing@eastlothian.gov.uk

eastlothian.gov.uk

Winter, Maree

From: Licensing
Sent: 07 May 2019 14:22
To: Winter, Maree
Subject: FW: Mei Mei Ni - Personal Licence application [OFFICIAL]
Importance: High

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 May 2019 13:55
To: Licensing <licensing@eastlothian.gov.uk>
Subject: FW: Mei Mei Ni - Personal Licence application [OFFICIAL]
Importance: High

OFFICIAL

Hi Maree

no update, this still remains a pending case with no date attached as yet

kind regards

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk
Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk
Website / Làrach-lìn: www.scotland.police.uk
Twitter: @policescotland
Facebook: www.facebook.com/policescotland

From: Winter, Maree [<mailto:mwinter@eastlothian.gov.uk>]
Sent: 07 May 2019 09:35
To: Lothian Scot Borders Licensing East Mid Lothian
Subject: Mei Mei Ni - Personal Licence application
Importance: High

Hi Heather,

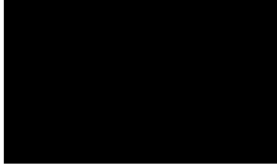
Do you have any further updates regarding the above, she is due back at the May Board.

Our Reference: CG/gh/EN/L/PL
Your Reference:

Date: 23^h May 2019



Mei Mei Ni



Kirstie MacNeill
CLERK OF THE LICENSING BOARD

John Muir House
Haddington
East Lothian
EH41 3HA
licensing@eastlothian.gov.uk

Dear Madam

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I write to inform you that the Licensing Board at their meeting held on 23rd May 2019, which you attended, decided to continue your application for a further six months until the November Board Meeting or earlier if you notify the Licensing Board that your case has been heard.

As previously advised the Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(3)(b) of the Licensing (Scotland) Act 2005, of any relevant offence(s).

An agenda will follow in due course.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

Direct Dial: 01620 827867 (Maree Winter)
Email: licensing@eastlothian.gov.uk

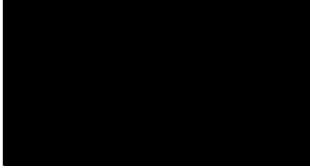
eastlothian.gov.uk

Our Reference: KMacN/mjw/EN/L/PL
Your Reference:

Date: 13th November 2019

Private & Confidential

Mei Mei Ni



Dear Madam

**Licensing (Scotland) Act 2005
Application for Personal Licence**

I write to inform you that your application which was continued from the 23rd May 2019, Licensing Board Meeting, in respect of the above will require to be considered by East Lothian Licensing Board at its meeting to be held in The Council Chambers, Town House, 56 High Street, Haddington on Thursday 28th November 2019 at 10 am.

The Board is obliged to hear an application where the appropriate Chief Constable has notified the Board in terms of section 73(4) of the Licensing (Scotland) Act 2005, that it is necessary for the purposes of the preventing crime and disorder licensing objective, that the application be refused. I have attached the notice for your information.

You are hereby cited to attend the above meeting, however please note that failure to attend this meeting may result in the Licensing Board declining to consider your application.

An agenda will follow in due course.

Yours faithfully

Kirstie MacNeill
Clerk to the Licensing Board

Direct Dial: 01620 827867 (Maree Winter)
Email: licensing@eastlothian.gov.uk

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Occasional(s)

Premises

Applicant

Date Received

Comments

b(1)
4 BREWERY LANE
BELHAVEN
DUNBAR
EAST LOTHIAN
EH42 1PD

ROSS JAMES HARDIE

1 November 2019

Start date of event:
05/12/2019

End Date of Event: 08/12/2019
Operate A "speak Easy" Style
Bar Leading Up To A Full
Alcohol Premises Licence.
Expected Number Of Persons
Attending 70 Per Day Over The
Period Of Friday To Sunday. No
More Than 10 On The Thursday
Preceding.
Children and young persons
will not be permitted entry to
the function.

OCC592/19
Adv 8/11

E.L.C.
Customer Services
- 1 NOV 2019
RECEIVED

Occasional Licence and Supplementary Information Form

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	EL1625
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Ms Miss Ms Other (please state)			
Surname	HARDIE		
Forenames	ROSS JAMES		
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post town	[REDACTED]	Post code	[REDACTED]
TELEPHONE NUMBERS			

Daytime	[REDACTED]
Evening	
Mobile	

FAX NUMBER

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

[REDACTED]

3. THE PREMISES

Description of premises 2 STOREY OFFICE/COMMERCIAL PROPERTY, DETACHED, WITH 4 ROOMS AND 2 x WC

Description of activities to be carried on in the premises – (including number of persons expected to attend)

OPERATE A 'SPEAKERS' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE

EXPECTED NUMBER OF PERSONS ATTENDING: 70 PER DAY OVER THE PERIOD OF FRIDAY TO SUNDAY, AND NO MORE THAN 10 ON THE THURSDAY PRECEDING.

Full postal address of premises which this application refers to

4 BREUGRY LANE
 BELHAVEN
 DUNBAR
 EH42 1PD

4. DURATION OF LICENCE

From: 05/12/2019

To: 08/12/2019


5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises
--	---

12 noon - 01:00	
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	
1 HOUR PRIOR TO SERVING FOR SET-UP	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry	Times at which children or young persons permitted entry
Parts of premises to which children or young persons permitted entry	

7. CHECKLIST	
I have - Please tick for yes	
<ul style="list-style-type: none"> Made or enclosed payment of the fee for the application 	✓

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE 	DATE 31/10/19

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: -

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>(a) OPERATE A 'SPEAKERS' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE</p> <p>(b) RECORDED MUSIC</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>CIRCA 70 EACH DAY DURING EVENT.</p> <p>CAPACITY OF VENUE</p> <p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input checked="" type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p> <p>NOT TICKETED, ACCESS AT THE DOOR SUBJECT TO CAPACITY</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) STEWARDS NOT REQUIRED</p> <p>(b)</p>
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>(c) ATTACHED</p>
<p>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	<p>N/A</p>

6. Will alternatives to glass receptacles be provided?	NO
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	AS A MINIMUM, TO CITI & GUILD'S WORKBOOK FOR STAFF OF LICENSED PREMISES, TO COMPLY WITH THE 2 HOURS MINIMUM TRAINING REQUIRED BY THE LICENSING (SCOTLAND) ACT 2005

LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

8. How will you prevent Crime and Disorder at the event?	<ul style="list-style-type: none"> - AWARENESS OF INTOXICATION LEVELS AND REFUSAL TO SERVE INTOXICATED PERSONS - DISPLAY OF UNDER 18'S NOTICE AND CHALLENGE IT AT P.O.S. AND ENTRANCE - REGULAR 'SWEEPS' OF ALL AREAS INC W.C.S. - PRICE OF ALCOHOL ABOVE MANDATORY LEVELS. - DENYING ACCESS TO ANYONE INTOXICATED
9. How will you secure Public Safety at the event?	<ul style="list-style-type: none"> - ENGAGE WITH FIRE BRIGADE RE CAPACITY AND FIRE & SAFETY COMPLIANCE. - ENSURE NOISE LEVELS ARE AT OR BELOW NOISANCE LEVELS - NOTICE IN W.C.S RE TAXIS WITH TAXI NUMBERS AND/OR CARDS - ADEQUATE ILLUMINATION - FIRE EXITS UNBLOCKED, EMERGENCY LIGHTING OPERATIONAL AND FIRE DOORS LEGALLY MARKED - FULL RISK ASSESSMENT
10. How will you prevent Public Nuisance at the event?	<ul style="list-style-type: none"> - SIGNAGE AT EXIT RE CONSIDERATE TO NEIGHBOURS - NOISE AT OR BELOW NOISANCE LEVELS


<p>11. How will you promote and protect Public Health at the Event?</p>	<p>RESPONSIBLE DRINKING SIGNAGE</p> <ul style="list-style-type: none"> - PROMOTE LOW ALCOHOL & ALCOHOL FREE DRINKS - DISPLAY OF UNITS OF ALCOHOL SIGNAGE - POSSIBLE SIGNAGE IN LLS RE EFFECTS OF ALCOHOL AND EXCESSIVE DRINKING - ENSURE STAFF ARE FULLY AWARE OF HOW TO SPOT INTOXICATION AND TO REFUSE TO SERVE SOMEONE OBVIOUSLY INTOXICATED.
<p>12. How will you protect Children from Harm at the Event?</p>	<p>N/A</p>

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

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	31/10/19
-----------	---	------	----------

DOWN STAIRS
ROOM 1

CUPBOARD

8711

730

STANDING
AREA

2370

STAIRS TO
FIRST FLOOR

300 x 500 STAIRS

PROPOSED
BAR AREA

WC
WASH HAND BASIN

700

WC
BOWL

1561

144

2110

160

1291

30

1521

2545

165

9140

832

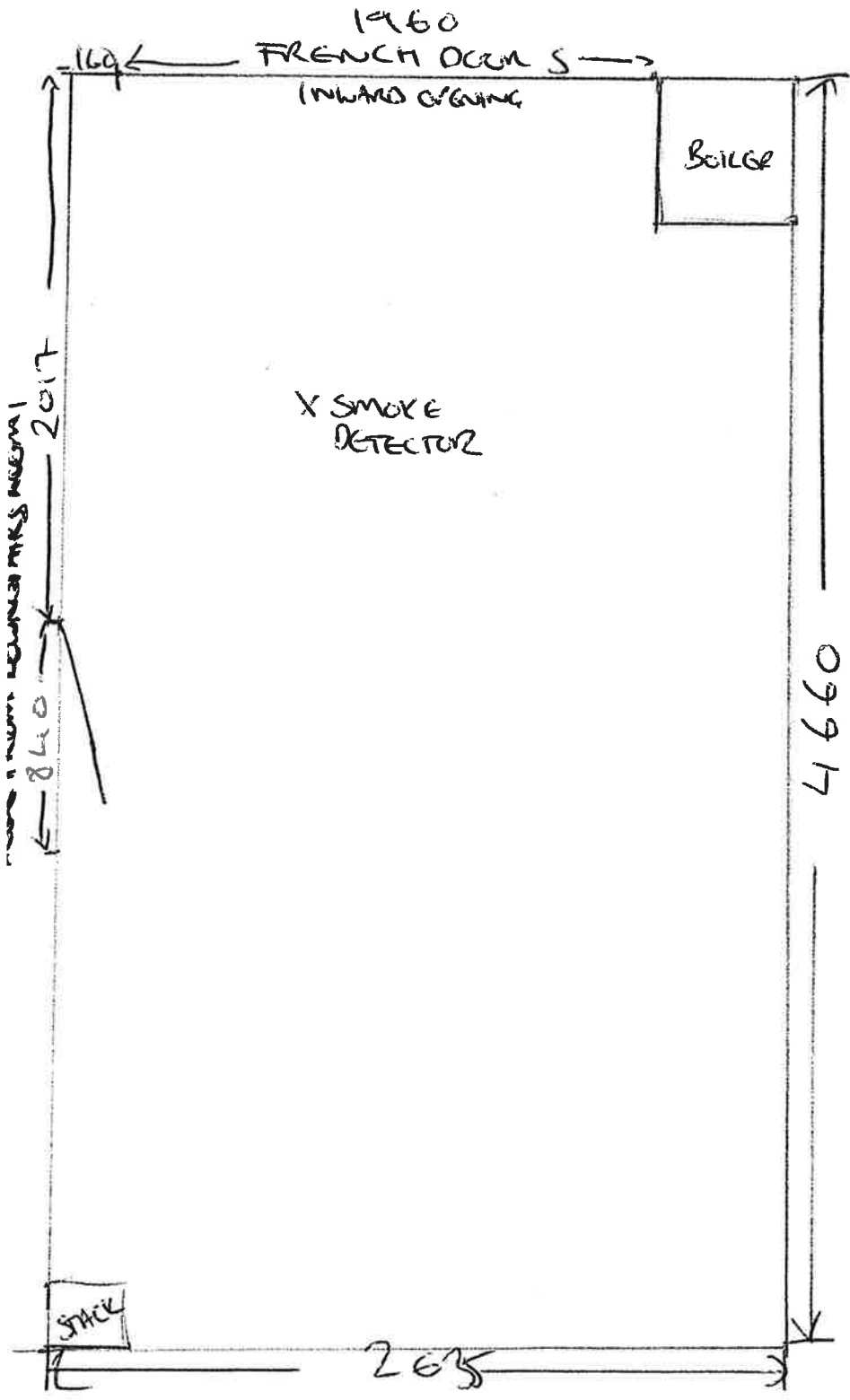
1250

(FRENCH DOOR
OUTWARD OPENING)

1490

FRONT
DOOR

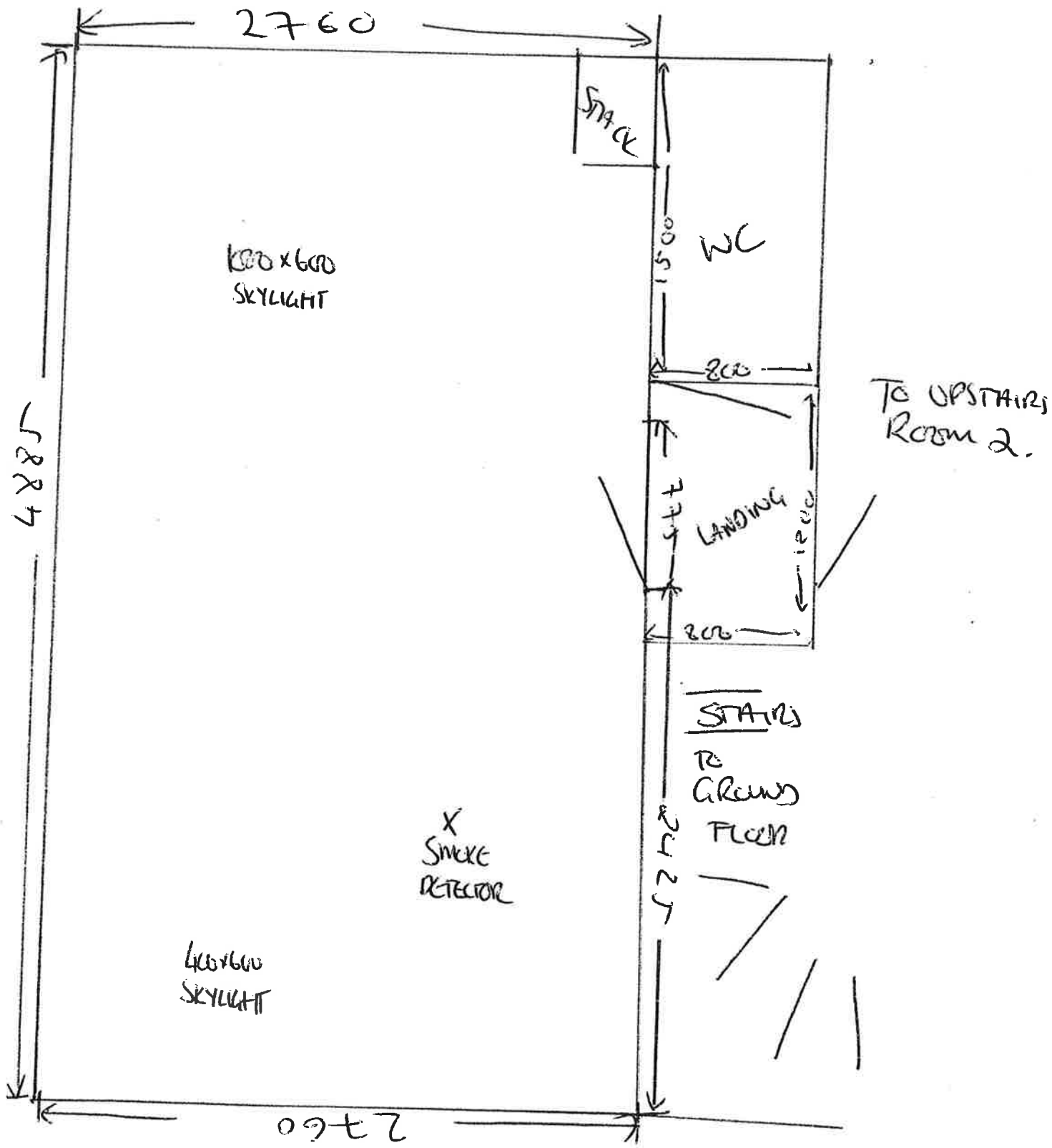
DOWN STAIRS ROOM 2



PROPOSAL:

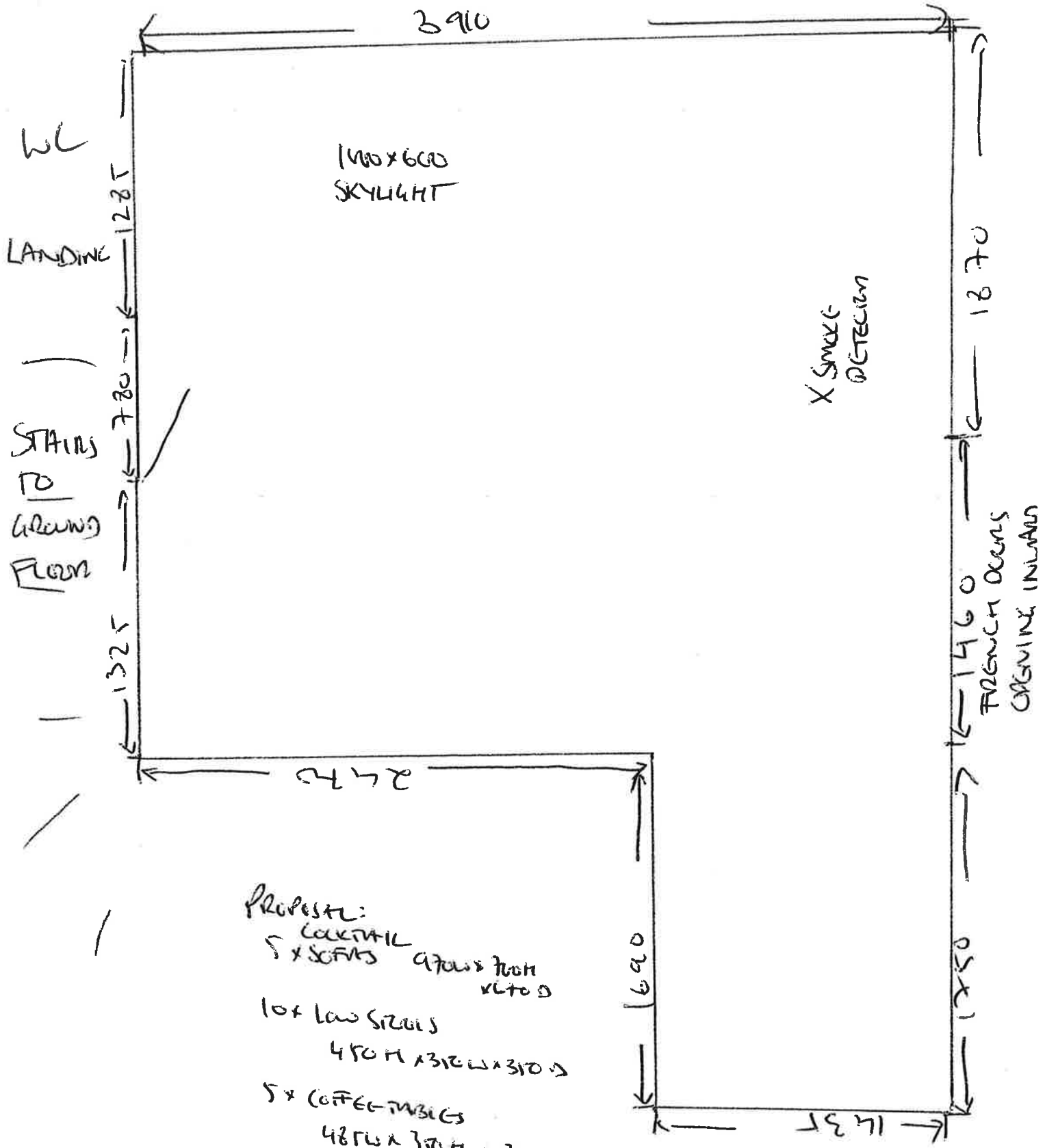
- 4 X COCKTAIL SOFAS
970W x 720H x 670D
- 4 X CHAIRS
510W x 720H x 570D
- 3 X COFFEE TABLES
612W x 370H x 240L

UPSTAIRS Room 1



- PROPOSAL:
- 2 * COCKTAIL SEAT 970W x 700H x 670 D
 - 8 * BAR SEAT 710H x 470W x 470 D
 - 2 * COFFEE TABLE 485W x 310H x 240L

OPTIMIZED ROOM L



Proposed:

- COCKTAIL
- 5 x SOFAS 970W x 700H x 670D
- 10 x LOW SEATERS
- 450H x 312W x 370D
- 5 x COFFEE TABLES
- 487W x 370H x 240L

Herkes, Gillian

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 November 2019 13:52
To: Herkes, Gillian
Cc: Fruzynski, Rudi
Subject: RE: Attached Image OCC592/19 [OFFICIAL]

OFFICIAL

Gillian

no issues other than I would request that the Sunday (8th Dec) terminal hour be reduced to midnight as per board policy hours

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk

Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk

Website / Làrach-lìn: www.scotland.police.uk

Twitter: @policescotland

Facebook: www.facebook.com/policescotland

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]
Sent: 01 November 2019 12:07
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: FW: Attached Image OCC592/19

Hi

Occasional licence from Ross Hardie for Speak Easy Bar at 4 Brewery Lane, Dunbar for report

Gillian

From: "Herkes, Gillian" <gherkes@eastlothian.gov.uk>
Sent: 01 November 2019 11:58
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

Herkes, Gillian

From: Licensing
Sent: 07 November 2019 14:04
To: Herkes, Gillian
Subject: FW: Attached Image [OFFICIAL]
Attachments: LILAC_QXM04806_2253_001.pdf

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 November 2019 13:55
To: Licensing <licensing@eastlothian.gov.uk>
Subject: FW: Attached Image [OFFICIAL]

OFFICIAL

Gillian

same again for this one please, Sunday finish at midnight

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk

Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk

Website / Làrach-lìn: www.scotland.police.uk

Twitter: @policescotland

Facebook: www.facebook.com/policescotland

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]

Sent: 07 November 2019 10:52

To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona

Subject: FW: Attached Image

OCC593/19

Occasional from Ross Hardie for 30th November to 1st December, 2019 for report.

EAST LoTHIAN COUNCIL

PEOPLE AND GOVERNANCE

From: Rudi Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 19 Nov. 2019

Subject: LICENSING SCOTLAND ACT 2005
OCCASIONAL LICENCE APPLICATIONS 592 & 592/19

The Cat's Pyjamas, 4 Brewery Lane, Belhaven, Dunbar, East Lothian EH42 1PD

I refer to the above subject and can confirm that the applicant has fully liaised with the LSO in relation to this application.

The above premises are located in a side street, off the main A1087, Belhaven High Street, Dunbar and are situated at the junction of Brewery Lane with South Street.

The ground floor comprises a small hallway with recessed area, which will be the location for the small bar servery. There is also 2 toilets in one corner of the hall. Off this area are 2 sitting rooms where patrons can sit and watch a film and have a drink.

Upstairs comprises a toilet and two sitting rooms where customers can sit and enjoy their drinks.

The premises are compact and the capacity is likely to accommodate up to 40 persons at a time.

It is proposed that background jazz style music will be provided, which will be loud enough to create a cool relaxing atmosphere, but not be such that it would be an intrusive nuisance to nearby properties.

Mr Ross has been provided with the necessary signage for the sale and supply of alcohol to the public. He has also been given guidance on prevention of noise nuisance, supervision of smokers and introduction of a dispersal plan.

Mr Ross is a Personal Licence holder and is fully aware of obligations of the Challenge 25 policy.

I have included pictures of the exterior of the premises and a location plan with this report for the information of Board members.

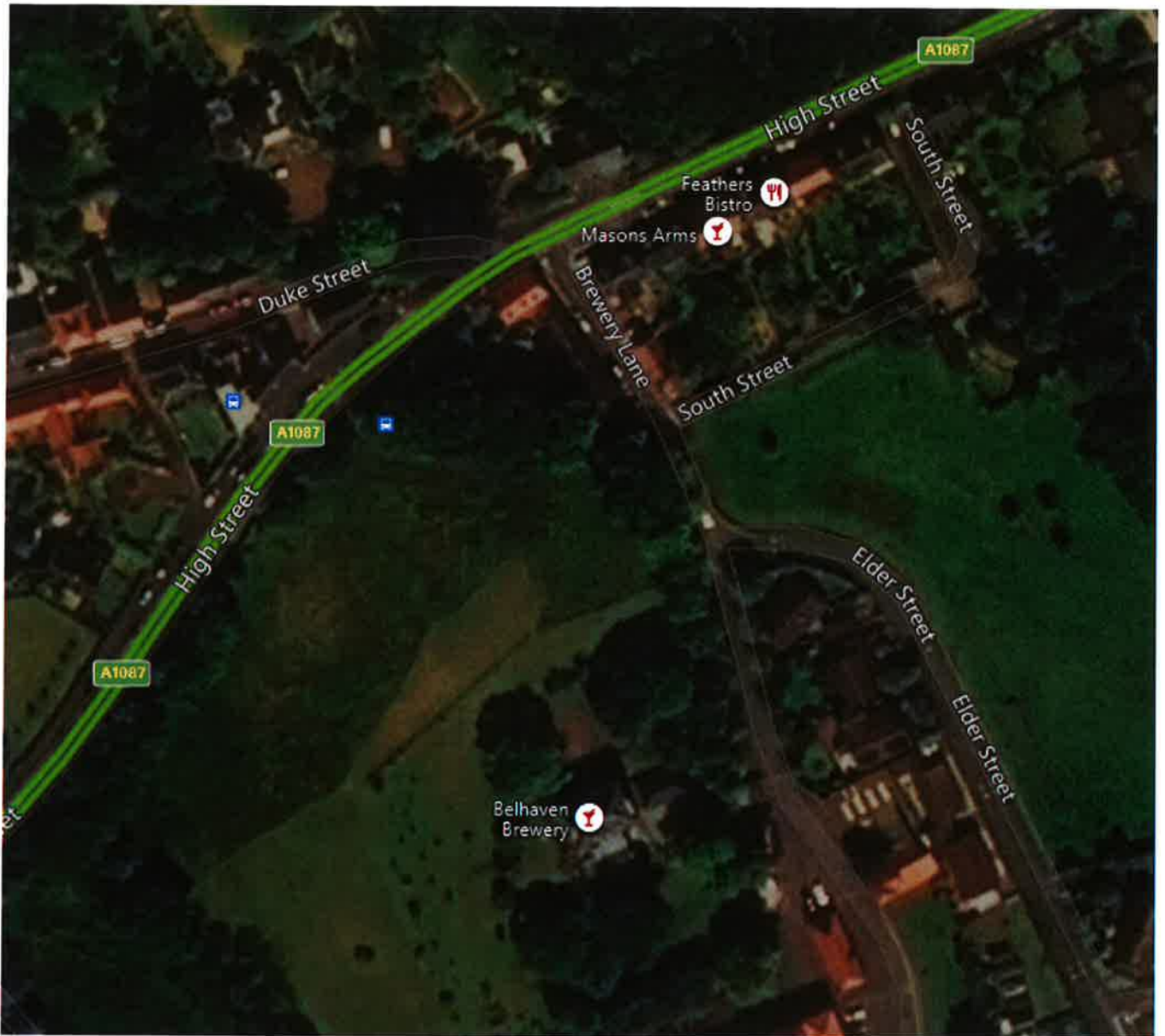
An alcohol licence can be granted to the applicant, but he must comply with any other conditions and requirements in respect of other legislation.

Parking in the area is at a premium, as it is for the nearby pub. Many customers of licensed premises get dropped off, use the bus or walk due to the stringent restrictions on drink and driving.

The applicant has indicated that if the initial trial period of the Cat's Pyjamas is successful he will apply for a full Premises Licence, in compliance with the Board's policy. Should the temporary Occasional Licences be granted, this will allow the Board and local residents an opportunity to see how the premises will operate before committing to a permanent licence.

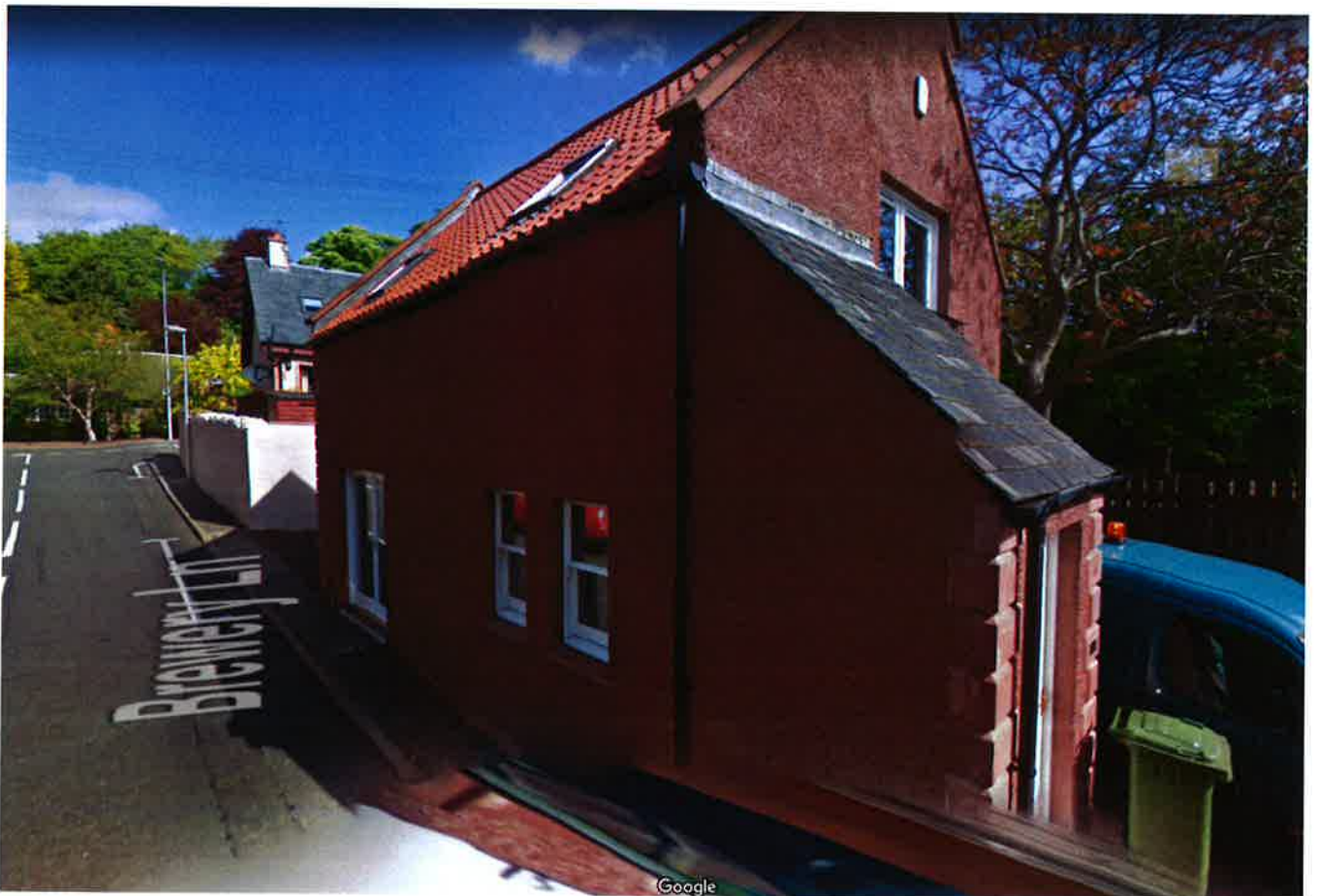
R. Fruzynski
Licensing Standards Officer

Location Plan of Cat's Pyjamas





The above picture is of the front entrance to the Cat's Pyjamas at the junction of Brewery Lane with South Street.



Side view of the Cat's Pyjamas.

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to Applications lodged on 8 November in respect of 4 Brewery Lane, Belhaven
Date: 12 November 2019 21:17:57

Dear Sir / Madam

Please note my objection to the above noted application based on the following;

I am a resident of Elder Street (which extends on from Brewery Lane) and often have issues turning into Brewery Lane to access my property and have considerable concerns regarding the potential impact on traffic safety and parking of this application.

Mr James Hardie is applying for a license permitting throughput of between seventy and one hundred people each day which suggests that it is not targeting local patrons only. Hence there will be a need for them to be transported to and from the premises. As noted above the junction between the A1087 and Brewery Lane, with its substandard vertical geometry, obstructed visibility and proximate parking, is not suitable for any increased traffic. It is also notable, that during the working day the brewery traffic includes significant large vehicles which already often find this junction awkward. On this basis, I do not believe that this application is in line with the planning objectives of securing public safety or prevention of public nuisance.

It is not clear from the application, what hours the premises would operate, however by its nature it would appear that it is likely to be open late into the evening and on closing could generate considerable noise which would have a clear detrimental impact on the neighbourhood. Whilst this is well managed locally in the existing public bar, an additional outlet introduces an unacceptable additional potential nuisance.

Finally, it does not appear that adequate consideration has been made to the specific property access. With no formal frontage or footpath this venue is not, in my opinion, suitable to this type of usage. Could the council please assure me that they have inspected the venue and its access prior to making a finding on this application.

I look forward to your response in relation to my objection and trust that the council will ensure the application is thoroughly reviewed prior to any licence being granted.

Yours faithfully,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: OBJECTION; The Cat's Pajamas, 4 Brewery Lane, Dunbar
Date: 12 November 2019 21:46:52

As the residents of [REDACTED] we write to object strongly to the above proposal.

Our grounds for objection are as follows:

1. Noise pollution - This is a quiet area. Occasionally the local pub (Brig and Barrel) has a function when noise becomes an issue, keeping our household awake at night. Equally The Brewery have had functions which caused some complaint from our street due to noise after hours. These after-hours nighttime social noises are not welcome on an occasional basis let alone 4 times a week. We strongly object to this bar on the grounds increase in nighttime noise, disturbing the peace of this quiet area. Not just on an occasional basis, but proposed several times a week. This IS NOT WANTED in any form.
2. Parking availability - Where are the visitors to this venue meant to park? There are no spare parking bays along these streets. Pressure on the existing ones would cause significant issues to residents and their visitors.
3. Increased traffic on an already dangerous junction (Brewery Lane and A1087) - Pulling out from Brewery Lane onto the A1087 is dangerous. The visibility is poor. My son has had 2 incidents recently coming down from Dunbar and turning into Brewery Lane whilst cycling. Once he was thrown off his bike by a bus that was way too close to him and didn't slow down. Another time by a driver who nearly drove into him coming out from Brewery lane because they didn't see him coming down the hill due to the cars parked blocking visibility. These are just 2 recent incidents but I have witnessed many in the 12 years I have lived in this part of Dunbar. Increasing the traffic on this junction just seems foolhardy and a likely big accident waiting to happen.

This club would be unwelcome on all these grounds and we strongly object to any proposal for any increase in nighttime social venues in this district.

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Re: 4, Brewery Lane, Dunbar, EH42 1PD
Date: 13 November 2019 12:47:53

Dear Sir/ Madam

Re: Licensing Application for 'Speakeasy' bar on Brewery Lane, Belhaven

Further to my email earlier today I would like to attach photographs which I have taken in the last few minutes which show just how dangerous this location is and why it would not be suitable for licenced premises. The photo shows a very long, double trailer, arctic which is trying to turn down Brewery Lane to make a delivery to the Belhaven Brewery. In the few minutes that the truck was parked here, there were three very near misses as traffic (including a school bus) tried to overtake this blind.

You will appreciate that having people coming out of the proposed premises (without a pavement) when trucks this size routinely (often several per day) try to navigate down Brewery Lane is a recipe for real danger.

Please append this to my earlier objection.

[REDACTED]

The Clerk to the Licensing Board

Dear Sir/Madam,

I would like to object to the Occasional License sought by Mr Ross Hardie for a 'Speak Easy' style bar in the small office building at 4, Brewery Lane, Belhaven.

[REDACTED] I am very concerned about the increase in noise from customers attending this bar, particularly if the applicant intends to open until late. I note his intention to provide entertainment for up to 100 customers, which is a large number for such small premises. Presumably many of these customers would congregate outside, as the building is so small.

I would also like to draw your attention to the potential for endangering public safety, in relation to the very narrow road and poor access to the building. The building is directly at the roadside without a proper car park and borders a lane used to access cottages. Brewery Lane itself has seen several accidents and near misses in recent years and is also used by large brewery lorries. Parking is congested in this area, with many drivers stopping and parking on yellow lines. The junction of Brewery Lane and Belhaven High Street is dangerous, with an obstructed view and a tight turn for vehicles exiting Brewery Lane. The pavement is also narrow and uneven and in some places there is no pavement at all. In view of these disadvantages, a venue attracting up to 100 customers is inappropriate at this location and may constitute a danger to drivers, pedestrians and the neighbours.

I hope you will take these points in consideration,

Yours faithfully,
[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Occasional licence application OBJECTION
Date: 13 November 2019 11:16:19

Reference

Occasional Licence Application 4 Brewery Lane Belhaven Start date 5.12.19

and

Occasional Licence Application 4 Brewery Lane Belhaven Start date 30.11.19

I consider that both of these applications are inappropriate, it appears that the applicant is using the occasional application as a short cut and trial opening prior to applying for a premises licence and change of use for the premises. I understand that the intention is to open a Speakeasy bar selling alcohol and serving food, the number of potential attendees is noted as being between 70 to 100

Below are my reasons for objecting to this licence.....

The building is within the Conservation area and its current use is as an office, a planning application should be submitted for change of use – Bad Neighbour development

The premises are very small , approx. 90m2 over 2 floors including toilets, kitchen and staircase. Not appropriate for the number of customers. I also suspect that the toilet/wash up/ food prep/ fire prevention is inadequate for this use

The location is very close to houses that will be affected by noise from the premises, additional traffic and by people accessing and leaving the building.

The building is very close to the road and close to the dangerous junction Brewery Lane to Belhaven High Street A1087

There are no parking facilities and the on street parking is already inadequate and under pressure for residents and customers of the recently re-opened Masons Arms (Brig and Barrell)

The location and premises are completely unsuitable for this use and I strongly object to the occasional licence being issued and would urge the licencing board to encourage the applicant to gain the proper consents for this venture.

Please acknowledge receipt of this e mail

Thanks [REDACTED]





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From: [REDACTED]
To: [Licensing](#)
Subject: Objection to proposed occasional license 4. Brewery Lane
Date: 13 November 2019 17:18:29

Dear the clerk to the licensing board,

I am writing in objection to the occasional license advertised on your website on Friday the 8th of November, and to highlight some of the serious issues the new business opening at number 4 Brewery Lane, "The Cat's Pyjamas", would create.

The first issue, and potentially one of the most serious, is parking. Brewery Lane is a narrow road with extremely limited parking, and as such any custom that this new business attracts will either take away parking opportunities from residents, or cause visitors to park dangerously, and potentially illegally. Not only is this congestion going to be dangerous for other road users but also will cause problems for pedestrians, including children who have to pass through Brewery Lane when walking/ cycling to and from school. Furthermore, the junction into Brewery Lane (the A1087/ Brewery Lane junction) unfortunately is a very difficult one, with a tight corner and restricted views. Making this junction any busier will only make an already dangerous junction more dangerous.

Similarly, more vehicles coming into Brewery Lane because of the proposed business will create issues with the Belhaven Brewery lorries. As I've highlighted above, Brewery Lane is a narrow road, used daily by the brewery lorries. Inviting more vehicles onto this road could be potentially dangerous as the lorries are making deliveries. In addition, the business in question will no doubt have lorries delivering to the establishment which has no suitable access for lorry deliveries meaning that the road will be blocked during these times. How then are residents supposed to access their properties or the brewery lorries make deliveries? This clearly does not comply with the licensing objectives of preventing public nuisance and securing public safety.

Next, I would like to raise some concerns regarding the business proposal itself and its future clients. That a jazz, 'speak easy' style bar will be loud there can be no doubt, however, although the music itself is an issue for residents, the business will create noise from more than just its music. Cars/ taxis either dropping off or collecting visitors will add to the noise by sitting with idling engines. People entering the establishment will simply be noisy and may even create more serious issues. The venue is very small, and if oversubscribed are people going to be queueing outside to enter? This in itself will be noisy, but more importantly it will be highly dangerous. The building exits almost directly onto the road which is an obvious cause for concern if people are trying to get in. Similarly, when leaving the building, customers will be exiting directly onto a road with very little pavement space to wait for a taxi/ car/smoke. There simply isn't a safe place to stand outside 4 Brewery Lane and I have to question what this will mean. It could lead to people loitering outside the homes opposite number 4, hanging around by their cars. This is obviously less than ideal for residents, and people exiting onto the road is worryingly dangerous, particularly after a night of cocktails.

Overall, I am very concerned about this business being granted the advertised licence. If granted, it will create some very serious and dangerous problems in Belhaven, and it fails in many ways to meet the licensing objectives outlined on the East Lothian Council website. As such, I strongly object to the proposed licence being granted for the above mentioned reasons. At this time, I would also like to question and seek reassurance from the council regarding

the buildings change of use. I understand that the building currently has planning as an office space only, and would like to be assured that the correct measures are being taken for the buildings radical change of use.

I look forward to your swift reply.

Best Wishes,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to occasional license
Date: 13 November 2019 18:28:09

Dear Sir/Madam

I write to you to raise my objection against the occasional license advertised on the 8th of November at Number 4 Brewery Lane.

As a resident of Brewery Lane which is in very close proximity to the proposed speakeasy style bar, I worry it will create a multitude of issues for not only myself and neighbours but also local businesses too. Another concern is I do not think that the proposed location fully considers the safety of the public nor the bars customers either.

There is no pavement or safe area to get to, or exit the venue. Meaning customers who will be exiting late at night (whilst most likely intoxicated). Will exit straight onto the road creating massive dangers for both drivers and pedestrians. Therefore endangering public safety.

Another issue is the severe lack of parking in this area. Brewery lane is a very narrow road with very limited parking. It is already a very common sight to see cars parked on the double yellow lines. This creates issues for residents and the lorries coming and going from the brewery as well as for other drivers trying to use the road. There is nowhere available for the potential visitors of such an establishment to park and therefore this problem can only be made worse. Thus leading to parking dangerously/illegally. Also during drop offs the unloading of public right in the middle of the road and in unsafe areas again creating dangers.

This goes hand in hand with the worsening of an already dangerous junction between the a1087 and Brewery lane. The restricted views are terrible at this junction and the increase in volume of traffic would create a much higher risk of accidents. Especially if as mentioned people are parking on the double yellows. This also means the lorries and cars need to go in the wrong lane to be able to turn the corner creating further risk.

Next I think that noise pollution is a big problem with the proposed bar. Brewery lane is a quiet residential area and the music from this venue is definitely a concern. So is the noise from its customers, with plans for the venue to be closing as late as 1am. Customers will be exited right into a residential area with the only pavement on the opposite side of the road right alongside peoples houses. The potential for loud customers leaving so late creates big concerns. Alongside this there will be cars and taxis collecting at this times will create both noise and light pollution with engines idling etc.

Also I presume that the area for customers who are smokers will be smoking outside of the front entrance? This creates another opportunity for noise and nuisance for local residents.

Another query I have is regarding the change of use. To my knowledge this building has planning to be an office/garage? Have all things been considered in this venue for it to become a bar? For example safe entry and exits, fire safety?

I look forward to hearing back regarding my objection.

Regards [REDACTED]

From: Licensing
To: Occasional Alcohol License 4 Brewery Lane
Subject: 14 November 2019 07:10:01
Date:

Dear East Lothian Council Licensing Department

We wish to express our objection to the proposed occasional license at 4 Brewery Lane. The grounds for this concern the lack of communication in relation to the proposed 'speak easy'. It would appear that the majority of neighbours who may be affected by this request are unaware of any plans. This is in contrast to social media posts that the proposer is making. Without any reassurances, there is likely to be noise related to the proposal, particularly from people leaving at closing time and from taxi's idling as they wait for people. The road is narrow, as is the pavement for people to leave. Parking is limited and the junction onto the main Belhaven High Street is already hazardous when turning right due to limited view arising from a sharp bend in the road.

As we said, the lack of formal communication to the households that are directly affected by this proposal is of most concern. Without reassurances of measures that would be taken to minimise disruption, it does not give any indication that the proposer has considered the impact on those living around the premises. This does not bode well to the prospect of establishing a positive relationship with the proposer in the longer term.

Regards



Winter, Maree

From: [REDACTED]
Sent: 14 November 2019 17:07
To: Licensing
Cc: [REDACTED]
Subject: Application for a "speak-easy" bar at 4, Brewery Lane, Belhaven, Dunbar , EH42 1PD

I am writing to lodge my objection to the proposed bar at 4, Brewery Lane, Belhaven, Dunbar, EH42 1PD.

My main concerns about the venture arise from the fact that the property [REDACTED]

[REDACTED] My address is [REDACTED]

[REDACTED] and I have lived here for over 40 years.

The main points of my concern are:

1. The building is inappropriate for this use. It is small, built on the footprint of a garage and originally as an office. The application estimates numbers attending: what would happen if all these attended, or numbers were exceeded? Would there be "bouncers"? What guarantees of security to person and property are given?
2. There would be noise from the bar, both inside and out, and especially when smokers go outside. There would also be immensely increased traffic from cars, taxis and groups of people in what is a quiet residential area. This would all take place during anti-social hours, the evenings and weekends.
3. Brewery Lane is a narrow road which is difficult to use at the best of times. There is limited parking available even for residents and no convenient space for drop-offs.
4. The junction of Brewery Lane and the Edinburgh Road/High Street is hazardous, being almost a five-way junction with limited sightlines. Increased traffic and pedestrians would be endangered. When the recent (and successful) Belhaven Brewery festival was on, a single event, there were many near misses I witnessed.
5. There is limited toilet facility within the building and I am concerned that the fence [REDACTED] on South Street would be an opportunity for the relief of inconsiderate customers. I know that this has been the case in other premises in the town.
6. [REDACTED] The Brig and Barrel, has a successful and pleasant business, offering similar, if not more, experiences. It is well-managed and always improving. I do not see the need for another of this kind of business in this area.

I hope I have made myself clear and I look forward to hearing from,

Yours Faithfully,
[REDACTED]

Winter, Maree

From: Ross Hardie [REDACTED]
Sent: 13 November 2019 13:42
To: Winter, Maree
Subject: Re: Occasional licence applications

Hi Maree,

Per the statutory calculations (square meterage/0.5) we can get comfortably more than 100 however with seating at around 60 plus standing space (counters, poseur tables) I would limit numbers to a maximum of 100 as I want to be able to more easily manage safety and, if required, conduct, not to mention I want the ambience to more relaxed and enjoyable rather than busy, and to ensure that our neighbours aren't inconvenienced. With that being said I envisage maybe 70-80 at any one time to be more likely, with 100 on more only on special occasions such as Christmas Eve or Hogmanay. Most realistic is perhaps 100 or so coming and going of an evening.

I don't know if this is useful but the demographic of our amazing engagement is 78% female and 54% 30-50 years, with 50+ being the next highest. I've alison been testing sound and it can barely be heard outside the front door and cannot be heard by neighbours. Again, this ties in with the objective of creating a nice ambience and something which everyone, including our neighbours, can enjoy, in essence building a community of nice, sensible, considerate, sophisticated like-minded people.

If there's anything else I can help with I'll do whatever I can.

Have a lovely day.

Best wishes,

Ross

On Wed, 13 Nov 2019 at 13:26, Winter, Maree <mwinter@eastlothian.gov.uk> wrote:

Hi,

I refer to your applications for a Speak easy type events. Could you please advise what the maximum numbers of persons can be admitted at the one time.

Regards

Maree

Maree Winter

Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:45
To: Licensing
Subject: Fwd: Licensing board support: The Cat's Pyjamas

Hello,

Please see the email below in relation to the application for an occasional licence for The Cat's Pyjamas at Ocean House, 4 Brewery Lane, Dunbar, EH42 1PD.

More will follow over the coming days.

Best wishes,

Ross Hardie

----- Forwarded message -----

From: Jackie Bryceland [REDACTED]
Date: Fri, 15 Nov 2019 at 13:06
Subject: Licensing board support
To: ross@thecatspyjamasdunbar.com <ross@thecatspyjamasdunbar.com>

Hi Ross,

I've been following the cats pyjamas on social media and read your note last night and I just wanted to drop you a wee email of support!

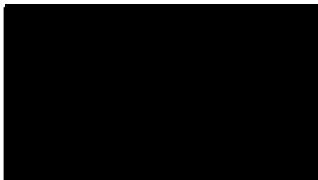
I fit your 30-40 year old female demographic and cannot wait for a decent bar to open in Dunbar! We moved here 6 years ago to raise our young family and love the town but we've been saying for years that the amenities could do with moving with the times in line with the growing and changing demographic.

Recent developments such as the station yard, the rocks & brig and barrel are great but if I have managed to earn a well earned babysitter for the night, I still tend to head up to Edinburgh to go to the very sort of establishment you are talking about opening (Lady Libetine/ Panda and Sons/ the Jazz Bar to name a few). If you were able to replicate the quality music, drinks and atmosphere found in these sorts of venues in Cats Pyjamas I would love to spend and stay local!

With regards to noise concerns - doesn't the Brig and Barrel beer garden back onto the same street? I would have thought that has more of a noise impact than the comings and goings from your bar.

I wish you all the best in your new venture and cannot wait to get the local mums together for a well earned Christmas night out! I really hope the licensing board see sense and support this venture, the town needs more of a draw to keep its newly developing population spending locally.

Kind regard



Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:46
To: Licensing
Subject: Fwd: Licensing Board Support: The Cat's Pyjamas

FYA

Best,

Ross Hardie

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 09:21
Subject: Fwd: Licensing Board Support
To: <ross@thecatspyjamasdunbar.com>

> Morning,

>

> Hope this helps,

>

>

> To Whom it may Concern

>

> [REDACTED] The Cat's Pyjamas (hereinafter known as TCP), Brewery Lane, Dunbar. I write to show our support in the venture of this speakeasy due to open in the coming weeks. I drive past here every day and am well aware of the narrow street, but if the volume of traffic is allowed for the Brewery isn't an issue, then there should be little or no concern for TCP. I fully support the new venture, and I'm confident there will be few disruptions to our day to day living. We have been kept up to date on Social Media of the progress and intentions of the venture and Ross has been very upfront with everyone during the renovation process. We have been assured there will be sufficient bins for littering and smokers and hopefully this will be carefully monitored and enforced on-site during the first few months of opening. He seems to be working well within the community, using other local business and intends to do so in the future. We wish him every luck in TCP, and look forward to seeing all his hard work in the near future.

>

> Yours faithfully

>

[REDACTED]
> Sent from my iPhone

--

ROSS HARDIE
OWNER
THE CAT'S PYJAMAS
07932 732 299

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:47
To: Licensing
Subject: Fwd: Licensing support: The Cat's Pyjamas

FYA

Best,

Ross

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 08:02
Subject: Licensing support
To: <ross@thecatspyjamasdunbar.com>

Hi Ross

I saw your post about your licence on Facebook. I don't think we've met but I just thought I'd send you a wee message to say I'm looking forward to you opening and hope that all goes well with the licensing board. The Cats Pyjamas looks like the kind of venue Dunbar really needs. I rarely go out and am not much of a drinker but when I do go out I usually go into Edinburgh. It will be amazing to have somewhere in walking distance that I actually want to go to. The reason why I'm emailing, and I don't know if it's relevant, is that [REDACTED] West Barns Inn. I had major issues with noise from there when they brought in large functions (especially 18th birthdays) and when people used to sing karaoke with the back doors open. But there was never ever any problem with noise on a normal weekend night. Hope this helps.

Best wishes

[REDACTED]

Sent from my iPhone

--
ROSS HARDIE

OWNER

THE CAT'S PYJAMAS

07932 732 299

WWW.THECATSPYJAMASDUNBAR.COM

FACEBOOK: @THECATSPYJAMASDUNBAR

INSTAGRAM: @THE_CATS_PYJAMAS_DUNBAR

COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:48
To: Licensing
Subject: Fwd: Neighbour: The Cat's Pyjamas

FYA

Best,

Ross

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 05:56
Subject: Neighbour
To: <ross@thecatspyjamasdunbar.com>

Good Morning,

I live just along the road from what will be the new speakeasy Cats Pyjamas. I'm at [REDACTED] which is only a short minutes walk.

I'm really looking forward to the bar opening and having something a little special at our end of the town.

Not only that it is amazing to watch the progress on their social media platforms and just how passionate the owners are to ensure not only a great bar experience but how focused they are on

1. Ensuring neighbours are kept informed and up to date on what is happening and in courage people with any concerns they may have to drop them a message or get in touch

2. That they are aware of the area and that there are neighbours near by but are determinate to do all they can to absolutely minimise this so as to not affect 'their' neighbours

3. The absolute determination to bring business and people to our lovely little town (which will only benefit all)

4. It's more opportunity for employment in the town. Another massive plus in my eyes. As Dunbar grows with all the new houses etc it really is important that their are jobs available.

I really am excited to see what this new venture brings and can't wait for doors to be open and have a lovely little bar to go with friends have a good chat and catch up and enjoy what I believe will be with great atmosphere .

--

ROSS HARDIE
OWNER
THE CAT'S PYJAMAS

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 20:55
To: Licensing
Subject: Fwd: The cats pyjamas

FYA

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 19:53
Subject: The cats pyjamas
To: ross@thecatspyjamasdunbar.com <ross@thecatspyjamasdunbar.com>

Hi Ross,

I believe The Cats Pyjamas is a great new venture for you and I believe that Dunbar needs a place like this!

As you said at the start, this is a speak easy, a place for the people of Dunbar, a place to attract new clients, new and more visitors to Dunbar, to see our amazing town!

I've followed your journey from the start and saw the positives in you and how much you want this. People of Dunbar want this, they wouldn't have pledged if they didn't!

Let The Cats Pyjamas be the talk of the town for all the great reasons it should be!

I hope this email finds you well with enough reason to forward on to the right people to make this happen!

Best regards,

[REDACTED]

Get [Outlook for iOS](#)

--

ROSS HARDIE

OWNER

THE CAT'S PYJAMAS

07932 732 299

WWW.THECATSPYJAMASDUNBAR.COM

FACEBOOK: [@THECATSPYJAMASDUNBAR](#)

INSTAGRAM: [@THE_CATS_PYJAMAS_DUNBAR](#)

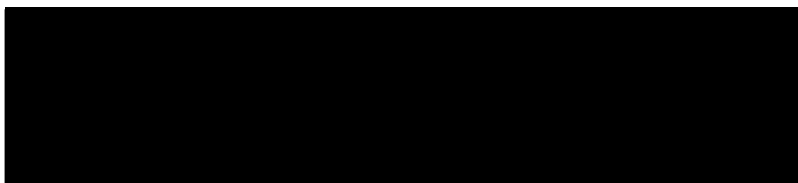
COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 21:16
To: Licensing
Subject: The Cat's Pyjamas

I am writing in connection to the above proposed license request. I write to give my wholehearted support for this establishment. I have lived in the area my whole life, a big chunk in Dunbar and surrounding areas. My husband and I are awaiting our new house being ready in a couple of weeks [REDACTED] from the existing Brig and Barrell and now the hopeful Cat's Pyjamas. We are very excited about this prospect and for years have talked about the lack of decent, welcoming restaurants and bars in Dunbar. Dunbar is absolutely thriving, the population has grown massively. This rise in population desperately needs new social spaces to enjoy and meet with other local people. The train journey is a short one to Edinburgh, let's try and keep this trade in Dunbar by offering the locals what they need and want. I went to school with Ross Hardie. His grit, determination and enthusiasm is inspiring, I cannot think why anyone would want to dampen this.



Sent from my iPhone

Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 23:24
To: Licensing
Cc: ross@thecatspyjamasdunbar.com
Subject: License Application for "The Cats Pyjamas Speakeasy" Brewery Lane, Dunbar EH42 - Ross Hardie

RE: License Application for "The Cats Pyjamas Speakeasy" Brewery Lane, Dunbar EH42 - Ross Hardie

Dear Sir

I am writing to place my support wholeheartedly behind this license application and while doing so think it would be pertinent to raise a number of points regarding this application, points which may not necessarily be part of any legal application but are important general comments nonetheless, and I do hope you will do me the courtesy of making note of them.

Firstly, I would imagine there are indeed many factors taken into account when looking at licensing, one of those must certainly be the character and good standing of the individual applicant themselves.

I've only known Ross Hardie for 2 years since we moved to Dunbar. In that time I have seen how Ross has not only played a central role in creating a genuine and close community in the Newtonlees Housing development (no mean feat) but he is a keystone within it. His passion for community is clear. He is genuinely altruistic in his wishes for people to build friendships and forge a positive outlook in the group, he's well-known and well-liked, and even after only 2 years of living in Dunbar I can trust him far more than many people I knew in the previous estates I have lived in Edinburgh over the past 25 years. If the character of an applicant are even remotely important in this process, then have no doubts that Ross would be a well deserving and successful licensee.

Secondly, experience. Ross does indeed have an extraordinary wealth of experience in the Events Industry, and I'm sure he would gladly share details of that with you if you felt it relevant. Running a new bar venture like this needs a safe and steady pair of hands, resilience and the ability to adapt to any situation, and that is all made easier with his complimentary events industry experience. He also has the passion and experience to turn a currently empty unit into a vibrant and interesting business, surely this approach should be welcomed warmly by ELC?

Thirdly, planning and approach.

Ross is, without a doubt, absolutely meticulous in his planning, and just as importantly he is ever considerate of the people around him, another aspect that I have seen on a personal basis over the past 2 years. I have seen his public posts on the matter of preparing for this application, and it seems he has done his due diligence in liaising with neighbours and surrounding businesses with great care, trying at every possible opportunity to build community and mutually beneficial business arrangements. He seems to have involved the neighbourhood in the process and openly requested feedback on a personal level. Any question he has been asked online he seems to have answered with courtesy, openness and precision. No woolly or empty promises, simple facts and definite action. From discussions regarding many aspects of The Cats Pyjamas it is clear his diligence and experience has absolutely come to the fore in the planning stage of this business. Such attention to detail and forethought will no doubt help make this business the real success it deserves to be.

Fourthly, motives of objectors.

This is the point that I find most incredulous, and while it sounds abhorrent that a co-ordinated attack on this application could be underway, I do have faith that ELC Licensing have seen this before, and will be experienced enough to spot a duplicitous or co-erced objection when they see one. Of course, genuine held concerns should be addressed, but the kind of behind-the-scenes co-ordination of objectors that seems to be going on, is shocking. To the point where potential neighbours seem to have been doorstepped by complainants and have been changing their opinions to become objectors, under duress.

This side of the Dunbar's 'personality' is one of the only negatives we have experienced in our time here. We have fallen in love with Dunbar but the stuck-in-the-mud attitudes and refusal to accept progress (felt personally as an "interloper" in

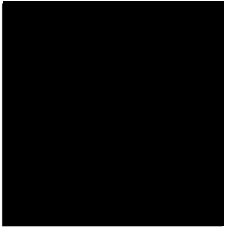
the “new houses”) is disappointing. I’m sure times will change as the town develops and grows, but this kind of old school ‘objections for objections sake’ is a real shame, particularly when I suspect they are ill informed in the first place. The mere fact that his business promises to reinvest 20% of his profits into the local community should be lauded, not blindly objected to. I find this oversight astonishing.

ELC obviously has a duty of care to make decisions based on merit, but also to look at the application from all sides of the argument, as I’m sure there are usually objections to most licensing applications. I sincerely hope that ELC will take good note of Ross’ character, his experience, his diligence and proactive approach to building relationships with customers and neighbours. I also hope it will consider carefully the motives of any objections, and be swift to ignore any co-ordinated effort made to smear the business or character of Mr Hardie.

I’m confident that your experience will guide you through the smoke and mirrors.

If you would like to follow up this email then please don’t hesitate to reply.

Yours faithfully



Ross. Just read your post on Facebook. We live in Belhaven at [REDACTED] [REDACTED] and are very excited about your new venture. It brings something new to Dunbar, and you seem to have thought very carefully about the possible impact on the community. Nothing new can be done without any impact but I believe you have done very well to mitigate this and the benefits to the community, local businesses, employment etc far outweigh any minor challenges. I wish you all the best and look forward to coming once you are open. [REDACTED]

Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 18:11
To: Licensing; Ross Hardie
Subject: Licensing application for The Cats Pyjamas, Dunbar

Good evening,

I am writing in full support for the permanent license application for The Cats Pyjamas, Dunbar. I am a 40 year old lady who has been born and raised in Dunbar and I am very excited to have somewhere upmarket to go in the town.

This is a badly needed establishment within a local, thriving, growing town. Due to the type of establishment being created it will draw a demographic of the over 35 age group which I fall into. There are few nice places in Dunbar that a lady could feel comfortable frequenting on her own but The Cats Pyjamas is somewhere I feel as a 40 year old lady that I could do that very thing. This establishment will not cause raucous, anti social behaviour, it will serve a section of the community which is extremely considerate to the wider community. The business in itself will be available for free use by local charities and will also provide a percentage of the profits to The Ridge and the RNLI which are both creditworthy local charities.

I have also known the owner Ross, for some 30 plus years and with his wealth of experience within events management and hospitality amongst other things I am confident that he will ensure this to be a place people can enjoy and feel safe while protecting his relationship with the neighbours.

I am also lead to believe that there is a one man vendetta against this establishment. I hope that East Lothian Council licensing department can see this for what it is and discount any viscious, unfounded objections. If this vendetta is allowed to discredit and disrupt the hard work that has been done it will be such a shame, more over it will be disasterous for Dunbar and the cosmopolitan future of the town.

This venture will encourage people to spend their money in the town, in other local establishments and will also provide employment which is badly needed. It is good for the local economy also.

I would urge you to approve a permanent license for The Cats Pyjamas and give a local entrepreneur his dream come true.

Kind regards,

[REDACTED]

Sent from Sky Yahoo Mail for iPhone

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Occasional(s)	Applicant	Date Received	Comments
6(ii) 4 BREWERY LANE BELHAVEN DUNBAR EAST LOTHIAN EH42 1PD	ROSS JAMES HARDIE	1 November 2019	Start date of event: 30/11/2019 End Date of Event: 01/12/2019 Operate A "speak Easy" Style Bar Leading Up To A Full Alcohol Premises Licence. Expected Number Of Persons Attending Up To 100 Over The Duration (i.e Not All At One Time). Children and young persons will not be permitted entry to the function.
6(iii) 4 BREWERY LANE BELHAVEN DUNBAR EAST LOTHIAN EH42 1PD	ROSS JAMES HARDIE	12 November 2019	Start date of event: 12/12/2019 End Date of Event: 15/12/2019 Operate A 'speakeasy' Style Bar Leading Up To A Full Alcohol Premises Licence. Children and young persons will not be permitted entry to the function.

E.L.C.
Customer Services
- 1 NOV 2019
RECEIVED

OCC593/19
Adv 8/11

Occasional Licence and Supplementary Information Form
EAST LOTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	FL1625
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)			
Surname	HARDIE		
Forenames	ROSS JAMES		
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post town	[REDACTED]	Post code	[REDACTED]
TELEPHONE NUMBERS			

Daytime	[REDACTED]
Evening	
Mobile	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	
[REDACTED]	
3. THE PREMISES	
Description of premises 2 STOREY OFFICE / COMMERCIAL PROPERTY, DETACHED, WITH 4 ROOMS AND 2 x WC	
Description of activities to be carried on in the premises – (including number of persons expected to attend)	
OPERATE A 'SPEAKEASY' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE. EXPECTED NUMBER OF PERSONS ATTENDING: UP TO 100 OVER THE DURATION (I.E. NOT ALL AT ONE TIME)	
Full postal address of premises which this application refers to	
4 BREWERY LANE BELHAVEN DUNBAR EH42 1PD	


4. DURATION OF LICENCE
From: 30/11/2014
To: 01/12/2014

5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate	
Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises

16:00 - 01:00	N/A
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises	
12:00 - 16:00 - SET UP.	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry	Times at which children or young persons permitted entry
Parts of premises to which children or young persons permitted entry	

7. CHECKLIST	
I have - Please tick for yes	
<ul style="list-style-type: none"> Made or enclosed payment of the fee for the application 	✓

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE 	DATE 31/10/2019

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: –

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 1998

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>(a) OPERATE A 'SPEAKERS' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE</p> <p>(b) RECORDED MUSIC</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>100 OVER THE DURATION (I.E. NOT AT ONE TIME)</p> <p>BASED ON INVITATIONS</p> <p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input checked="" type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p> <p>PRIVATE INVITATION</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) 2</p> <p>(b) 2 x VOLUNTEERS</p>
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>(c) ATTACHED</p>
<p><u>5. Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	<p>N/A</p>

6. Will alternatives to glass receptacles be provided?	No
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	AS A MINIMUM, TO THE CITY & GUILDS WORKBOOK FOR STAFF OF LICENCED PREMISES, TO COMPLY WITH THE 2 HOUR MINIMUM TRAINING REQUIRED BY THE LICENSING (SCOTLAND) ACT 2005

LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

8. How will you prevent Crime and Disorder at the event?	<ul style="list-style-type: none"> - VOLUNTEER STEWARDS. - AWARENESS OF INTOXICATION LEVELS AND REFUSE TO SERVE TO INTOXICATED PERSONS. - DISPLAY OF UNDER 18'S NOTICE AND CHALLENGE ST AT P.O.S AND ENTRANCE. - REGULAR 'SWEEPS' OF ALL AREAS INC W.C.S. - INVITED GUESTS ONLY. - PRICE OF ALCOHOL ABOVE MANDATORY LEVELS - DENYING ACCESS TO ANYONE INTOXICATED
9. How will you secure Public Safety at the event?	<ul style="list-style-type: none"> - ENGAGE WITH FIRE BRIGADE RE (CAPACITY AND FIRE + SAFETY COMPLIANCE). - ENSURE NOISE LEVELS ARE AT OR BELOW NUISANCE LEVELS. - NOTICE IN W.C.S RE. TAXIS WITH TAXI NUMBERS AND CARDS. - ADEQUATE ILLUMINATION ASSESSMENT - FIRE EXITS UNBLOCKED AND EMERGENCY LIGHTING OPERATIONAL. FIRE DOORS CLEARLY MARKED
10. How will you prevent Public Nuisance at the event?	<ul style="list-style-type: none"> - SIGNAGE AT EXIT RE (CONSIDERATE TO NEIGHBOURS) - NOISE AT OR BELOW NUISANCE LEVELS - VOLUNTEER STEWARDS TO ENSURE GUESTS EXIT IN ORDERLY AND CONSIDERATE MANNER.


<p>11. How will you promote and protect Public Health at the Event?</p>	<ul style="list-style-type: none"> - RESPONSIBLE DRINKING SIGNAGE - PROMOTE LOW ALCOHOL AND ALCOHOL-FREE DRINKS - DISPLAY OF UNITS OF ALCOHOL SIGNAGE - POSSIBLE SIGNAGE INCLUDES RE EFFECTS OF ALCOHOL AND EXCESSIVE DRINKING - ENSURE STAFF ARE FULLY AWARE OF HOW TO SPOT INTOXICATION AND TO REFUSE TO SERVE SOMEONE DEMONSTRABLY INTOXICATED
<p>12. How will you protect Children from Harm at the Event?</p>	<p style="text-align: center;">N/A</p>

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

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	31/10/2019
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DOWN STAIRS
ROOM 1

CUPBOARD

STANDING
AREA

WC
WEST HAND BASIN
WC
BOWL

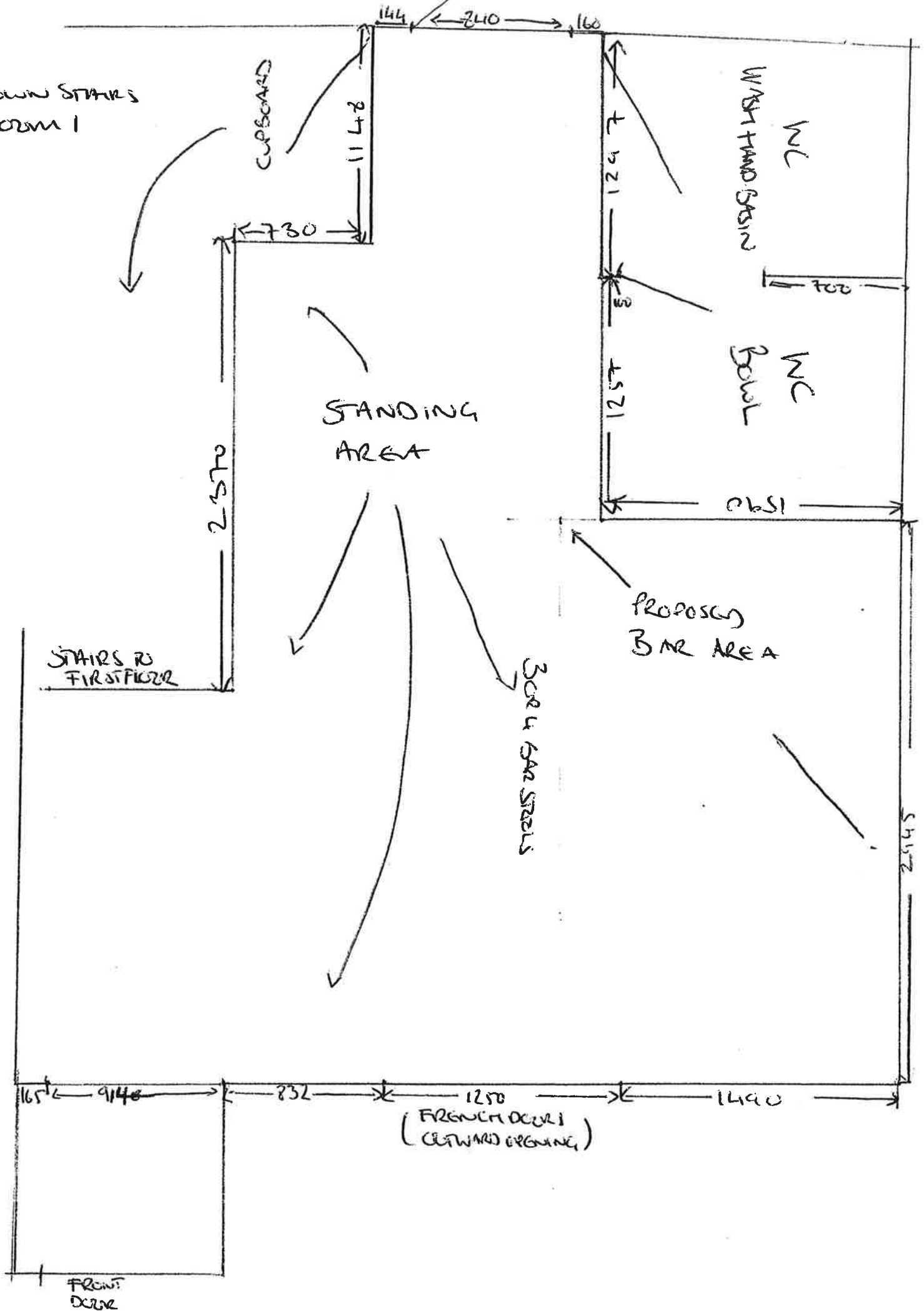
PROPOSED
BAR AREA

3 OR 4 BAR SEAT

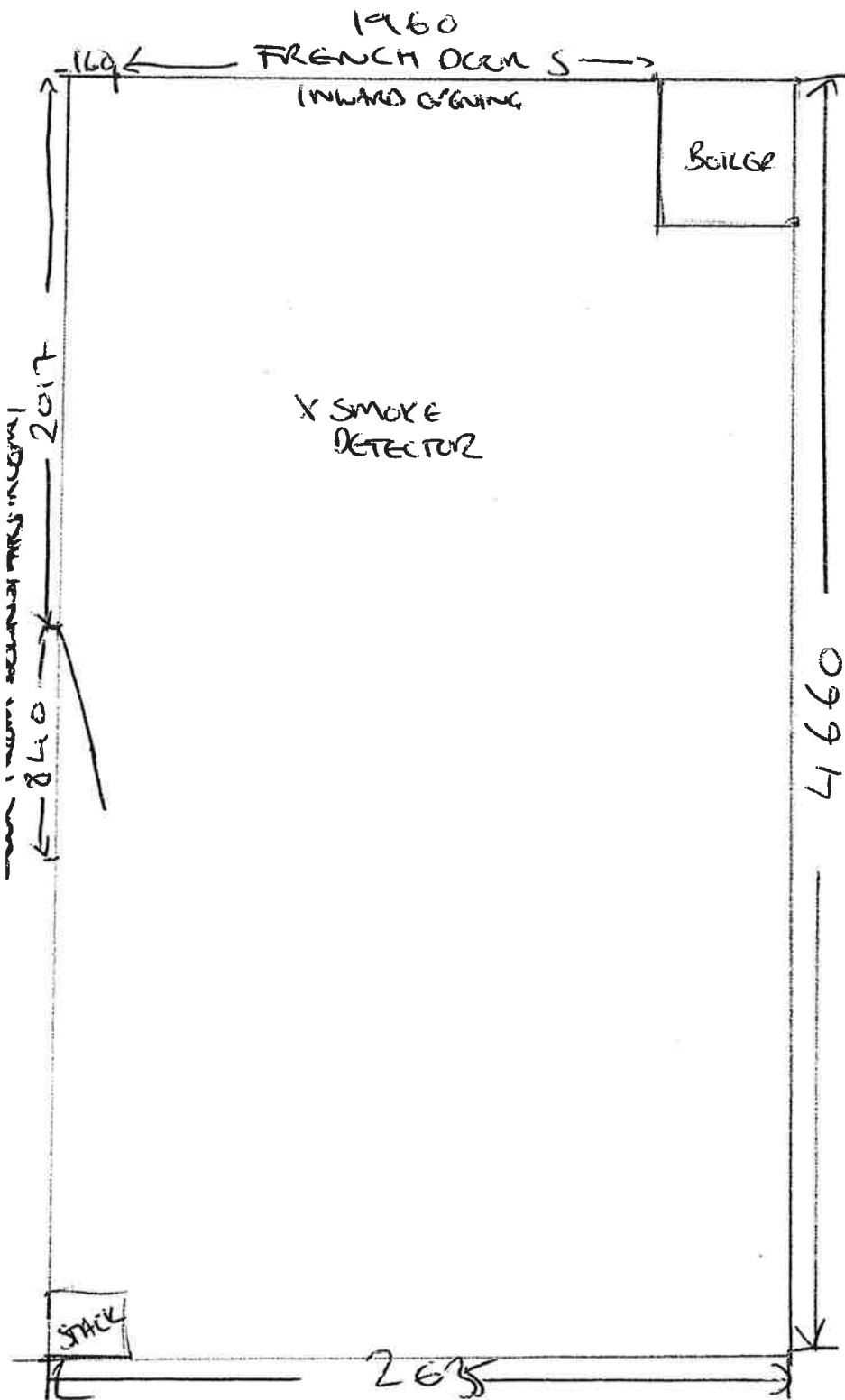
STAIRS TO
FIRST FLOOR

FRENCH DOOR
(OUTWARD OPENING)

FRONT
DOOR



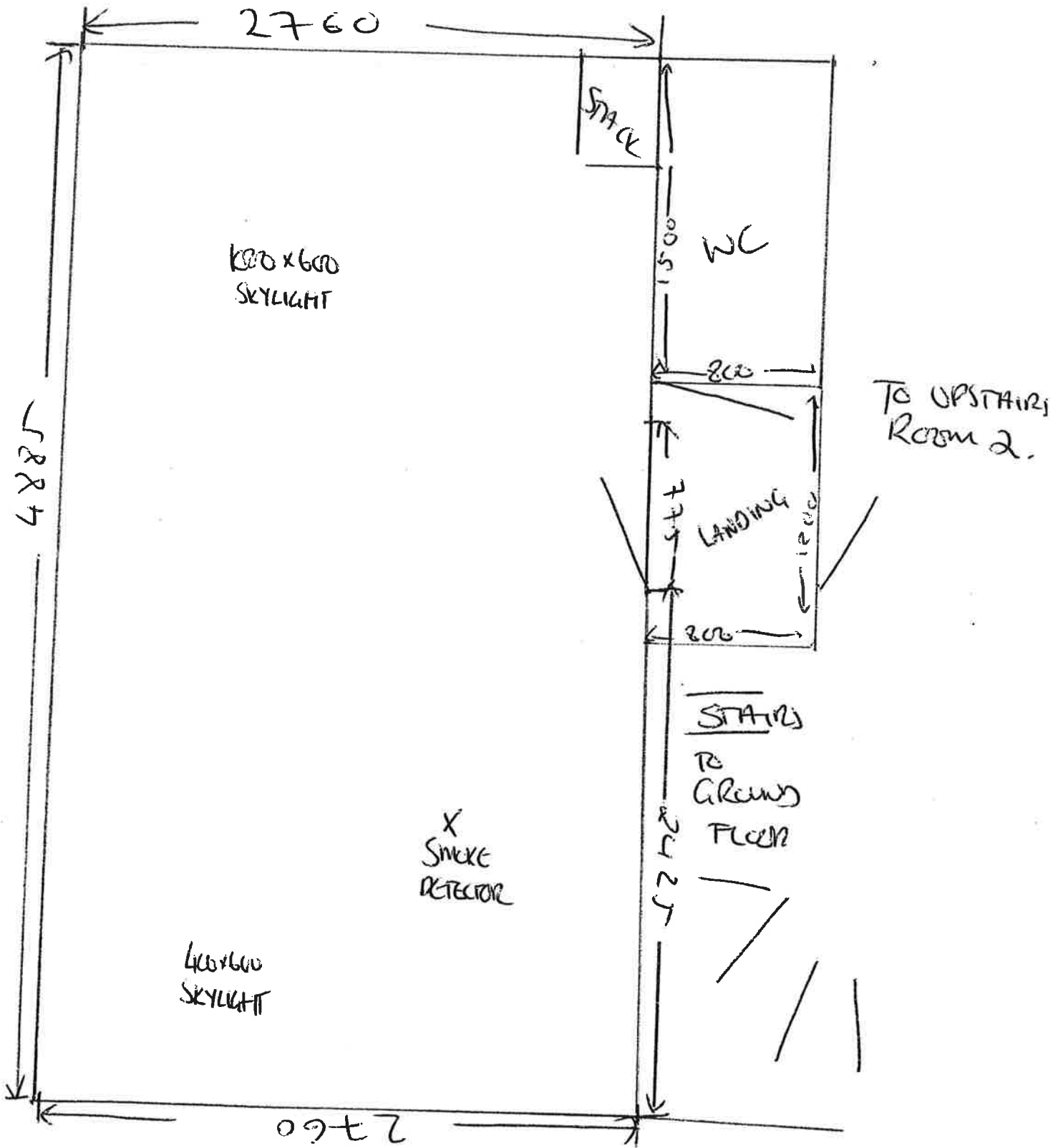
DOWN STAIRS ROOM 2



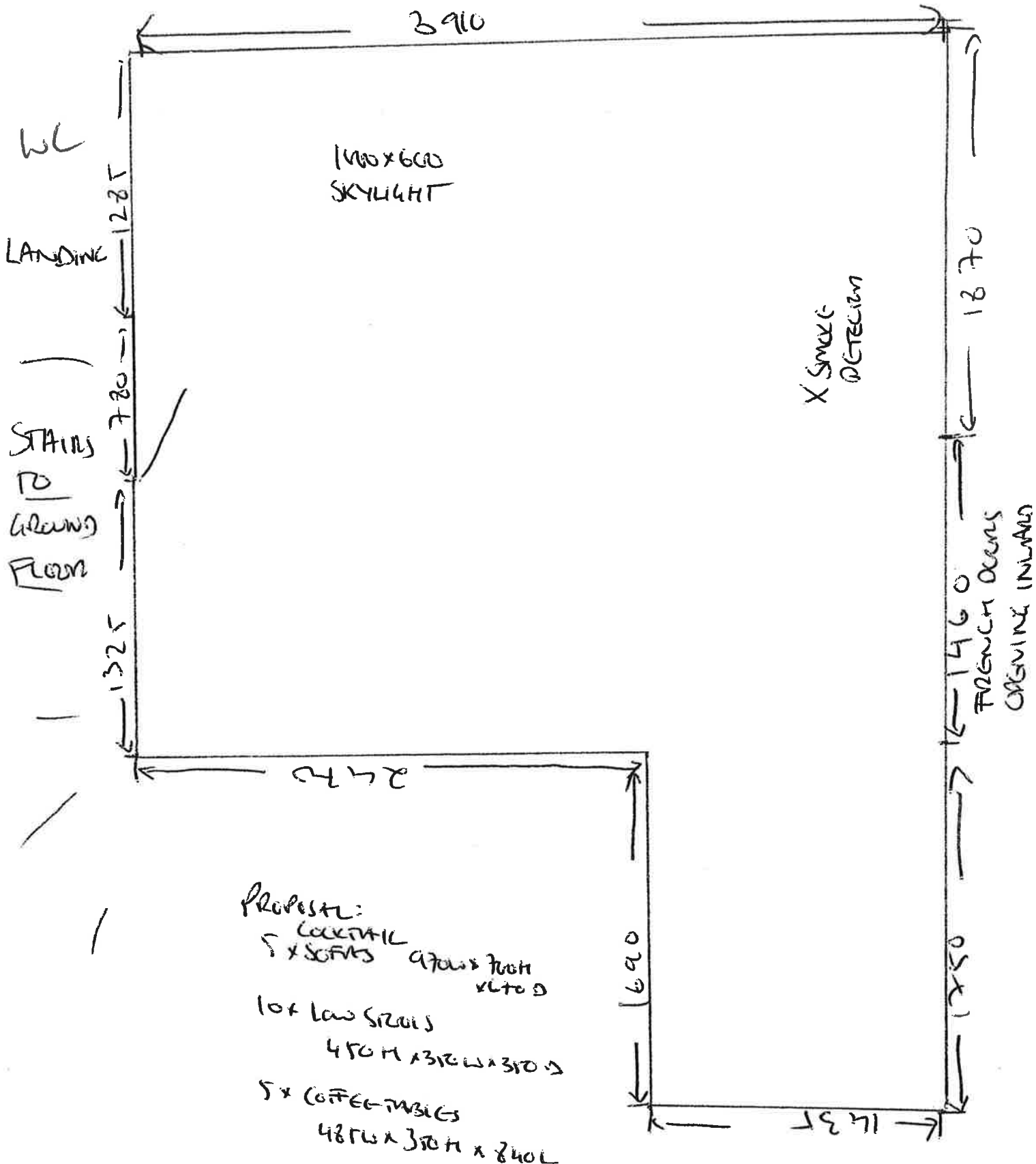
PROPOSAL:

- 4 X COCKTAIL SOFAS
970W x 720H x 670D
- 4 X CHAIRS
510W x 720H x 570D
- 3 X COFFEE TABLES
612W x 370H x 240L

UPSTAIRS Room 1



- PROPOSAL:
- 2 * COCKTAIL SEAT 970W x 700H x 670 D
 - 8 * BAR STOOL 710H x 470W x 470 D
 - 2 * COFFEE TABLE 485W x 310H x 240L



Herkes, Gillian

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 November 2019 13:52
To: Herkes, Gillian
Cc: Fruzynski, Rudi
Subject: RE: Attached Image OCC592/19 [OFFICIAL]

OFFICIAL

Gillian

no issues other than I would request that the Sunday (8th Dec) terminal hour be reduced to midnight as per board policy hours

cheers

**PC 3705J Heather Bowsher
Divisional Licensing Officer**

**Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE**

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk
Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk
Website / Làrach-lìn: www.scotland.police.uk
Twitter: @policescotland
Facebook: www.facebook.com/policescotland

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]
Sent: 01 November 2019 12:07
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: FW: Attached Image OCC592/19

Hi

Occasional licence from Ross Hardie for Speak Easy Bar at 4 Brewery Lane, Dunbar for report

Gillian

From: "Herkes, Gillian" <gherkes@eastlothian.gov.uk>
Sent: 01 November 2019 11:58
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

Herkes, Gillian

From: Licensing
Sent: 07 November 2019 14:04
To: Herkes, Gillian
Subject: FW: Attached Image [OFFICIAL]
Attachments: LILAC_QXM04806_2253_001.pdf

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 November 2019 13:55
To: Licensing <licensing@eastlothian.gov.uk>
Subject: FW: Attached Image [OFFICIAL]

OFFICIAL

Gillian

same again for this one please, Sunday finish at midnight

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk
Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk
Website / Làrach-lìn: www.scotland.police.uk
Twitter: @policescotland
Facebook: www.facebook.com/policescotland

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]
Sent: 07 November 2019 10:52
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: FW: Attached Image

OCC593/19

Occasional from Ross Hardie for 30th November to 1st December, 2019 for report.

EAST LoTHIAN COUNCIL

PEOPLE AND GOVERNANCE

From: Rudi Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 19 Nov. 2019

Subject: LICENSING SCOTLAND ACT 2005
OCCASIONAL LICENCE APPLICATIONS 592 & 592/19

The Cat's Pyjamas, 4 Brewery Lane, Belhaven, Dunbar, East Lothian EH42 1PD

I refer to the above subject and can confirm that the applicant has fully liaised with the LSO in relation to this application.

The above premises are located in a side street, off the main A1087, Belhaven High Street, Dunbar and are situated at the junction of Brewery Lane with South Street.

The ground floor comprises a small hallway with recessed area, which will be the location for the small bar servery. There is also 2 toilets in one corner of the hall. Off this area are 2 sitting rooms where patrons can sit and watch a film and have a drink.

Upstairs comprises a toilet and two sitting rooms where customers can sit and enjoy their drinks.

The premises are compact and the capacity is likely to accommodate up to 40 persons at a time.

It is proposed that background jazz style music will be provided, which will be loud enough to create a cool relaxing atmosphere, but not be such that it would be an intrusive nuisance to nearby properties.

Mr Ross has been provided with the necessary signage for the sale and supply of alcohol to the public. He has also been given guidance on prevention of noise nuisance, supervision of smokers and introduction of a dispersal plan.

Mr Ross is a Personal Licence holder and is fully aware of obligations of the Challenge 25 policy.

I have included pictures of the exterior of the premises and a location plan with this report for the information of Board members.

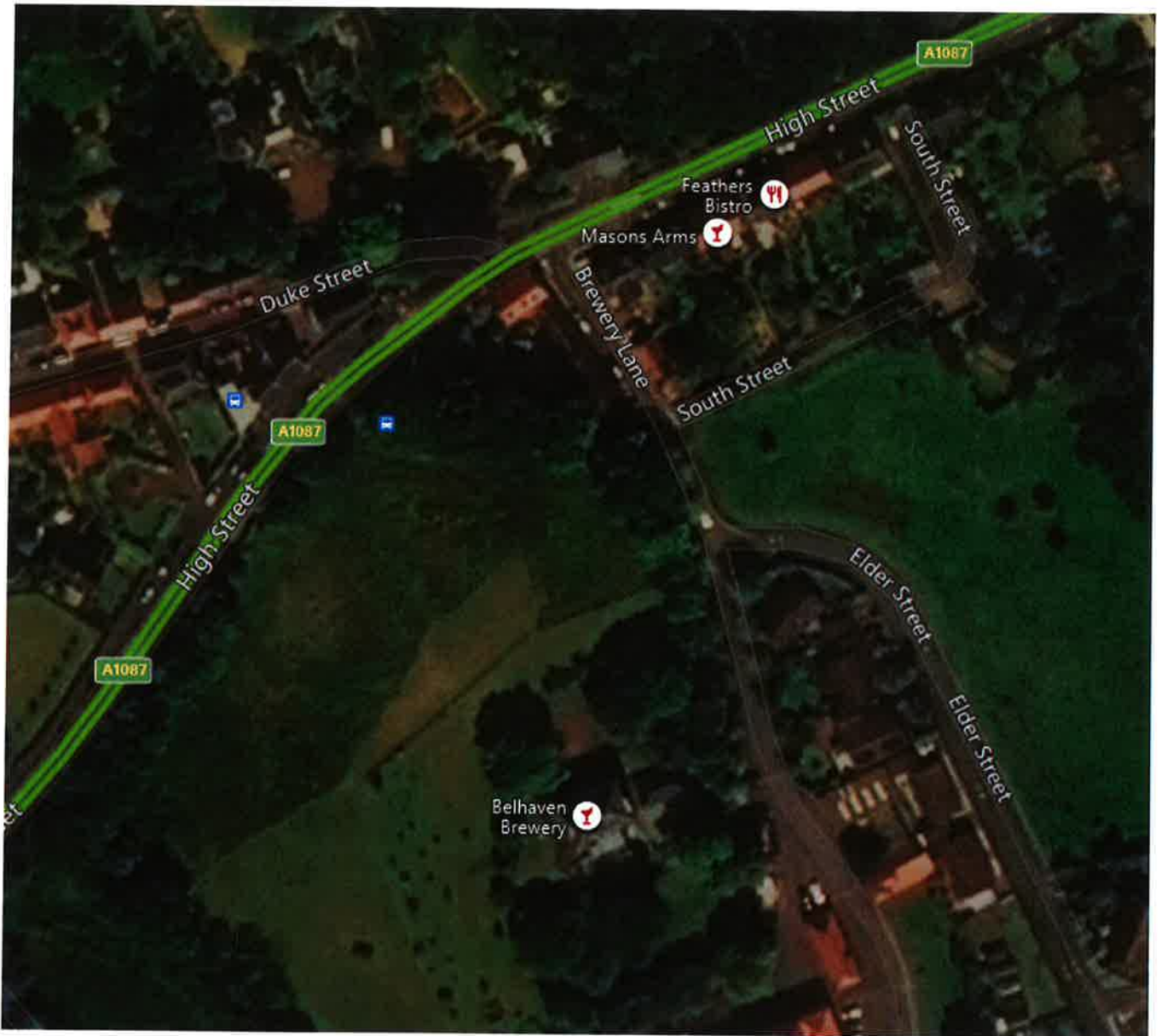
An alcohol licence can be granted to the applicant, but he must comply with any other conditions and requirements in respect of other legislation.

Parking in the area is at a premium, as it is for the nearby pub. Many customers of licensed premises get dropped off, use the bus or walk due to the stringent restrictions on drink and driving.

The applicant has indicated that if the initial trial period of the Cat's Pyjamas is successful he will apply for a full Premises Licence, in compliance with the Board's policy. Should the temporary Occasional Licences be granted, this will allow the Board and local residents an opportunity to see how the premises will operate before committing to a permanent licence.

R. Fruzynski
Licensing Standards Officer

Location Plan of Cat's Pyjamas





The above picture is of the front entrance to the Cat's Pyjamas at the junction of Brewery Lane with South Street.



Side view of the Cat's Pyjamas.

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to Applications lodged on 8 November in respect of 4 Brewery Lane, Belhaven
Date: 12 November 2019 21:17:57

Dear Sir / Madam

Please note my objection to the above noted application based on the following;

I am a resident of [REDACTED] and often have issues turning into Brewery Lane to access my property and have considerable concerns regarding the potential impact on traffic safety and parking of this application.

Mr James Hardie is applying for a license permitting throughput of between seventy and one hundred people each day which suggests that it is not targeting local patrons only. Hence there will be a need for them to be transported to and from the premises. As noted above the junction between the A1087 and Brewery Lane, with its substandard vertical geometry, obstructed visibility and proximate parking, is not suitable for any increased traffic. It is also notable, that during the working day the brewery traffic includes significant large vehicles which already often find this junction awkward. On this basis, I do not believe that this application is in line with the planning objectives of securing public safety or prevention of public nuisance.

It is not clear from the application, what hours the premises would operate, however by its nature it would appear that it is likely to be open late into the evening and on closing could generate considerable noise which would have a clear detrimental impact on the neighbourhood. Whilst this is well managed locally in the existing public bar, an additional outlet introduces an unacceptable additional potential nuisance.

Finally, it does not appear that adequate consideration has been made to the specific property access. With no formal frontage or footpath this venue is not, in my opinion, suitable to this type of usage. Could the council please assure me that they have inspected the venue and its access prior to making a finding on this application.

I look forward to your response in relation to my objection and trust that the council will ensure the application is thoroughly reviewed prior to any licence being granted.

Yours faithfully,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: OBJECTION; The Cat's Pajamas, 4 Brewery Lane, Dunbar
Date: 12 November 2019 21:46:52

As the residents of [REDACTED] we write to object strongly to the above proposal.

Our grounds for objection are as follows:

1. Noise pollution - This is a quiet area. Occasionally the local pub (Brig and Barrel) has a function when noise becomes an issue, keeping our household awake at night. Equally The Brewery have had functions which caused some complaint from our street due to noise after hours. These after-hours nighttime social noises are not welcome on an occasional basis let alone 4 times a week. We strongly object to this bar on the grounds increase in nighttime noise, disturbing the peace of this quiet area. Not just on an occasional basis, but proposed several times a week. This IS NOT WANTED in any form.
2. Parking availability - Where are the visitors to this venue meant to park? There are no spare parking bays along these streets. Pressure on the existing ones would cause significant issues to residents and their visitors.
3. Increased traffic on an already dangerous junction (Brewery Lane and A1087) - Pulling out from Brewery Lane onto the A1087 is dangerous. The visibility is poor. My son has had 2 incidents recently coming down from Dunbar and turning into Brewery Lane whilst cycling. Once he was thrown off his bike by a bus that was way too close to him and didn't slow down. Another time by a driver who nearly drove into him coming out from Brewery lane because they didn't see him coming down the hill due to the cars parked blocking visibility. These are just 2 recent incidents but I have witnessed many in the 12 years I have lived in this part of Dunbar. Increasing the traffic on this junction just seems foolhardy and a likely big accident waiting to happen.

This club would be unwelcome on all these grounds and we strongly object to any proposal for any increase in nighttime social venues in this district.

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Occasional licence application OBJECTION
Date: 13 November 2019 11:16:19

Reference

Occasional Licence Application 4 Brewery Lane Belhaven Start date 5.12.19

and

Occasional Licence Application 4 Brewery Lane Belhaven Start date 30.11.19

I consider that both of these applications are inappropriate, it appears that the applicant is using the occasional application as a short cut and trial opening prior to applying for a premises licence and change of use for the premises. I understand that the intention is to open a Speakeasy bar selling alcohol and serving food, the number of potential attendees is noted as being between 70 to 100

Below are my reasons for objecting to this licence.....

The building is within the Conservation area and its current use is as an office, a planning application should be submitted for change of use – Bad Neighbour development

The premises are very small , approx. 90m2 over 2 floors including toilets, kitchen and staircase. Not appropriate for the number of customers. I also suspect that the toilet/wash up/ food prep/ fire prevention is inadequate for this use

The location is very close to houses that will be affected by noise from the premises, additional traffic and by people accessing and leaving the building.

The building is very close to the road and close to the dangerous junction Brewery Lane to Belhaven High Street A1087

There are no parking facilities and the on street parking is already inadequate and under pressure for residents and customers of the recently re-opened Masons Arms (Brig and Barrell)

The location and premises are completely unsuitable for this use and I strongly object to the occasional licence being issued and would urge the licencing board to encourage the applicant to gain the proper consents for this venture.

Please acknowledge receipt of this e mail

Thanks [REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Re: 4, Brewery Lane, Dunbar, EH42 1PD
Date: 13 November 2019 12:47:53

Dear Sir/ Madam

Re: Licensing Application for 'Speakeasy' bar on Brewery Lane, Belhaven

Further to my email earlier today I would like to attach photographs which I have taken in the last few minutes which show just how dangerous this location is and why it would not be suitable for licenced premises. The photo shows a very long, double trailer, arctic which is trying to turn down Brewery Lane to make a delivery to the Belhaven Brewery. In the few minutes that the truck was parked here, there were three very near misses as traffic (including a school bus) tried to overtake this blind.

You will appreciate that having people coming out of the proposed premises (without a pavement) when trucks this size routinely (often several per day) try to navigate down Brewery Lane is a recipe for real danger.

Please append this to my earlier objection.

[REDACTED]

The Clerk to the Licensing Board

Dear Sir/Madam,

I would like to object to the Occasional License sought by Mr Ross Hardie for a 'Speak Easy' style bar in the small office building at 4, Brewery Lane, Belhaven.

[REDACTED] I am very concerned about the increase in noise from customers attending this bar, particularly if the applicant intends to open until late. I note his intention to provide entertainment for up to 100 customers, which is a large number for such small premises. Presumably many of these customers would congregate outside, as the building is so small.

I would also like to draw your attention to the potential for endangering public safety, in relation to the very narrow road and poor access to the building. The building is directly at the roadside without a proper car park and borders a lane used to access cottages. Brewery Lane itself has seen several accidents and near misses in recent years and is also used by large brewery lorries. Parking is congested in this area, with many drivers stopping and parking on yellow lines. The junction of Brewery Lane and Belhaven High Street is dangerous, with an obstructed view and a tight turn for vehicles exiting Brewery Lane. The pavement is also narrow and uneven and in some places there is no pavement at all. In view of these disadvantages, a venue attracting up to 100 customers is inappropriate at this location and may constitute a danger to drivers, pedestrians and the neighbours.

I hope you will take these points in consideration,

Yours faithfully,
[REDACTED]





From: [REDACTED]
To: [Licensing](#)
Subject: Objection to proposed occasional license 4. Brewery Lane
Date: 13 November 2019 17:18:29

Dear the clerk to the licensing board,

I am writing in objection to the occasional license advertised on your website on Friday the 8th of November, and to highlight some of the serious issues the new business opening at number 4 Brewery Lane, "The Cat's Pyjamas", would create.

The first issue, and potentially one of the most serious, is parking. Brewery Lane is a narrow road with extremely limited parking, and as such any custom that this new business attracts will either take away parking opportunities from residents, or cause visitors to park dangerously, and potentially illegally. Not only is this congestion going to be dangerous for other road users but also will cause problems for pedestrians, including children who have to pass through Brewery Lane when walking/ cycling to and from school. Furthermore, the junction into Brewery Lane (the A1087/ Brewery Lane junction) unfortunately is a very difficult one, with a tight corner and restricted views. Making this junction any busier will only make an already dangerous junction more dangerous.

Similarly, more vehicles coming into Brewery Lane because of the proposed business will create issues with the Belhaven Brewery lorries. As I've highlighted above, Brewery Lane is a narrow road, used daily by the brewery lorries. Inviting more vehicles onto this road could be potentially dangerous as the lorries are making deliveries. In addition, the business in question will no doubt have lorries delivering to the establishment which has no suitable access for lorry deliveries meaning that the road will be blocked during these times. How then are residents supposed to access their properties or the brewery lorries make deliveries? This clearly does not comply with the licensing objectives of preventing public nuisance and securing public safety.

Next, I would like to raise some concerns regarding the business proposal itself and its future clients. That a jazz, 'speak easy' style bar will be loud there can be no doubt, however, although the music itself is an issue for residents, the business will create noise from more than just its music. Cars/ taxis either dropping off or collecting visitors will add to the noise by sitting with idling engines. People entering the establishment will simply be noisy and may even create more serious issues. The venue is very small, and if oversubscribed are people going to be queueing outside to enter? This in itself will be noisy, but more importantly it will be highly dangerous. The building exits almost directly onto the road which is an obvious cause for concern if people are trying to get in. Similarly, when leaving the building, customers will be exiting directly onto a road with very little pavement space to wait for a taxi/ car/smoke. There simply isn't a safe place to stand outside 4 Brewery Lane and I have to question what this will mean. It could lead to people loitering outside the homes opposite number 4, hanging around by their cars. This is obviously less than ideal for residents, and people exiting onto the road is worryingly dangerous, particularly after a night of cocktails.

Overall, I am very concerned about this business being granted the advertised licence. If granted, it will create some very serious and dangerous problems in Belhaven, and it fails in many ways to meet the licensing objectives outlined on the East Lothian Council website. As such, I strongly object to the proposed licence being granted for the above mentioned reasons. At this time, I would also like to question and seek reassurance from the council regarding

the buildings change of use. I understand that the building currently has planning as an office space only, and would like to be assured that the correct measures are being taken for the buildings radical change of use.

I look forward to your swift reply.

Best Wishes



From: [REDACTED]
To: [Licensing](#)
Subject: Objection to occasional license
Date: 13 November 2019 18:28:09

Dear Sir/Madam

I write to you to raise my objection against the occasional license advertised on the 8th of November at Number 4 Brewery Lane.

As a resident of [REDACTED] which is in very close proximity to the proposed speakeasy style bar, I worry it will create a multitude of issues for not only myself and neighbours but also local businesses too. Another concern is I do not think that the proposed location fully considers the safety of the public nor the bars customers either.

There is no pavement or safe area to get to, or exit the venue. Meaning customers who will be exiting late at night (whilst most likely intoxicated). Will exit straight onto the road creating massive dangers for both drivers and pedestrians. Therefore endangering public safety.

Another issue is the severe lack of parking in this area. Brewery lane is a very narrow road with very limited parking. It is already a very common sight to see cars parked on the double yellow lines. This creates issues for residents and the lorries coming and going from the brewery as well as for other drivers trying to use the road. There is nowhere available for the potential visitors of such an establishment to park and therefore this problem can only be made worse. Thus leading to parking dangerously/illegally. Also during drop offs the unloading of public right in the middle of the road and in unsafe areas again creating dangers.

This goes hand in hand with the worsening of an already dangerous junction between the a1087 and Brewery lane. The restricted views are terrible at this junction and the increase in volume of traffic would create a much higher risk of accidents. Especially if as mentioned people are parking on the double yellows. This also means the lorries and cars need to go in the wrong lane to be able to turn the corner creating further risk.

Next I think that noise pollution is a big problem with the proposed bar. Brewery lane is a quiet residential area and the music from this venue is definitely a concern. So is the noise from its customers, with plans for the venue to be closing as late as 1am. Customers will be exited right into a residential area with the only pavement on the opposite side of the road right alongside peoples houses. The potential for loud customers leaving so late creates big concerns. Alongside this there will be cars and taxis collecting at this times will create both noise and light pollution with engines idling etc.

Also I presume that the area for customers who are smokers will be smoking outside of the front entrance? This creates another opportunity for noise and nuisance for local residents.

Another query I have is regarding the change of use. To my knowledge this building has planning to be an office/garage? Have all things been considered in this venue for it to become a bar? For example safe entry and exits, fire safety?

I look forward to hearing back regarding my objection.

Regards [REDACTED]

From: Licensing
To: Occasional Alcohol License 4 Brewery Lane
Subject: 14 November 2019 07:10:01
Date:

Dear East Lothian Council Licensing Department

We wish to express our objection to the proposed occasional license at 4 Brewery Lane. The grounds for this concern the lack of communication in relation to the proposed 'speak easy'. It would appear that the majority of neighbours who may be affected by this request are unaware of any plans. This is in contrast to social media posts that the proposer is making. Without any reassurances, there is likely to be noise related to the proposal, particularly from people leaving at closing time and from taxi's idling as they wait for people. The road is narrow, as is the pavement for people to leave. Parking is limited and the junction onto the main Belhaven High Street is already hazardous when turning right due to limited view arising from a sharp bend in the road.

As we said, the lack of formal communication to the households that are directly affected by this proposal is of most concern. Without reassurances of measures that would be taken to minimise disruption, it does not give any indication that the proposer has considered the impact on those living around the premises. This does not bode well to the prospect of establishing a positive relationship with the proposer in the longer term.

Regards



Winter, Maree

From: [REDACTED]
Sent: 14 November 2019 17:07
To: Licensing
Cc: [REDACTED]
Subject: Application for a "speak-easy" bar at 4, Brewery Lane, Belhaven, Dunbar , EH42 1PD

I am writing to lodge my objection to the proposed bar at 4, Brewery Lane, Belhaven, Dunbar, EH42 1PD.

My main concerns about the venture arise from the fact that the [REDACTED]
[REDACTED] My address is [REDACTED]
[REDACTED] and I have lived here for over 40 years.

The main points of my concern are:

1. The building is inappropriate for this use. It is small, built on the footprint of a garage and originally as an office. The application estimates numbers attending: what would happen if all these attended, or numbers were exceeded? Would there be "bouncers"? What guarantees of security to person and property are given?
2. There would be noise from the bar, both inside and out, and especially when smokers go outside. There would also be immensely increased traffic from cars, taxis and groups of people in what is a quiet residential area. This would all take place during anti-social hours, the evenings and weekends.
3. Brewery Lane is a narrow road which is difficult to use at the best of times. There is limited parking available even for residents and no convenient space for drop-offs.
4. The junction of Brewery Lane and the Edinburgh Road/High Street is hazardous, being almost a five-way junction with limited sightlines. Increased traffic and pedestrians would be endangered. When the recent (and successful) Belhaven Brewery festival was on, a single event, there were many near misses I witnessed.
5. There is limited toilet facility within the building and I am concerned that the fence [REDACTED] on South Street would be an opportunity for the relief of inconsiderate customers. I know that this has been the case in other premises in the town.
6. [REDACTED] The Brig and Barrel, has a successful and pleasant business, offering similar, if not more, experiences. It is well-managed and always improving. I do not see the need for another of this kind of business in this area.

I hope I have made myself clear and I look forward to hearing from,
Yours Faithfully,

[REDACTED]

Winter, Maree

From: Ross Hardie <[REDACTED]>
Sent: 13 November 2019 13:42
To: Winter, Maree
Subject: Re: Occasional licence applications

Hi Maree,

Per the statutory calculations (square meterage/0.5) we can get comfortably more than 100 however with seating at around 60 plus standing space (counters, poseur tables) I would limit numbers to a maximum of 100 as I want to be able to more easily manage safety and, if required, conduct, not to mention I want the ambience to more relaxed and enjoyable rather than busy, and to ensure that our neighbours aren't inconvenienced. With that being said I envisage maybe 70-80 at any one time to be more likely, with 100 on more only on special occasions such as Christmas Eve or Hogmanay. Most realistic is perhaps 100 or so coming and going of an evening.

I don't know if this is useful but the demographic of our amazing engagement is 78% female and 54% 30-50 years, with 50+ being the next highest. I've alison been testing sound and it can barely be heard outside the front door and cannot be heard by neighbours. Again, this ties in with the objective of creating a nice ambience and something which everyone, including our neighbours, can enjoy, in essence building a community of nice, sensible, considerate, sophisticated like-minded people.

If there's anything else I can help with I'll do whatever I can.

Have a lovely day.

Best wishes,

Ross

On Wed, 13 Nov 2019 at 13:26, Winter, Maree <mwinter@eastlothian.gov.uk> wrote:

Hi,

I refer to your applications for a Speak easy type events. Could you please advise what the maximum numbers of persons can be admitted at the one time.

Regards

Maree

Maree Winter

Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:45
To: Licensing
Subject: Fwd: Licensing board support: The Cat's Pyjamas

Hello,

Please see the email below in relation to the application for an occasional licence for The Cat's Pyjamas at Ocean House, 4 Brewery Lane, Dunbar, EH42 1PD.

More will follow over the coming days.

Best wishes,

Ross Hardie

----- Forwarded message -----

From: 
Date: Fri, 15 Nov 2019 at 13:06
Subject: Licensing board support
To: ross@thecatspyjamasdunbar.com <ross@thecatspyjamasdunbar.com>

Hi Ross,

I've been following the cats pyjamas on social media and read your note last night and I just wanted to drop you a wee email of support!

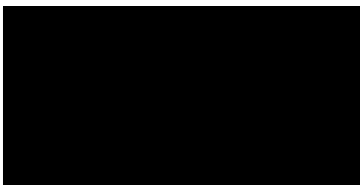
I fit your 30-40 year old female demographic and cannot wait for a decent bar to open in Dunbar! We moved here 6 years ago to raise our young family and love the town but we've been saying for years that the amenities could do with moving with the times in line with the growing and changing demographic.

Recent developments such as the station yard, the rocks & brig and barrel are great but if I have managed to earn a well earned babysitter for the night, I still tend to head up to Edinburgh to go to the very sort of establishment you are talking about opening (Lady Libetine/ Panda and Sons/ the Jazz Bar to name a few). If you were able to replicate the quality music, drinks and atmosphere found in these sorts of venues in Cats Pyjamas I would love to spend and stay local!

With regards to noise concerns - doesn't the Brig and Barrel beer garden back onto the same street? I would have thought that has more of a noise impact than the comings and goings from your bar.

I wish you all the best in your new venture and cannot wait to get the local mums together for a well earned Christmas night out! I really hope the licensing board see sense and support this venture, the town needs more of a draw to keep its newly developing population spending locally.

Kind regard



Get Outlook for iOS

--

ROSS HARDIE

OWNER

THE CAT'S PYJAMAS

07932 732 299

WWW.THECATSPYJAMASDUNBAR.COM

FACEBOOK: @THECATSPYJAMASDUNBAR

INSTAGRAM: @THE_CATS_PYJAMAS_DUNBAR

COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:46
To: Licensing
Subject: Fwd: Licensing Board Support: The Cat's Pyjamas

FYA

Best,

Ross Hardie

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 09:21
Subject: Fwd: Licensing Board Support
To: <ross@thecatspyjamasdunbar.com>

> Morning,

>

> Hope this helps,

>

>

> To Whom it may Concern

>

> [REDACTED] The Cat's Pyjamas (hereinafter known as TCP), Brewery Lane, Dunbar. I write to show our support in the venture of this speakeasy due to open in the coming weeks. I drive past here every day and am well aware of the narrow street, but if the volume of traffic is allowed for the Brewery isn't an issue, then there should be little or no concern for TCP. I fully support the new venture, and I'm confident there will be few disruptions to our day to day living. We have been kept up to date on Social Media of the progress and intentions of the venture and Ross has been very upfront with everyone during the renovation process. We have been assured there will be sufficient bins for littering and smokers and hopefully this will be carefully monitored and enforced on-site during the first few months of opening. He seems to be working well within the community, using other local business and intends to do so in the future. We wish him every luck in TCP, and look forward to seeing all his hard work in the near future.

>

> Yours faithfully

>

[REDACTED]

> Sent from my iPhone

--

ROSS HARDIE
OWNER
THE CAT'S PYJAMAS
07932 732 299

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:47
To: Licensing
Subject: Fwd: Licensing support: The Cat's Pyjamas

FYA

Best,

Ross

----- Forwarded message -----

From: Sarah Dempster <sarahjdempster@gmail.com>
Date: Fri, 15 Nov 2019 at 08:02
Subject: Licensing support
To: <ross@thecatspyjamasdunbar.com>

Hi Ross

I saw your post about your licence on Facebook. I don't think we've met but I just thought I'd send you a wee message to say I'm looking forward to you opening and hope that all goes well with the licensing board. The Cats Pyjamas looks like the kind of venue Dunbar really needs. I rarely go out and am not much of a drinker but when I do go out I usually go into Edinburgh. It will be amazing to have somewhere in walking distance that I actually want to go to. The reason why I'm emailing, and I don't know if it's relevant, is that I live in [REDACTED] West Barns Inn. I had major issues with noise from there when they brought in large functions (especially 18th birthdays) and when people used to sing karaoke with the back doors open. But there was never ever any problem with noise on a normal weekend night. Hope this helps.

Best wishes

[REDACTED]
Sent from my iPhone

--
ROSS HARDIE
OWNER

THE CAT'S PYJAMAS
07932 732 299

WWW.THECATSPYJAMASDUNBAR.COM

FACEBOOK: @THECATSPYJAMASDUNBAR

INSTAGRAM: @THE_CATS_PYJAMAS_DUNBAR

COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:48
To: Licensing
Subject: Fwd: Neighbour: The Cat's Pyjamas

FYA

Best,

Ross

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 05:56
Subject: Neighbour
To: <ross@thecatspyjamasdunbar.com>

Good Morning,

I live just along the road from what will be the new speakeasy Cats Pyjamas. I'm at [REDACTED] which is only a short minutes walk.

I'm really looking forward to the bar opening and having something a little special at our end of the town.

Not only that it is amazing to watch the progress on their social media platforms and just how passionate the owners are to ensure not only a great bar experience but how focused they are on

1. Ensuring neighbours are kept informed and up to date on what is happening and in courage people with any concerns they may have to drop them a message or get in touch
2. That they are aware of the area and that there are neighbours near by but are determinate to do all they can to absolutely minimise this so as to not affect 'their' neighbours
3. The absolute determination to bring business and people to our lovely little town (which will only benefit all)
4. It's more opportunity for employment in the town. Another massive plus in my eyes. As Dunbar grows with all the new houses etc it really is important that their are jobs available.

I really am excited to see what this new venture brings and can't wait for doors to be open and have a lovely little bar to go with friends have a good chat and catch up and enjoy what I believe will be with great atmosphere .

[REDACTED]

--
ROSS HARDIE
OWNER
THE CAT'S PYJAMAS

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 20:55
To: Licensing
Subject: Fwd: The cats pyjamas

FYA

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 19:55
Subject: The cats pyjamas
To: ross@thecatspyjamasdunbar.com <ross@thecatspyjamasdunbar.com>

Hi Ross,

I believe The Cats Pyjamas is a great new venture for you and I believe that Dunbar needs a place like this!

As you said at the start, this is a speak easy, a place for the people of Dunbar, a place to attract new clients, new and more visitors to Dunbar, to see our amazing town!

I've followed your journey from the start and saw the positives in you and how much you want this. People of Dunbar want this, they wouldn't have pledged if they didn't!

Let The Cats Pyjamas be the talk of the town for all the great reasons it should be!

I hope this email finds you well with enough reason to forward on to the right people to make this happen!

Best regards,

[REDACTED]

Get [Outlook for iOS](#)

--
ROSS HARDIE
OWNER
THE CAT'S PYJAMAS
07932 732 299
WWW.THECATSPYJAMASDUNBAR.COM
FACEBOOK: @THECATSPYJAMASDUNBAR
INSTAGRAM: @THE_CATS_PYJAMAS_DUNBAR
COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 21:16
To: Licensing
Subject: The Cat's Pyjamas

I am writing in connection to the above proposed license request. I write to give my wholehearted support for this establishment. I have lived in the area my whole life, a big chunk in Dunbar and surrounding areas. My husband and I are awaiting our new house being ready in a couple of weeks and we will literally be [REDACTED] the existing Brig and Barrell and now the hopeful Cat's Pyjamas. We are very excited about this prospect and for years have talked about the lack of decent, welcoming restaurants and bars in Dunbar. Dunbar is absolutely thriving, the population has grown massively. This rise in population desperately needs new social spaces to enjoy and meet with other local people. The train journey is a short one to Edinburgh, let's try and keep this trade in Dunbar by offering the locals what they need and want. I went to school with Ross Hardie. His grit, determination and enthusiasm is inspiring, I cannot think why anyone would want to dampen this.

Kind regards

[REDACTED]

Sent from my iPhone

Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 23:24
To: Licensing
Cc: ross@thecatspyjamasdunbar.com
Subject: License Application for "The Cats Pyjamas Speakeasy" Brewery Lane, Dunbar EH42 - Ross Hardie

RE: License Application for "The Cats Pyjamas Speakeasy" Brewery Lane, Dunbar EH42 - Ross Hardie

Dear Sir

I am writing to place my support wholeheartedly behind this license application and while doing so think it would be pertinent to raise a number of points regarding this application, points which may not necessarily be part of any legal application but are important general comments nonetheless, and I do hope you will do me the courtesy of making note of them.

Firstly, I would imagine there are indeed many factors taken into account when looking at licensing, one of those must certainly be the character and good standing of the individual applicant themselves.

I've only known Ross Hardie for 2 years since we moved to Dunbar. In that time I have seen how Ross has not only played a central role in creating a genuine and close community in the Newtonlees Housing development (no mean feat) but he is a keystone within it. His passion for community is clear. He is genuinely altruistic in his wishes for people to build friendships and forge a positive outlook in the group, he's well-known and well-liked, and even after only 2 years of living in Dunbar I can trust him far more than many people I knew in the previous estates I have lived in Edinburgh over the past 25 years. If the character of an applicant are even remotely important in this process, then have no doubts that Ross would be a well deserving and successful licensee.

Secondly, experience. Ross does indeed have an extraordinary wealth of experience in the Events Industry, and I'm sure he would gladly share details of that with you if you felt it relevant. Running a new bar venture like this needs a safe and steady pair of hands, resilience and the ability to adapt to any situation, and that is all made easier with his complimentary events industry experience. He also has the passion and experience to turn a currently empty unit into a vibrant and interesting business, surely this approach should be welcomed warmly by ELC?

Thirdly, planning and approach.

Ross is, without a doubt, absolutely meticulous in his planning, and just as importantly he is ever considerate of the people around him, another aspect that I have seen on a personal basis over the past 2 years. I have seen his public posts on the matter of preparing for this application, and it seems he has done his due diligence in liaising with neighbours and surrounding businesses with great care, trying at every possible opportunity to build community and mutually beneficial business arrangements. He seems to have involved the neighbourhood in the process and openly requested feedback on a personal level. Any question he has been asked online he seems to have answered with courtesy, openness and precision. No woolly or empty promises, simple facts and definite action. From discussions regarding many aspects of The Cats Pyjamas it is clear his diligence and experience has absolutely come to the fore in the planning stage of this business. Such attention to detail and forethought will no doubt help make this business the real success it deserves to be.

Fourthly, motives of objectors.

This is the point that I find most incredulous, and while it sounds abhorrent that a co-ordinated attack on this application could be underway, I do have faith that ELC Licensing have seen this before, and will be experienced enough to spot a duplicitous or co-erced objection when they see one. Of course, genuine held concerns should be addressed, but the kind of behind-the-scenes co-ordination of objectors that seems to be going on, is shocking. To the point where potential neighbours seem to have been doorstepped by complainants and have been changing their opinions to become objectors, under duress.

This side of the Dunbar's 'personality' is one of the only negatives we have experienced in our time here. We have fallen in love with Dunbar but the stuck-in-the-mud attitudes and refusal to accept progress (felt personally as an "interloper" in

the “new houses”) is disappointing. I’m sure times will change as the town develops and grows, but this kind of old school 'objections for objections sake' is a real shame, particularly when I suspect they are ill informed in the first place. The mere fact that his business promises to reinvest 20% of his profits into the local community should be lauded, not blindly objected to. I find this oversight astonishing.

ELC obviously has a duty of care to make decisions based on merit, but also to look at the application from all sides of the argument, as I’m sure there are usually objections to most licensing applications. I sincerely hope that ELC will take good note of Ross’ character, his experience, his diligence and proactive approach to building relationships with customers and neighbours. I also hope it will consider carefully the motives of any objections, and be swift to ignore any co-ordinated effort made to smear the business or character of Mr Hardie.

I’m confident that your experience will guide you through the smoke and mirrors.

If you would like to follow up this email then please don’t hesitate to reply.

Yours faithfully



Ross. Just read your post on Facebook. We live in [REDACTED]
[REDACTED]
[REDACTED] and are very excited about your new venture. It brings something new to Dunbar, and you seem to have thought very carefully about the possible impact on the community. Nothing new can be done without any impact but I believe you have done very well to mitigate this and the benefits to the community, local businesses, employment etc far outweigh any minor challenges. I wish you all the best and look forward to coming once you are open. [REDACTED]

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 23:30
To: Licensing
Subject: The Cat's Pyjamas Dunbar

FYA

Best,

Ross

Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 18:11
To: Licensing; Ross Hardie
Subject: Licensing application for The Cats Pyjamas, Dunbar

Good evening,

I am writing in full support for the permanent license application for The Cats Pyjamas, Dunbar. I am a 40 year old lady who has been born and raised in Dunbar and I am very excited to have somewhere upmarket to go in the town.

This is a badly needed establishment within a local, thriving, growing town. Due to the type of establishment being created it will draw a demographic of the over 35 age group which I fall into. There are few nice places in Dunbar that a lady could feel comfortable frequenting on her own but The Cats Pyjamas is somewhere I feel as a 40 year old lady that I could do that very thing. This establishment will not cause raucous, anti social behaviour, it will serve a section of the community which is extremely considerate to the wider community. The business in itself will be available for free use by local charities and will also provide a percentage of the profits to The Ridge and the RNLI which are both creditworthy local charities.

I have also known the owner Ross, for some 30 plus years and with his wealth of experience within events management and hospitality amongst other things I am confident that he will ensure this to be a place people can enjoy and feel safe while protecting his relationship with the neighbours.

I am also lead to believe that there is a one man vendetta against this establishment. I hope that East Lothian Council licensing department can see this for what it is and discount any vicious, unfounded objections. If this vendetta is allowed to discredit and disrupt the hard work that has been done it will be such a shame, more over it will be disasterous for Dunbar and the cosmopolitan future of the town.

This venture will encourage people to spend their money in the town, in other local establishments and will also provide employment which is badly needed. It is good for the local economy also.

I would urge you to approve a permanent license for The Cats Pyjamas and give a local entrepreneur his dream come true.

Kind regards,

[REDACTED]

Sent from Sky Yahoo Mail for iPhone

OCC 607/19
Adv 15/11

6(iii)

Occasional Licence and Supplementary Information Form
EAST LOTHIAN LICENSING BOARD

East Lothian Council
Licensing

12 NOV 2019

Received

APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	EL1625
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)			
Surname	HARDIE		
Forenames	ROSS JAMES		
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post town		Post code	
TELEPHONE NUMBERS			

Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	
[REDACTED]	
3. THE PREMISES	
Description of premises TWO STOREY DETACHED PROPERTY (COMMERCIAL/ OFFICE) WITH 4 SPACES AND 2x WCs	
Description of activities to be carried on in the premises - (including number of persons expected to attend)	
OPERATE A 'SPARKSBY' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE.	
Full postal address of premises which this application refers to	
OCEAN HOUSE 4 BROWLEY LANE DUNBAR GH42 1PD	


4. DURATION OF LICENCE
From: 12/12/2019
To: 15/12/2019

5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises.* delete as appropriate	
Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises

16:00 TIL 01:00 12/13/14 DEC 12 NOON TIL 22:00 15 DEC.	N/A
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises FROM 09:00 - GENERAL HOUSEKEEPING AND PREPARATORY WORK	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry N/A	Times at which children or young persons permitted entry N/A
Parts of premises to which children or young persons permitted entry N/A	

7. CHECKLIST	
I have - Please tick for yes	
• Made or enclosed payment of the fee for the application	✓

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE 	DATE 10/11/19

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: -

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceillidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>ORGANISE A 'PEAKEASY'</p> <p>(a) SAME LEADING UP TO FULL ALCOHOL PROMISES LICENCE</p> <p>(b) RECORDED MUSIC</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>70-100</p> <p>BASED ON PROJECTED INTEREST</p> <p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input checked="" type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p> <p>NO TICKET REQUIRED</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) 0</p> <p>(b) N/A</p>
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>(c) ✓</p>
<p>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	<p>N/A</p>

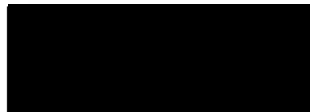
6. Will alternatives to glass receptacles be provided?	NO
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	TO MANDATORY MINIMUM 2 HOURS THE CITY & GUILDS WORKBOOK FOR STAFF OF LICENSED PREMISES

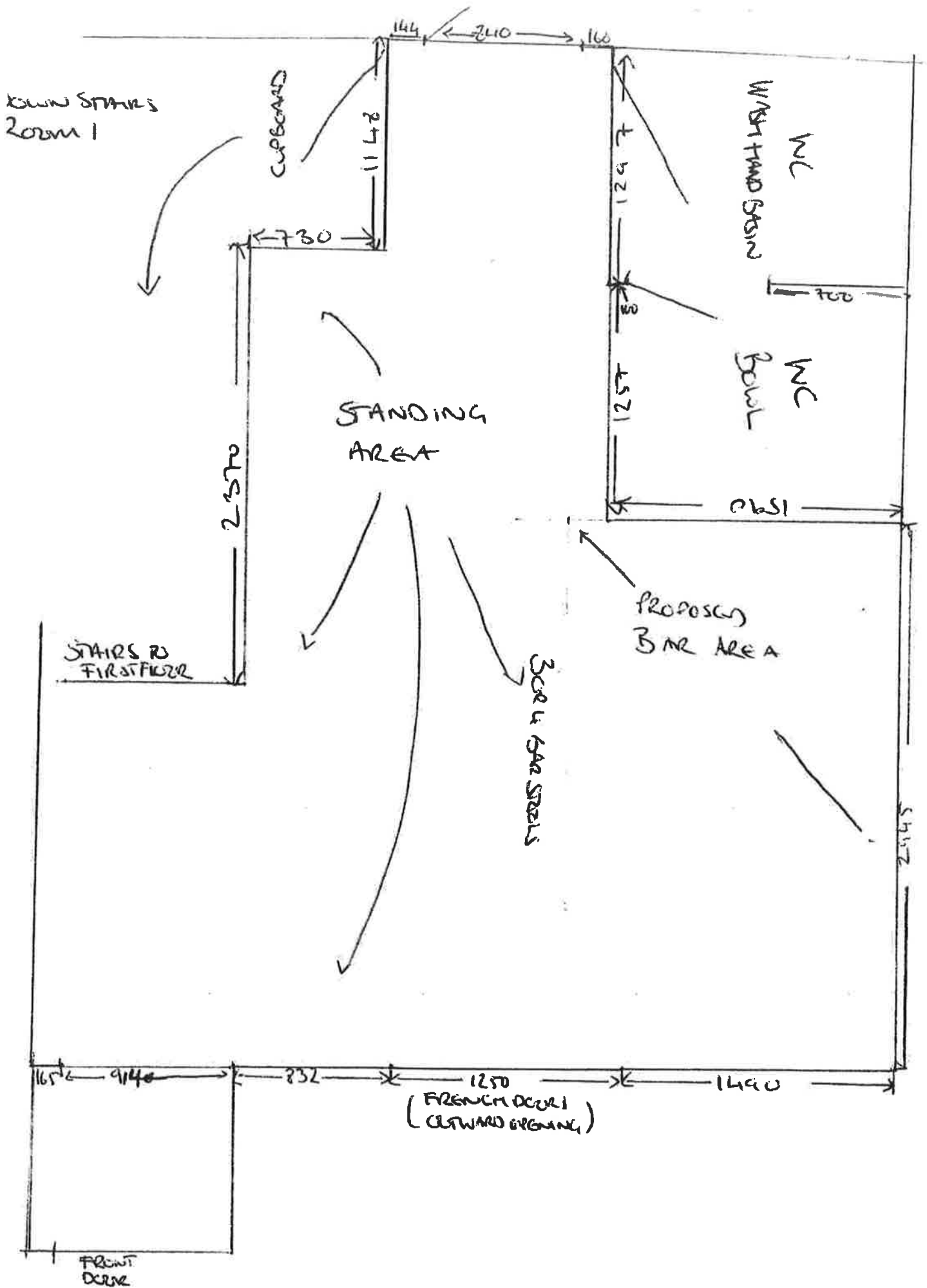
LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

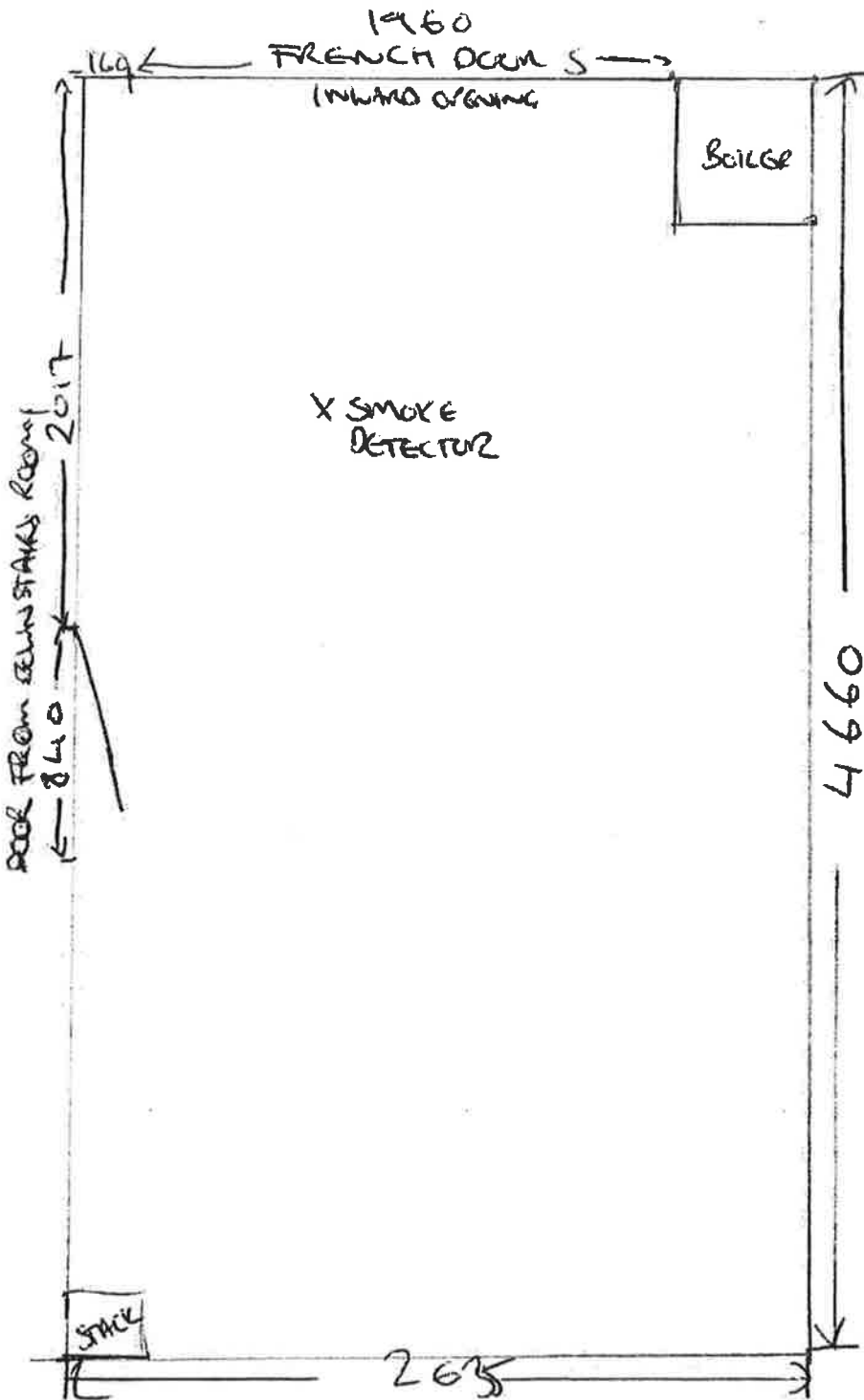
8. How will you prevent Crime and Disorder at the event?	<p>CLEARLY DISPLAYED UNDER 18s AND CHALLENGE 25 NOTICES AT POS. AND ENTRANCE</p> <ul style="list-style-type: none"> • MAINTAIN AWARENESS OF CUSTOMER BEHAVIOUR WITH REFUSE TO SERVE ANYONE DEMONSTRABLY INEBRIATED. • REFUSING ENTRY TO ANYONE INEBRIATED • REGULAR 'SUGGS' OF PREMISES, INCLUDING LICs.
9. How will you secure Public Safety at the event?	<ul style="list-style-type: none"> • FREE EXITS UNBLOCKED, UNLOCKED AND CLEARLY USABLE. • EMERGENCY LIGHTING OPERATIONAL • RISK ASSESSMENT • ENSURING NO OVERCAPACITY. • DISPLAY OF EFFECTS OF ALCOHOL NOTICES. • CONSTANT MONITORING OF SPACES AND CUSTOMERS • TAKE NOTICE & COMPLY WITH LIC.
10. How will you prevent Public Nuisance at the event?	<ul style="list-style-type: none"> • ENSURE NOISE LEVELS ARE BELOW LIMITS • DISPLAY OF NOTICE RE CONSIDERATE OF NEIGHBOURS • ENSURE CUSTOMERS GO OUT IN AN ORDERLY MANNER • DENIAL OF SERVICE TO INEBRIATED CUSTOMERS

<p>11. How will you promote and protect Public Health at the Event?</p>	<ul style="list-style-type: none"> - CLEARLY VISIBLE SOFT DRINKS, TEA & COFFEE. - PROMOTE LOW ALCOHOL & NO ALCOHOL DRINKS - DISPLAY OF EFFECTS OF ALCOHOL NOTICES IN WC
<p>12. How will you protect Children from Harm at the Event?</p>	<p>N/A</p>

<p>SIGNATURE AND DECLARATION BY APPLICANT DECLARATION</p>			
<p>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</p>			
<p>(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))</p>			
<p>The contents of this Application are true to the best of my knowledge and belief.</p>			
<p>Signature</p>		<p>Date</p>	<p>10/11/2019</p>



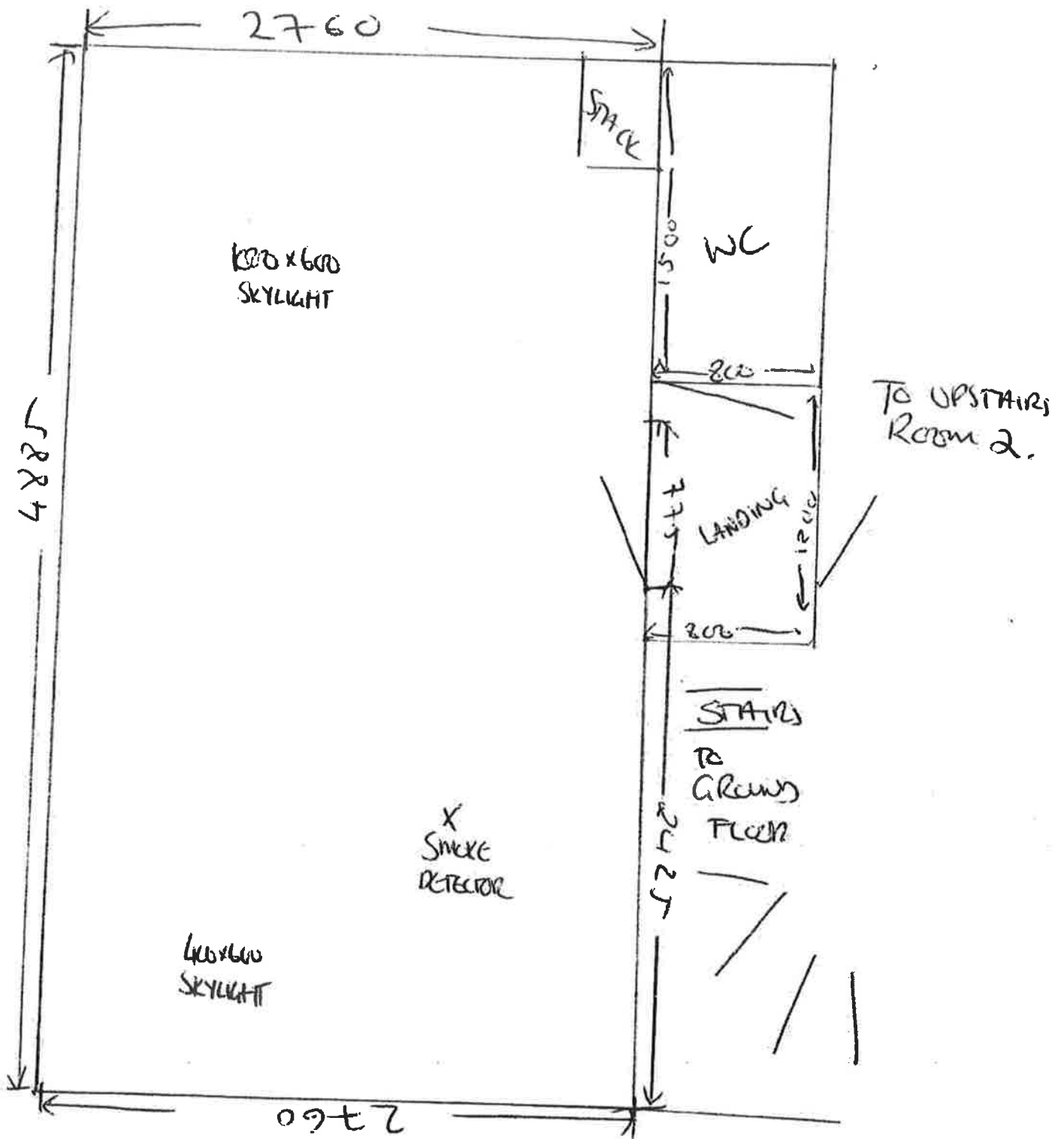
DOWN STAIRS ROOM 2



PROPOSAL:

- 4 X COCKTAIL SOFAS
970W X 720H X 670 D
- 4 X CHAIRS
510W X 720H X 570 D
- 3 X COFFEE TABLES
425W X 370 H X 240 L

UPSTAIRS Room 1



- PROPOSAL:
- 2 x COCKTAIL SOFAS 970W x 700H x 670 D
 - 8 x SARE SEATLS 710H x 470W x 470 D
 - 2 x COFFEE TABLES 485W x 310H x 240L

UPSTAIRS ROOM 2

3910

1400 x 600
SKYLIGHT

X Smoke
DETECTOR

WC

LANDING

STAIRS
TO
GROUND
FLOOR

1285

780

1325

2470

1870

1460

FRENCH DOORS
ORGANIZING INWARD

690

1250

1135

PROPOSED:
COCKTAIL
5 x SOFAS 970 x 700 x 670 D
10 x LOW SEATERS
450 H x 310 W x 310 D
5 x COFFEE TABLES
480 W x 370 H x 240 L

Herkes, Gillian

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 13 November 2019 15:52
To: Licensing
Subject: FW: Emailing: OCC609.19 - Occasional application.pdf [OFFICIAL]
Attachments: OCC609.19 - Occasional application.pdf

OFFICIAL
Hi Gillian

again 30th and 31st Dec (Monday & Tuesday) 0100 hours is outwith board policy

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division Police Scotland Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk
Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk
Website / Làrach-lìn: www.scotland.police.uk
Twitter: @policescotland
Facebook: www.facebook.com/policescotland

-----Original Message-----

From: Shiel, Christine (Licensing) [<mailto:cshiel1@eastlothian.gov.uk>]
Sent: 12 November 2019 15:13
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: Emailing: OCC609.19 - Occasional application.pdf

Hi

Ross Hardie OCC609/19 - Occasional application for 'Speakeasy' style bar on 26th to 31st December 2019 for report.

Thanks
Christine

Your message is ready to be sent with the following file or link attachments:

OCC609.19 - Occasional application.pdf

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Occasional(s)	Applicant	Date Received	Comments
6(u) 4 BREWERY LANE BELHAVEN DUNBAR EAST LOTHIAN EH42 1PD	ROSS JAMES HARDIE	12 November 2019	Start date of event: 19/12/2019 End Date of Event: 24/12/2019 Operate A 'speakeasy' Style Bar Leading Up To A Full Alcohol Premises Licence. Children and young persons will not be permitted entry to the function.
6(v) 4 BREWERY LANE BELHAVEN DUNBAR EAST LOTHIAN EH42 1PD	ROSS JAMES HARDIE	12 November 2019	Start date of event: 26/12/2019 End Date of Event: 31/12/2019 Operate A 'speakeasy' Style Bar Leading Up To A Full Alcohol Premises Licence. Children and young persons will not be permitted entry to the function.

OCC 608/14
Adv 15/11

Occasional Licence and Supplementary Information Form EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	EL1625
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)			
Surname	HARDIE		
Forenames	ROSS JAMES		
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post town		Post code	
TELEPHONE NUMBERS			

Daytime	[REDACTED]
Evening	
Mobile	

FAX NUMBER

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

[REDACTED]

3. THE PREMISES

Description of premises TWO-STORY DETACHED PROPERTY (COMMERCIAL/ OFFICE) WITH 4 SPACES AND 2x WCs

Description of activities to be carried on in the premises – (including number of persons expected to attend)

OPERATE A 'SPEAKERS' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE.

Full postal address of premises which this application refers to

OCEAN HOUSE
 4 BRONCKY LANE
 DUNBAR
 CHL2 1PD

4. DURATION OF LICENCE

From: 19/12/2019
 To: 24/12/2019


5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises
---	--

16:00 TIL 01:00 19/20/21/23 DECEMBER 12 NOON TIL 22:00 22 DECEMBER 12 NOON TIL 01:00 24 DECEMBER	N/A
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises From 09:00 GENERAL HOUSEKEEPING AND PREPARATORY WORK	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry 0-18	Times at which children or young persons permitted entry 12 NOON TIL 01:00 ON 24 TH DECEMBER ONLY
Parts of premises to which children or young persons permitted entry DOWNSTAIRS ROOM 2, UPSTAIRS ROOM 1 & 2. DOWNSTAIRS ROOM 1 SOLELY AS A THROUGHFARE FOR ACCESS TO DOWNSTAIRS WC AND BETWEEN ENTRANCE AND DOWNSTAIRS ROOM 2.	

7. CHECKLIST	
I have - Please tick for yes	
• Made or enclosed payment of the fee for the application	✓

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE 	DATE 10/11/2019

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: -

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

East Lothian Council
Licensing
12 NOV 2019
Received

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>ORGANISE A 'PEAKGASH'</p> <p>(a) BAR LEADING UP TO FULL ALCOHOL PREMISES LICENCE</p> <p>(b) RECORDED MUSIC LIVE MUSIC 24/12/2019</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>70-100</p> <p>BASED ON PROJECTED INTEREST</p> <p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input checked="" type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p> <p>NO TICKET REQUIRED EXCEPT FOR 24/12/2019 FROM 20:00 TIL 01:00 WHICH WILL BE TICKET ONLY</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) 0</p> <p>(b) N/A</p>
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>(c) ✓</p>
<p>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	<p>N/A</p>

6. Will alternatives to glass receptacles be provided?	NO
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	TO MAINTAIN MINIMUM 2 HOURS THE CITY & GUILDS WORKBOOK FOR STAFF OF LICENSED PREMISES

LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

8. How will you prevent Crime and Disorder at the event?	<ul style="list-style-type: none"> • CLEARLY DISPLAYED UNDER 18'S AND CHALLENGE LT NOTICES AT POS. AND ENTRANCE • MAINTAINING AWARENESS OF CUSTOMER BEHAVIOUR WITH REFUSAL TO SERVE ANYONE DEMONSTRABLY INDOXICATED • REFUSING ENTRY TO ANYONE INDOXICATED • REGULAR 'SUGGEST' OF PREMISES, INCLUDING W.C.s.
9. How will you secure Public Safety at the event?	<ul style="list-style-type: none"> • FREE EXITS UNBLOCKED, UNLOCKED AND CLEARLY VISIBLE. • EMERGENCY LIGHTING OPERATIONAL • RISK ASSESSMENT • ENSURING NO OVERCAPACITY • DISPAT OF EFFECTS OF ALCOHOL NOTICES. • CONSTANT MONITORING OF SPACES AND CUSTOMER THAT NOTICES & COMDS IN W.C.
10. How will you prevent Public Nuisance at the event?	<ul style="list-style-type: none"> • ENSURE NOISE LEVELS ARE BELOW LIMITS • DISPLAY OF NOTICE RE CONSIDERATE OF NEIGHBOURS • ENSURE CUSTOMERS GET IN AN ORDERLY MANNER • DENIAL OF SERVICE TO INDOXICATED CUSTOMERS

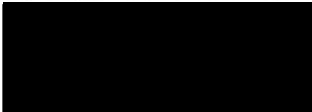
<p>11. How will you promote and protect Public Health at the Event?</p>	<ul style="list-style-type: none"> - CLEARLY VISIBLE SOFT DRINKS, TEA & COFFEE. - PROMOTE LOW ALCOHOL & NO ALCOHOL DRINKS - DISPLAY OF EFFECTS OF ALCOHOL NOTICES IN WC
<p>12. How will you protect Children from Harm at the Event?</p>	<ul style="list-style-type: none"> - ENSURE NO CHILDREN SIGNAGE (IN BAR) IS DISPLAYED AT ENTRANCE AND IN BAR AREA - STAFF TO MONITOR TO ENSURE CHILDREN REMAIN IN DESIGNATED AREAS ONLY EXCEPT WHEN USING WCs OR USING ONE AS THROUGHFARE ACCESS BETWEEN ENTRANCE AND DRESSING ROOM?

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

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.

<p>Signature</p>		<p>Date</p>	<p>10/11/2019</p>
------------------	---	-------------	-------------------

DOWN STAIRS
Room 1

CUPBOARD

2711

730

STANDING
AREA

2570

STAIRS TO
FIRST FLOOR

PROPOSED
BAR AREA

300 x 600
BAR STALLS

WASH HAND BASIN

WC

700

Basin

WC

2651

1250
FRENCH DOOR
(OUTWARD OPENING)

FRONT
DOOR

165

9140

832

1490

2512

144

2410

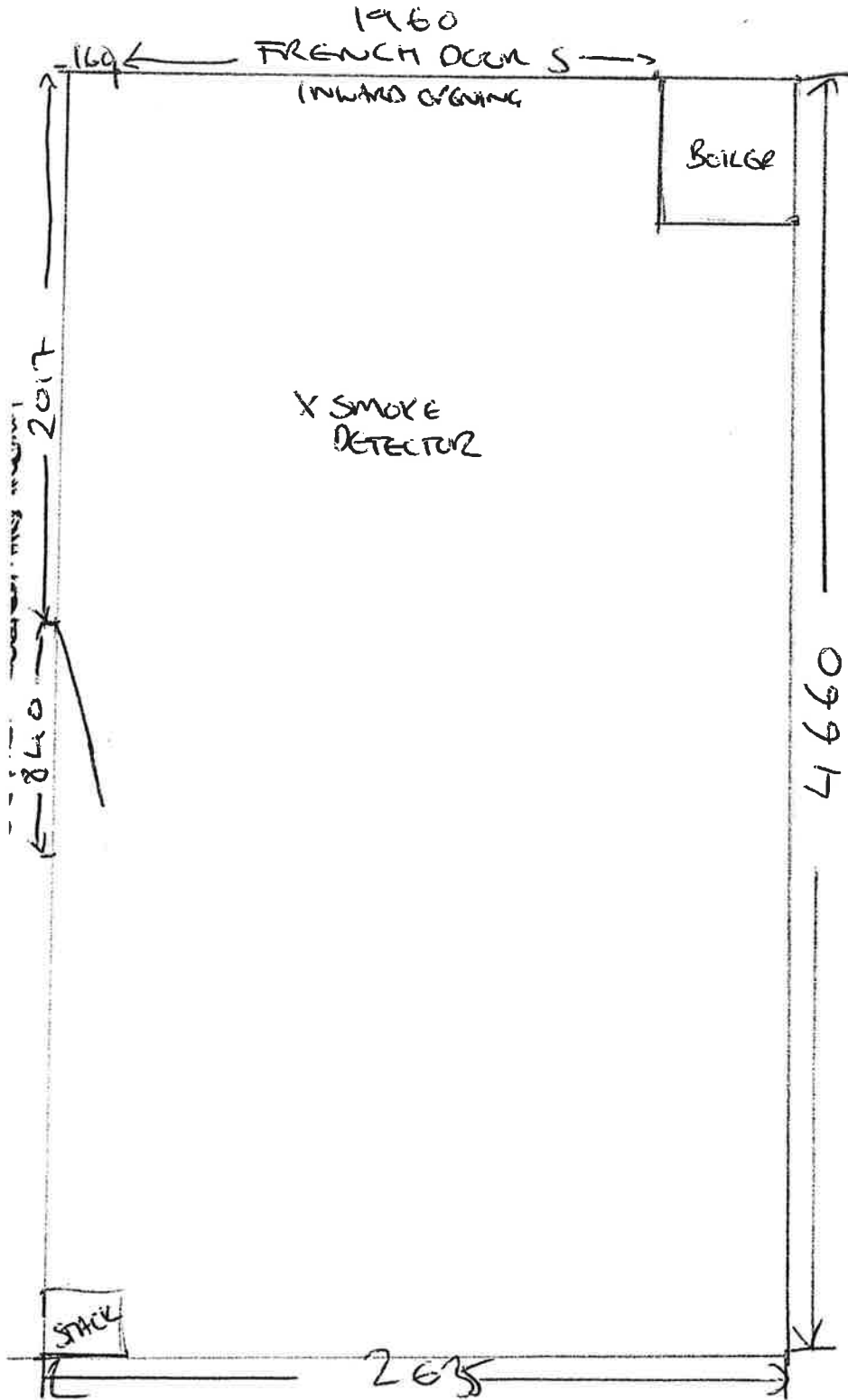
166

1221

3

1521

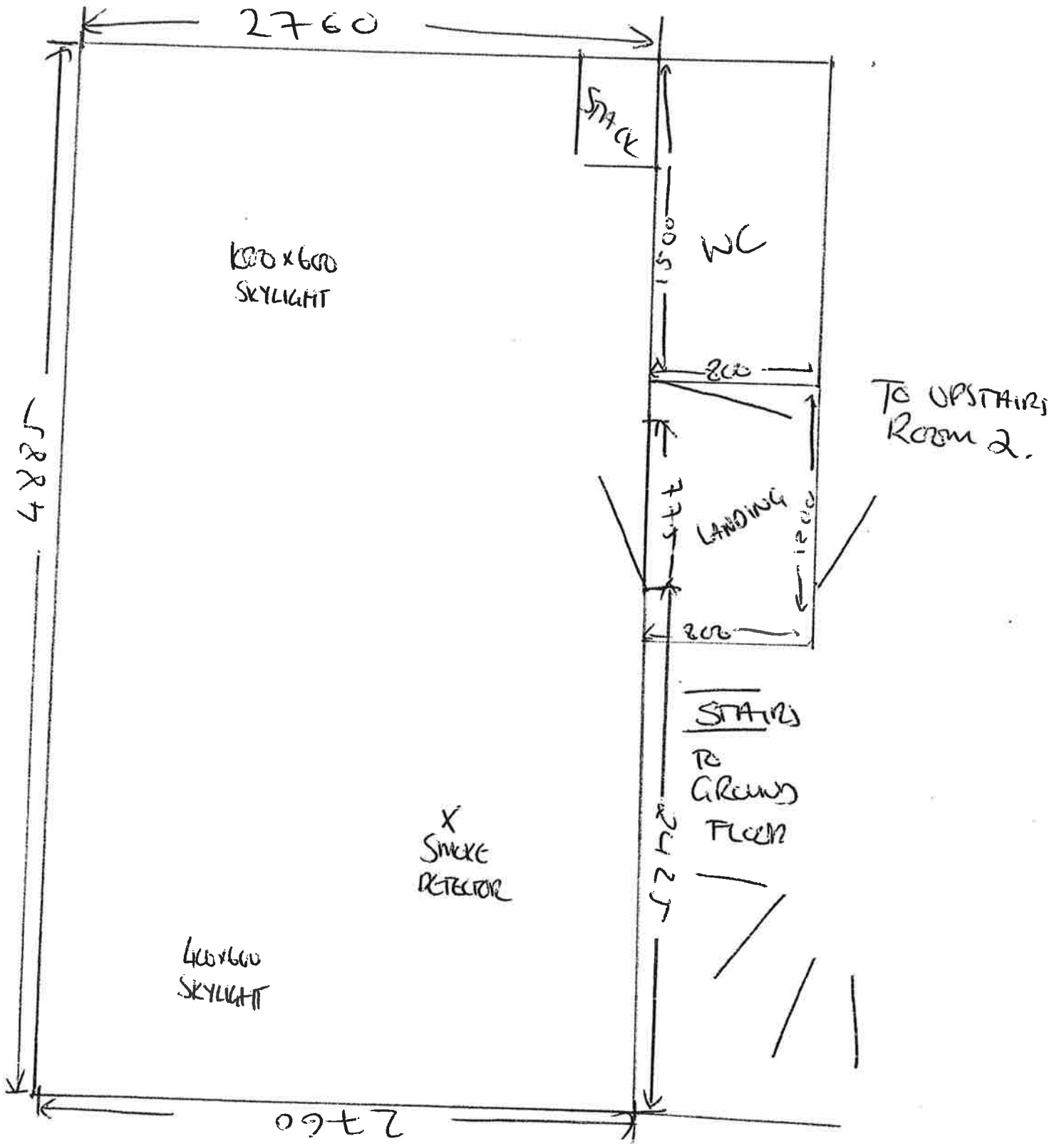
DOWN STAIRS ROOM 2



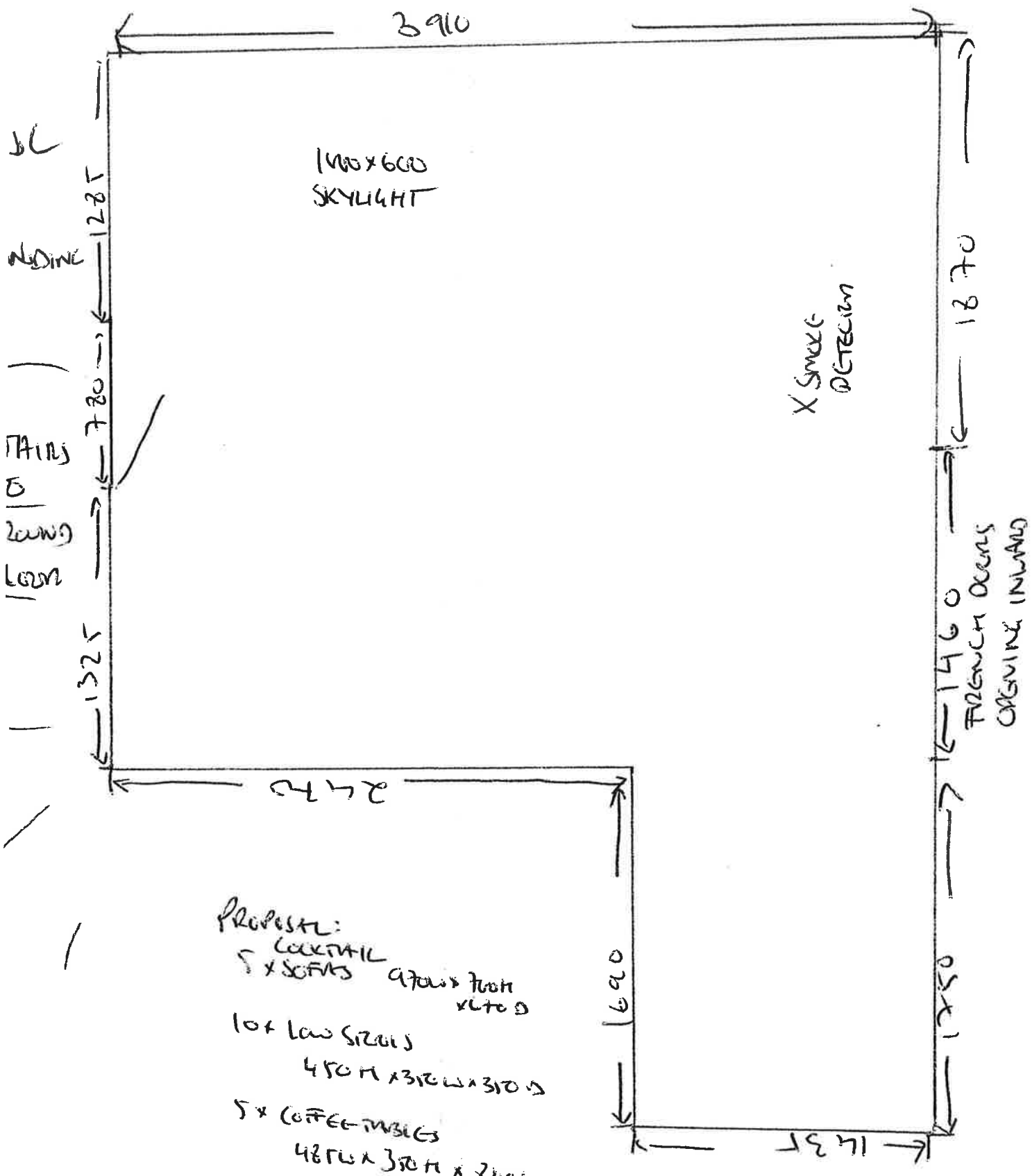
PROPOSAL:

- 4 x COCKTAIL SOFAS
970W x 720H x 670D
- 4 x CHAIRS
510W x 720H x 570D
- 3 x COFFEE TABLES
1125W x 370H x 840L

UPSTAIRS Room 1



- PROPOSAL
- 2 * COCKTAIL SEAT 970W x 700H x 670 D
 - 8 * BAR SEAT 710H x 470W x 470 D
 - 2 * COFFEE TABLE 485W x 310H x 240L



Herkes, Gillian

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 13 November 2019 15:49
To: Licensing
Subject: FW: Emailing: OCC608.19 - Occasional application.pdf [OFFICIAL]
Attachments: OCC608.19 - Occasional application.pdf

OFFICIAL
Hi Gillian

as discussed, no issues but the 24th December (Tuesday) 0100hours is outwith Borad Policy

kind regards

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division Police Scotland Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk
Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk
Website / Làrach-lìn: www.scotland.police.uk
Twitter: @policescotland
Facebook: www.facebook.com/policescotland

-----Original Message-----

From: Shiel, Christine (Licensing) [<mailto:cshiel1@eastlothian.gov.uk>]
Sent: 12 November 2019 15:11
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: Emailing: OCC608.19 - Occasional application.pdf

Hi

Ross Hardie OCC608/19 - Occasional application for 'Speakeasy' style bar on 19th to 24th December 2019 for report.

Thanks
Christine

Your message is ready to be sent with the following file or link attachments:

OCC608.19 - Occasional application.pdf

OCC 609/19
Adv 15/11

Occasional Licence and Supplementary Information Form
EAST LOTHIAN LICENSING BOARD

6(v)

APPLICATION FOR OCCASIONAL LICENCE

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You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	EL1625
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)		East Lothian Council Licensing	
Surname	HARDIE	12 NOV 2019	
Forenames	ROSS JAMES	Received	
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post town		Post code	
TELEPHONE NUMBERS			

Daytime	[REDACTED]
Evening	
Mobile	
FAX NUMBER	

E-MAIL ADDRESS (If you would prefer us to correspond with you by e-mail)

[REDACTED]

3. THE PREMISES

Description of premises TWO-STOREY DETACHED PROPERTY (COMMERCIAL/ OFFICE) WITH 4 SPACES AND 2x WCs

Description of activities to be carried on in the premises - (including number of persons expected to attend)

OPERATE A 'SPARKASTY' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE.

Full postal address of premises which this application refers to

OCEAN HOUSE
 4 BROWLEY LANE
 DUNBAR
 CH42 1PD

4. DURATION OF LICENCE

From: 26/12/2019
 To: 31/02/2019

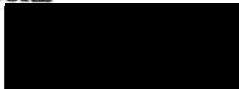
5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises
---	--

16:00 TIL 01:00 26/27/28/30 DECEMBER 12 noon TIL 22:00 29 DECEMBER 12 noon TIL 01:00 31 DECEMBER	N/A
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises FROM 09:00 FOR GENERAL HOUSEKEEPING AND PREPARATORY WORK	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry N/A	Times at which children or young persons permitted entry N/A
Parts of premises to which children or young persons permitted entry N/A	

7. CHECKLIST	
I have - Please tick for yes	
• Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE 	DATE 10/11/2019

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: -

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 1998

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>ORGANISE A 'BREAKFAST'</p> <p>(a) BAR LEADING UP TO FULL ALCOHOL PREMISES LICENCE</p> <p>(b) RECORDED MUSIC</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>70-100</p> <p>BASED ON PROJECTED INTEREST</p> <p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input checked="" type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p> <p>NO TICKETS REQUIRED EXCEPT BETWEEN 20:00 AND 01:00 ON 31ST DECEMBER</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) 0</p> <p>(b) N/A</p>
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>(c) ✓</p>
<p>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	<p>N/A</p>

6. Will alternatives to glass receptacles be provided?	NO
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	TO MINIMUM 2 HOURS THE CITY & GUILDS WORKBOOK FOR STAFF OF LICENSED PREMISES

LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

8. How will you prevent Crime and Disorder at the event?	<ul style="list-style-type: none"> • CLEARLY DISPLAYED UNDER 18'S AND CHALLENGE 17 • NOTICES AT POS AND ENTRANCE • MAINTAIN AWARENESS OF CUSTOMER BEHAVIOUR WITH REFUSAL TO SERVE ANYONE DEMONSTRABLY INEBRIATED • REFUSING ENTRY TO ANYONE INEBRIATED • REGULAR 'SUGGERS' OF PREMISES, INCLUDING LIC.
9. How will you secure Public Safety at the event?	<ul style="list-style-type: none"> • FREE EXITS UNBLOCKED, UNLOCKED AND CLEARLY VISIBLE. • EMERGENCY LIGHTING OPERATIONAL • RISK ASSESSMENT • ENSURING NO OVERCAPACITY • DISPLAY OF EFFECT OF ALCOHOL NOTICES. • CONSTANT MONITORING OF SPACES AND CUSTOMER • TAKE NOTICES & COMPLIANCE LIC.
10. How will you prevent Public Nuisance at the event?	<ul style="list-style-type: none"> • ENSURE NOISE LEVELS ARE BELOW LIMITS • DISPLAY OF NOTICE RE CONSIDERATE OF NEIGHBOURS • ENSURE CUSTOMERS GET IN AN ORDERLY MANNER • DENIAL OF SERVICE TO INEBRIATED CUSTOMERS


<p>11. How will you promote and protect Public Health at the Event?</p>	<p>- CLEARLY VISIBLE SOFT DRINKS, TEA & COFFEE. - PROMOTE LOW ALCOHOL & NO ALCOHOL DRINKS - DISPLAY OF EFFECTS OF ALCOHOL NOTICES IN WC</p>
<p>12. How will you protect Children from Harm at the Event?</p>	<p>N/A</p>

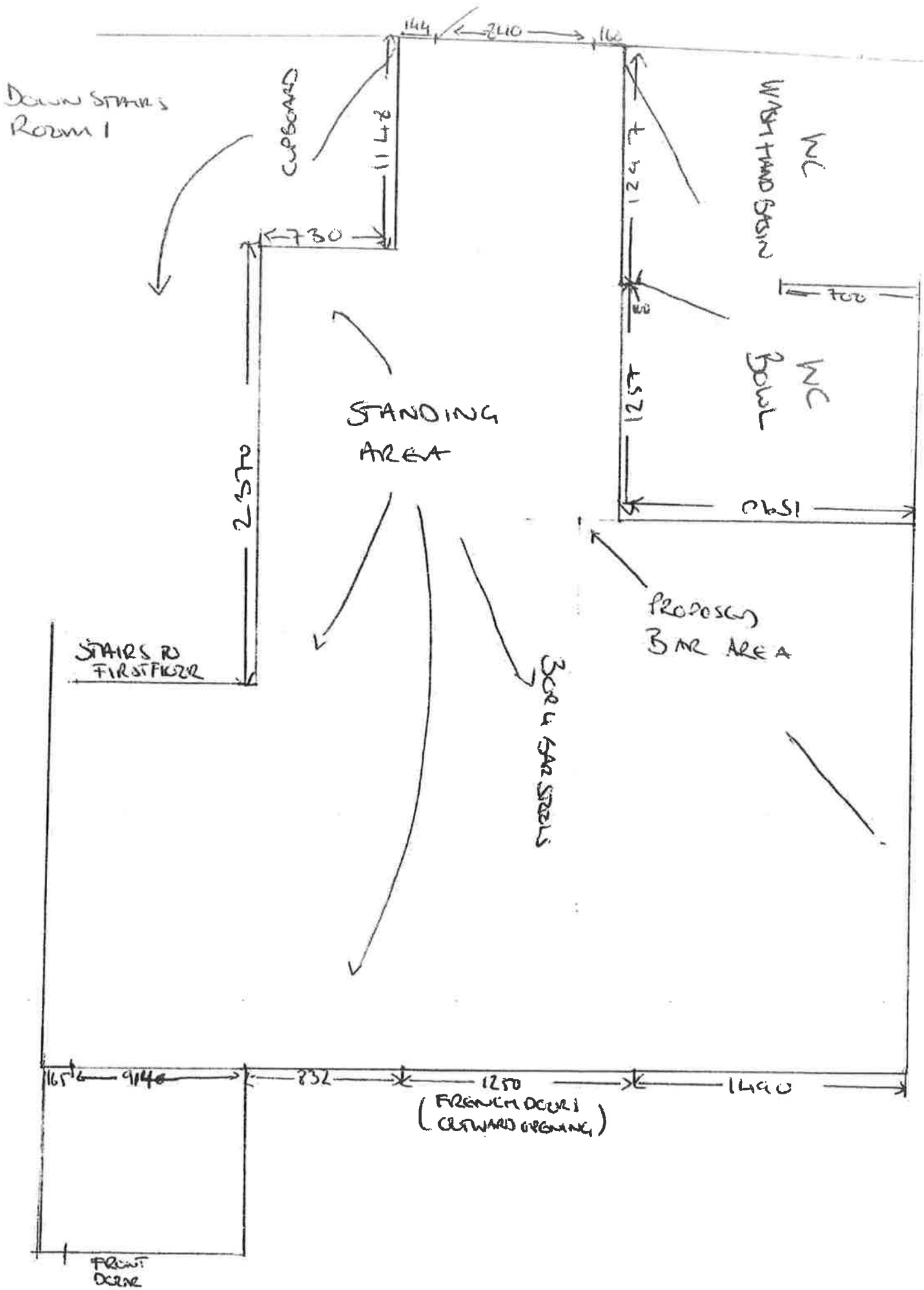
SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

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

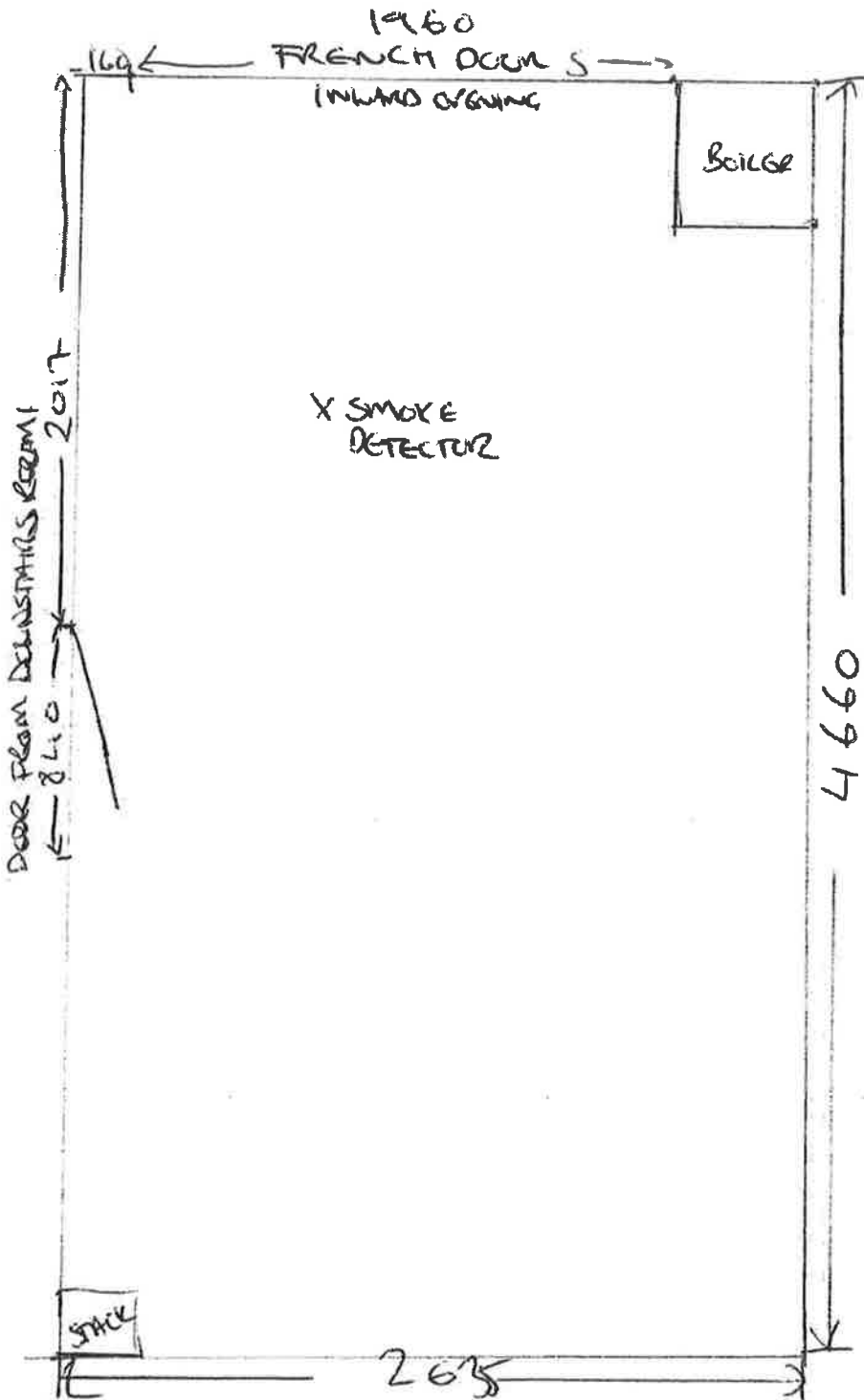
(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

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

Signature		Date	10/11/2019
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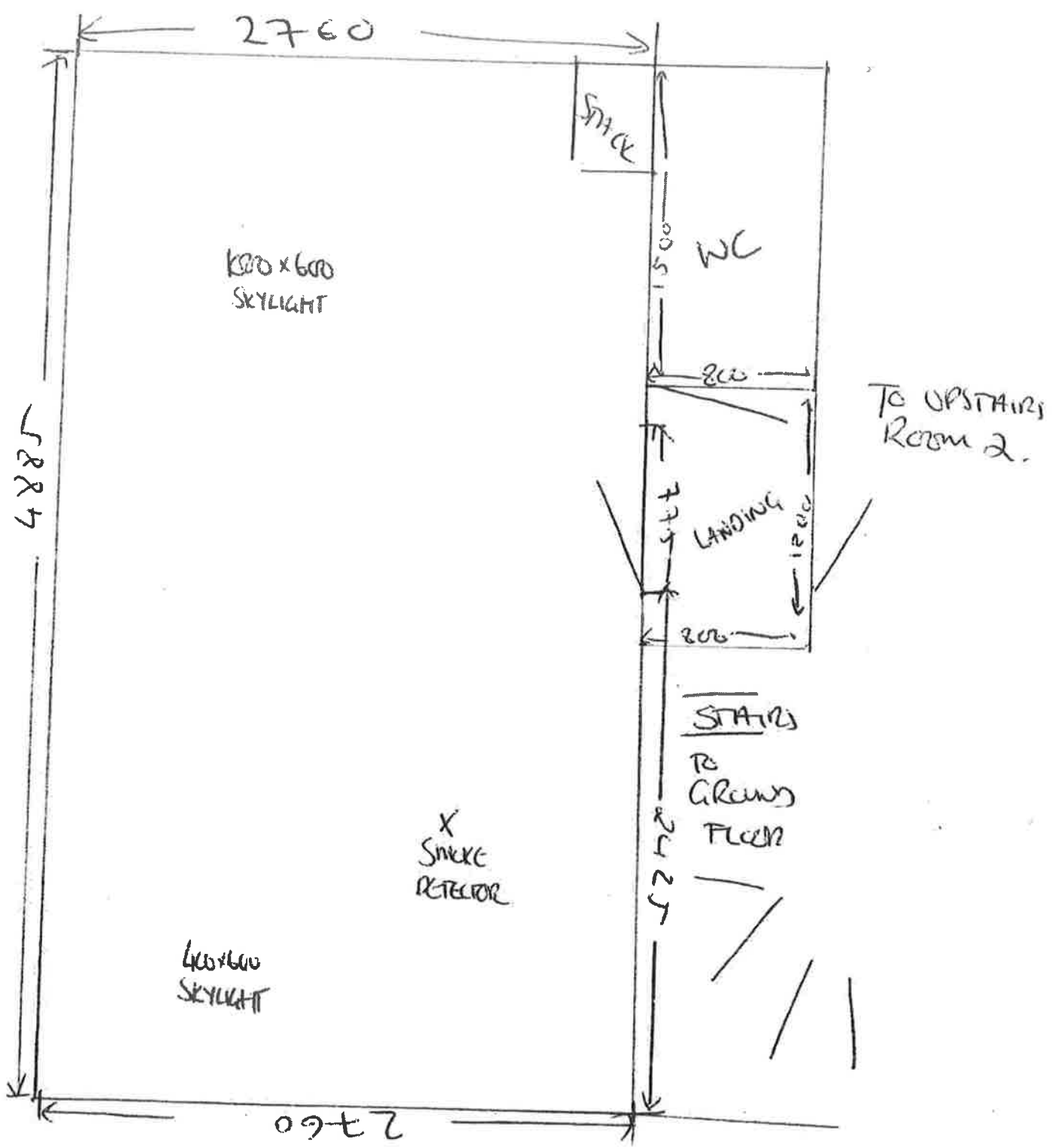
DOWN STAIRS ROOM 2



PROPOSAL:

- 4 X COCKTAIL SOFAS
970W x 720H x 670 D
- 4 X CHAIRS
510W x 720H x 570 D
- 3 X COFFEE TABLES
425W x 370H x 240L

UPSTAIRS ROOM 1



- PROPOSAL
- 2 * COCKTAIL SOFAS 970W x 700H x 670 D
 - 8 * BAR STOOLS 780H x 470W x 470 D
 - 2 * COFFEE TABLES 485W x 310H x 240L