

EAST LOTHIAN

Meeting 23 January 2020 at 10:00am in Council Chambers, Town House, Haddington, East Lothian

Licensing (Scotland) Act 2005

Variation (Major)(s)

Premises	Applicant	Date Received	Comments
3 ALDI HADDINGTON ROAD TRANENT EH33 1DZ	ALDI STORES LIMITED C/O TLT SOLICITORS - GLASGOW 140 WEST GEORGE STREET GLASGOW G2 2HG	2 December 2019	Change to Layout Plan to include seasonal alcohol display. Amend Seasonal Variations - Increase alcohol display from 1st December to 31st December annually and for a week prior to Easter Sunday (as it falls) for a duration of 21 days. Permanent Display - 31.514260m2 Additional Seasonal Display - 7.200m2

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

EL325

2(b) Name and Address of Premises

Aldi Haddington Road Tranent		
Post Code	EH33 1DZ	Phone No.

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

Aldi Stores Limited Holly Lane Atherstone Warwickshire		
Post Code	CV9 2SQ	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

N/A

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)

Q4 – amend seasonal variations:- ‘Increase in alcohol display from 1st to 31st December annually and for a week prior to Easter Sunday (as it falls) for a duration of 21 days.

Q7 – Amend alcohol display capacity:-
Permanent display – 31.514260m²
Additional seasonal display – 7.200m²

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.

Amendment to layout to include seasonal alcohol display.

7 no copies of layout plan attached.

Ref: 0323-54-AL(76)501 Rev B

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

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

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

N/A

SECTION 4: LICENCE TO BE AMENDED

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES

NO

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

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

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

.....

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

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

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

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £ 150 is enclosed.

Signature



..... (See note 5 below)

Date 28.11.19

Capacity: APPLICANT / AGENT (delete as appropriate)

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

.....
.....
.....

Note 1:

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

Note 2:

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

Note 3:

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

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

Note 4:

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

Note 5:

Data Protection Act 1998

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

Contact Us:

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

Phone: 01620 827217 / 827867 / 820114
Fax: 01620 827253
Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY

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

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

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	YES
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**If YES – provide details*

Increase in alcohol display from 1st to 31st December annually and for a week prior to Easter Sunday (as it falls) for a duration of 21 days.

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

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

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 GOODS CONSISTENT WITH THE BUSINESS OF A SUPERMARKET AND PROVISION OF ANCILLARY SERVICES. THE PREMISES TRADE FROM 8AM BUT THESE HOURS WILL VARY IN ACCORDANCE TO CUSTOMER DEMAND.

5(g) Late night premises opening after 1.00am

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

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	N/A
	<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*

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?

PERMANENT DISPLAY – 31.514260M2

ADDITIONAL SEASONAL DISPLAY – 7.20M2

Question 8

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

Personal details

8(a) Name

DARREN ROSS

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address

[REDACTED]

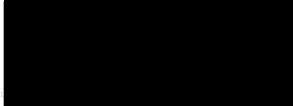
8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
04.08.14	EAST LOTHIAN LICENSING BOARD	EL1074

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)

Date28.11.19.....

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.

EAST LoTHIAN COUNCIL

PEOPLE and GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 18 Dec. 19.

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

Aldi, Haddington Road, Tranent, East Lothian EH33 1DZ

I refer to the above subject and can confirm that the premises licence major variation application has been assessed and I am satisfied that the Operating and Layout Plans are in accordance with the Act. I have also visited the store and discussed the variation with Mr Scott Woodburn, manager.

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. It is heartening to note that all bottles of spirits are now alarm coded and that exit from the premises must be via one of the staffed checkout areas.

I can confirm that the police anti-shoplifter team frequently visit and liaise with the store manager and staff. Officers on a recent visit were able to thwart the activity of a thief who failed to notice their presence.

This report is submitted for the information of Board members.

R. Fruzynski
Licensing Standards Officer

17/12/2019

Your Ref: EL325

Our Ref: JDIV/LIC//4926/CB



**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 MAJOR VARIATION OF A PREMISES LICENCE
ALDI TRANENT
ALDI, TRANENT, EAST LOTHIAN, EH33 1DZ.
ALDI STORES
HOLLY LANE ATHERSTONE
WARWICKSHIRE**

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 amended seasonal variations to increase alcohol display from 1st to 31st December, annually, and for a week prior to Easter Sunday, as it falls, for a period of 21 days, thus amending alcohol capacity as follows:

Permanent Display -	31.514260m ²
Additional Seasonal Display -	7.200m ²

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

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

Internal Memorandum

From: Planning Delivery
Per: Neil Millar
Cc:

To: Clerk to the Licensing Board
Per: Licensing Board

Date: 23rd December 2019

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Aldi, Haddington Road, Tranent

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

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

Herkes, Gillian

From: Johnson, Darren
Sent: 17 December 2019 12:16
To: Licensing
Subject: FW: Major Variation for Aldi, Tranent
Attachments: Plan Aldi tranent.pdf; Major Variation for Aldi Tranent.pdf

No objections,

Darren

From: Environmental Health/Trading Standards
Sent: 17 December 2019 10:54
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: Major Variation for Aldi, Tranent

From: Herkes, Gillian
Sent: 17 December 2019 10:53
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; Grant, Shona
<sgrant@eastlothian.gov.uk>; licensing@nhslothian.scot.nhs.uk; Boyle, Fiona
<Fiona.Boyle@nhslothian.scot.nhs.uk>; [REDACTED]
Subject: Major Variation for Aldi, Tranent

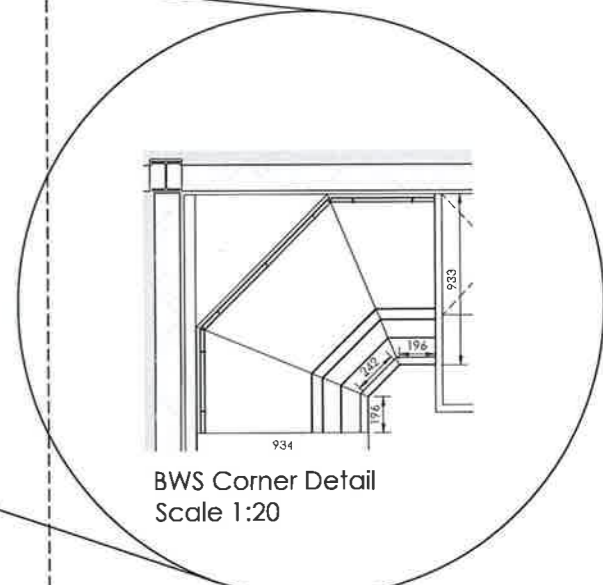
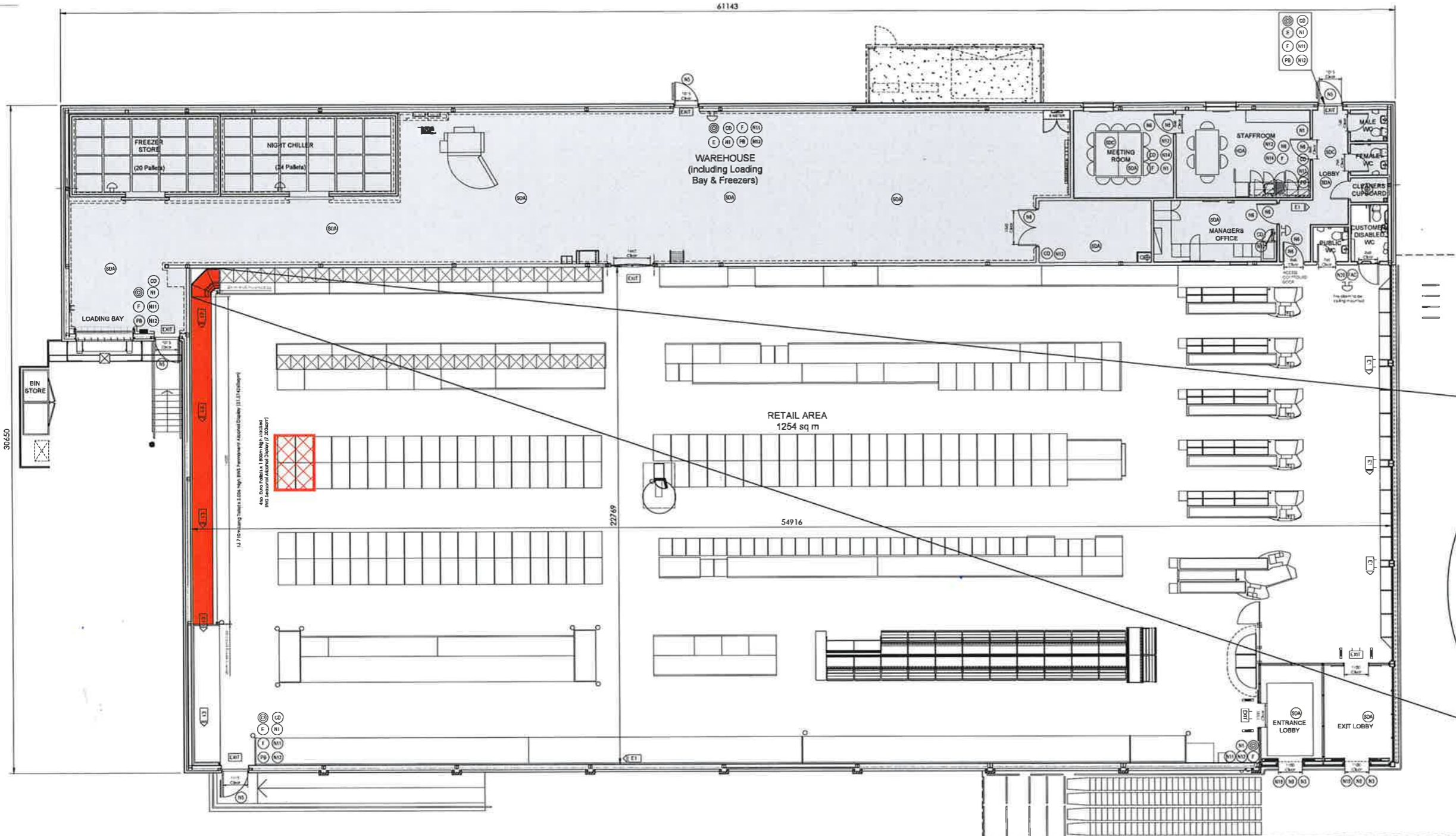
Please find attached Major Variation for Aldi, Tranent. Change to Layout plan – additional seasonal display and amended seasonal variations for report.

Gillian

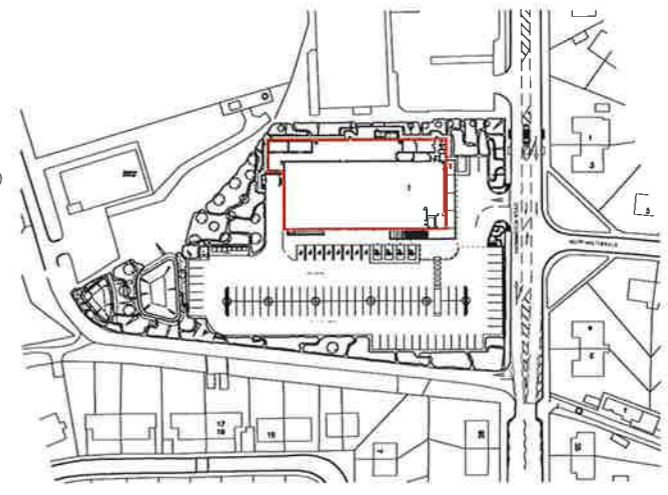
Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk



Rev	Date	Description	Drawn	Checked
A	08.11.2017	Rev Issue	AW	NM
B	13.11.2017	Seasonal display drafted	NM	



Key Plan - 1:1250



LEGEND

- (N) GENERAL FIRE NOTICE. Ref 1/1033/JK
- (E) "EMERGENCY EXIT ONLY" SIGN 450 x 100mm SELF ADHESIVE VINYL
- (K) "KEEP CLEAR" SIGN 200 x 200mm SELF ADHESIVE VINYL
- (M) DIRECTION ARROW SIGN WHITE ARROW ON BLUE CIRCLE ON WHITE SQUARE 200 x 200mm
- (F) "FIRE EXIT KEEP CLEAR" SIGN 200 x 200mm MOUNTED EXTERNALLY
- (C) "FIRE DOOR KEEP CLOSED" SIGN 80 x 80mm SELF ADHESIVE
- (D) "FIRE DOOR KEEP CLOSED" SIGN 80 x 80mm
- (L) "FIRE DOOR KEEP LOCKED" SIGN 80 x 80mm
- (A) "AUTOMATIC DOORS" SIGN BLACK LETTERS ON WHITE 200 x 200 SELF ADHESIVE
- (P) FIRE ALARM CALL POINT SIGN 80 x 80mm SELF ADHESIVE
- (H) FIRE ALARM CALL POINT SIGN 150 x 200mm
- (I) "FIRE EXTINGUISHER" SIGN 150 x 200mm
- (S) "FIRE EXTINGUISHER" SIGN 150 x 200mm SELF ADHESIVE
- (N) "NO SMOKING" SIGN 200 x 200mm
- (B) "FIRE BLANKET" SIGN 75 x 210mm
- (M) "MIND YOUR HEAD" SIGN 400 x 100mm
- (T) "MIND THE STEP" SIGN 400 x 100mm
- (W) "WAY IN / NO EXIT" SELF ADHESIVE VINYL SIGN
- (O) "WAY OUT / NO ENTRY" SELF ADHESIVE VINYL SIGN
- (C) "FIRE ALARM CONTROL PANEL" SIGN 200 x 150mm
- (L) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm LEFT HAND
- (R) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm RIGHT HAND
- (L) DIRECTIONAL FIRE EXIT SIGN 300 x 100mm LEFT HAND
- (I) ILLUMINATED FIRE EXIT SIGN
- (P) PUSH BAR MECHANISM AND "PUSH BAR TO OPEN" SIGN 600 x 100mm (ON DOOR)
- (E) FIRE EXIT SIGN 705 x 150mm (ON DOOR)
- (C) FIRE ALARM CALL POINT (BREAK GLASS UNIT)
- (F) FOAM SPRAY AFFF FIRE EXTINGUISHER
- (C) CARBON DIOXIDE FIRE EXTINGUISHER
- (B) FIRE BLANKET
- (M) SMOKE DETECTOR
- (C) VOID MOUNTED SMOKE DETECTOR WITH CEILING MOUNTED INDICATOR
- (S) FIRE ALARM SMOKE DETECTOR & SOUNDER
- (H) FIRE ALARM HEAT DETECTOR & SOUNDER
- (C) FIRE ALARM CONTROL PANEL
- (B) FIRE ALARM BELL

ALCOHOL MERCHANDISE LEGEND:

- Permanent Alcohol Display
- Seasonal Alcohol Display
Christmas: 1st December to 31st December annually.
Easter: seasonal licence to commence a week prior to Easter Sunday, (as it falls) for a duration of 21 days.
- Non-Public Area

Note:
No specific area for use of children only. Children and young persons are permitted in all public areas of the premises.

Aldi Stores Ltd

Aldi - TRANENT

Haddington Road
Tranent, EH33 1DZ

Seasonal Alcohol Licence Plan

0323-54-AL(76)501

MW NM 05.11.19 1:100 A1 Information

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Cassell Street
Newcastle Upon Tyne
NE1 3QB

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admin@projectarchitects.com
www.projectarchitects.com

projekt
Architects | Construction