



**AGENDA FOR THE MEETING OF  
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 23 JANUARY 2020 at 10.00 am  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**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, 28 November 2019 **(pages 1-8)**
- 2. Provisional Premises Licence**  
Beer Zoo, 35 High Street, Dunbar EH42 1EW **(pages 9-42)**
- 3. Major Variation of Premises Licence**  
Aldi Stores, Haddington Road, Tranent EH33 1DZ **(pages 43-64)**
- 4. Grant of Personal Licence**  
Lee Cargill **(pages 65-74)**
- 5. Report for Request for Extension to a Provisional Licence**  
10-12 Court Street, Haddington **(pages 75-99)**

**Kirstie MacNeill  
Clerk of the Licensing Board  
16 January 2020**

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](http://www.eastlothian.gov.uk/meetings/committee/53/east_lothian_licensing_board)





## MINUTES OF THE MEETING OF EAST LOTHIAN LICENSING BOARD

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THURSDAY 28 NOVEMBER 2019  
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON

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**Board Members Present:**

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

**Clerk of the Licensing Board:**

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

**Attending:**

Ms M Winter, Licensing Officer  
Ms C Shiel, Licensing Officer  
Mr R Fruzynski, Licensing Standards Officer  
PC H Bowsher, Police Scotland  
PC C Banks, Police Scotland

**Committee Clerk:**

Ms J Totney, Team Manager – Democratic and Licensing

**Apologies:**

Councillor W Innes  
Councillor J Goodfellow

**Declarations of Interest:**

None

### 1. MINUTES FOR APPROVAL

The minutes of the East Lothian Licensing Board meeting of 31 October 2019 were approved as a true record of the meeting.

**2. NEW PREMISES LICENCE**  
**Event Space, Archibald Hope House, Eskmills Park, Inveresk, Musselburgh**

The premises consist of a function suite, kitchen, toilets and storage. The application seeks the on sales of alcohol within Board policy hours to include conferences, receptions, meetings, recorded music, live performances and televised sport, all of which may take place outwith core hours without the sale of alcohol. The external outside drinking area has been withdrawn from the application.

There are no objections from the public, NHS Scotland or the Community Council.

The licence holding company has been dissolved and the premises are to be licenced under a new company. The applicant has therefore been trading on occasional licences recently and no complaints have been received.

Mr C Bell, Venue Manager was present and made a brief presentation to the Board. He explained that the beer garden had been taken away and that there were plans to redevelop the premises.

PC Bowsher advised that the premises capacity had been confirmed at 400 and that the applicant was agreeable to CCTV being a condition on the licence.

The Licensing Standards Officer (LSO) commented that the premises are well run and supported the application.

**Decision**

East Lothian Licensing Board unanimously agreed to grant the premises licence subject to the following condition:

- CCTV to be installed and maintained in full working order

**3. PROVISIONAL PREMISES LICENCE**  
**Aldi, Gateside West, West Road, Haddington**

The premises are a purpose built supermarket, to include the off sales of alcohol. There are no objections from the public or the Community Council. However, NHS Scotland have expressed concern about the size of the alcohol display area.

Mr N Hassard, TLT Solicitors, was present to represent the applicant. He informed the Board that the licence relates to a replacement store in the new retail park development and described the configuration of the new-look store, which is being rolled out across Aldi branches. In particular, he explained the changes to the way that alcohol is displayed, meaning that it will not be within sight of the check-out staff. Mr Hassard provided an undertaking that the existing Aldi licence would be surrendered when the new full licence is granted.

Board members asked questions about the incidence of thefts of alcohol from the new style of stores; the reasons for the reconfiguration of stores; the size of the alcohol display area; and the monitoring of the CCTV, which Mr Hassard answered to their satisfaction.

Councillor McMillan referred to the suggestions in the LSO's report about increasing the number of staff who are present in the alcohol display area during busy times;

however, Mr Hassard advised that this would be operationally difficult to achieve but volunteered that his client would be happy for CCTV to be a condition of the licence.

PC Bowsher accepted the offer of CCTV being added as a condition and asked that all thefts of alcohol be reported to Police Scotland.

The LSO referred to his report of 22 October and stated that there is a higher incidence of alcohol theft from premises that are configured in the style of the new-look Aldi stores; however, he noted that all shoppers had to exit the premises via the tills.

### **Decision**

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

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

## **4. MAJOR VARIATION OF PREMISES LICENCE**

### **4a Lodge Nisbet, 1112 Social Club, Rannoch House, 30 Ormiston Road, Tranent**

The application seeks to vary the premises licence to change if from an open premises licence back to a registered club licence. There are no objections from any parties.

No one was present to represent the applicant and the Board agreed to proceed in their absence.

PC Bowsher referred to the Police Scotland report and commented that she was slightly disappointed that was to be a reversal of the open licence, for reasons unknown to the Board.

The LSO considered the application to be a retrograde step, stating that an open licence provides more flexibility and provides more scope to operate in a legal fashion.

The Board expressed disappointment that no one was present to provide the reasons behind the variation to the licence.

### **Decision**

East Lothian Licensing Board unanimously agreed to grant the variation of the premises licence.

### **4b Muss-Bar & Kitchen (formerly Habaneros), 83 High Street, Musselburgh**

The application seeks to vary the terminal hour from 12 midnight to 1am on a Thursday; include conferences, receptions, club group meetings, films, and outdoor drinking outwith core hours; permit children on the premises from 8am to 10pm daily unless attending a private function when they can remain until the end of the function; permit young persons from 8am until the end of core hours; amend the layout plan to reposition the internal bar, modify internal fixed seating, increase kitchen size, remove the external fence to extend the rear outdoor drinking area, create a covered timber pergola in the rear external area with pop-up servery units for the sale of alcohol (dismantled when not in use), and the creation of a designated smoking area; change the premises name to Muss-Bar & Kitchen; and change the premises description to a modern family friendly community premises with food and drink offerings.

Two public objections have been received along with representations from the LSO and Police Scotland. There are no objections from NHS Scotland or the Community Council.

Ms J Hood, Licensing Consultant, was present to represent the applicant. Two managers from Punch Partnerships PTL Ltd (the applicant) were also present.

Ms Hood advised that the premises had previously been a Mexican restaurant and provided detailed information about the recent investment and planned changes in the premises; particularly in relation to the outside drinking area at the rear.

PC Bowsher stated that the Police Scotland concerns in relation to the terminal hour for the outside area and access for children and young people have been clarified in Ms Hood's presentation. She requested that internal and external CCTV be a condition of the licence.

The LSO provided information about a historic noise complaint at the premises and stated that membership of Pub Watch would be good practice. He asked that there be a small amendment to the operating plan to include deliveries. Ms Hood stated that her client would be agreeable to voluntary membership of the Pub Watch and to amending the operating plan.

Board members asked questions about the management of the rear external drinking area and the relationship with neighbours; Ms Hood responded to the Board's satisfaction.

The Board adjourned to debate the application in private.

On reconvening, The Convener welcomed the applicant's commitment to engage with the Pub Watch scheme and acknowledged that the applicant had noted the neighbours' objections and had taken steps to mitigate their concerns and prevent issues.

#### **Decision**

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

- CCTV to be installed internally and externally and maintained in full working order;
- The operating plan to be amended to include deliveries;
- The updated operating plan to be provided to the Licensing Office; and
- Access to be allowed for children and young persons until 10pm or until the end of a meal or if attending a pre-arranged function

#### **4c Town House Fish & Chicken Bar, 17 Market Street, Haddington**

No one was present to represent the applicant. The Board therefore agreed to revisit this application at the end of the meeting.

#### **5. PERSONAL LICENCE (Continuation) Mei Mei Ni**

Ms Mei Mei Ni was present.

This application was first heard by the Board on 22 March 2018 and has been continued every six months, due to a pending case against the applicant.

PC Bowsher advised that the Crown Office are currently in talks with HMRC regarding the pending case and requested a further continuation.

### **Decision**

East Lothian Licensing Board unanimously agreed to continue the application for six months unless there is a decision on the pending case before then, when the application would then be submitted to the next available meeting of the Licensing Board.

## **6. OCCASIONAL LICENCE APPLICATIONS Speakeasy Style Bar, 4 Brewery Lane, Belhaven**

Five occasional licence applications had been received covering various dates between 5 December 2019 and 31 December 2019. The applications seek to operate a speakeasy style bar in a two storey office/house with four rooms and 2 WCs. Capacity is stated as a maximum of 70-100 persons.

Public letters of objection and support have been received, along with representations from the LSO. As objections have been received from members of the public, these applications must be determined by the Board and not under delegated powers.

The Clerk advised that all five applications would be considered by the Board at the same time.

Mr R Hardie, applicant was present. He asked the Board to have faith in him as a person, adding that he had not prepared a formal presentation but would be talking with his heart. He explained his connection with Dunbar, experience in the hospitality industry, plans and aspirations for the venture, target market/clientele, use of social media to promote the venture, plans to 'give back' to the local community; the contact he has made with neighbours; the positive response he has had from local people; and his communication with the LSO, PC Bowsher, and the Council's planning department in relation to licensing his business. He stated that he is applying for occasional licences following guidance from the LSO. He informed the Board that he has used a decibel tester to make sure that noise levels do not cause a nuisance.

Mr Hardie reported that there had been a soft launch event last night that had resulted in a call to Police Scotland around 11.15pm after the music had stopped. PC Bowsher confirmed that a complaint had been received but that as the premises were already closed when Police Officers arrived, she had no comment to make on the matter. He stated that he respected the objectors' views and had addressed these in his Facebook posts and was happy to do so again in person today.

The Clerk advised that a late objection had been received; the Board were agreeable to accepting this. The Clerk also established that there were objectors present who wished to address the Board.

Mr C Bell, objector, advised that due to the nature of the venture, the location had only been revealed the day before the launch and that neighbours were unaware of what was planned. He stated that his objections relate to noise given the proximity of the premises to his house; he also had concerns about the location, traffic, and lack of parking, suitability of venue, change of use, and fire safety.

Mr P Humphrey, stated that Mr Bell had made him aware of the venture, explained that the premises were previously office accommodation, challenged if there is change of use for the premises, stated that there is no safe pedestrian access and no parking, sought more information on occasional licences, and was of the view that this is an unsuitable location for this venture. The Clerk made it clear that the Licensing Board determines an application based only on the licensing merits.

PC Bowsher pointed out that four of the applications are outwith the Board's policy on opening hours, and made it clear that the extended Festive opening hours are only for premises that have a full licence. She mentioned that it is not unusual for a business to test the water with a series of occasional licences to establish if it would be worthwhile to apply for a full premises licence.

Once pointed out by PC Bowsher, Mr Hardie realised that the hours requested on some of the applications were incorrect and that he had made some mistakes with the paperwork and may even have handed in the wrong application forms; however, PC Bowsher pointed out that the Board could only go with the information on the application forms. The Board then tried to establish the correct information regarding the dates and hours; with Councillor McMillan commenting on the completion of the forms and Councillor Henderson pointing out to Mr Hardie that he needs to be very precise and clear about what he is applying for.

The Board adjourned in private to discuss the matter further.

On reconvening, Councillor Dugdale, Convener, advised Mr Hardie that the Board had some concerns about the forms and had some questions in relation to his presentation. She then invited the LSO to comment.

The LSO referred to his report dated 19 November and expanded on the contents in relation to capacity; stressed that the Board can only take licensing legislation into account when determining applications, outlined the Board's policy in relation to the use of occasional licences, and confirmed that he had fully consulted with Mr Hardie regarding these applications.

Councillor McMillan commented that various figures were stated in relation to the capacity of the premises to which Mr Hardie provided further information and clarity on the numbers.

Board members had numerous questions for the applicant regarding management and safety of the venue and site and also had several comments to make. Councillor Henderson stressed the need for application forms and plans to be completed accurately and in detail. Councillor Bruce made the point that delineation of the bar area is not clear on the layout plans that had been submitted. Councillor McMillan challenged the applicant's confidence, business plan, marketing strategies, goals and readiness to open in 48 hours' time. PC Bowsher stressed that the exact opening hours need to be clearly recorded on the application forms.

PC Bowsher advised that she had made the applicant aware of her concerns a few months ago as his Facebook crowdfunding campaign could suggest irresponsible drinks promotions for financial supporters. The LSO stated that he had brought this to Mr Hardie's attention and that his Facebook was subsequently amended.

In response to questions and comments from Board members, an emotional Mr Hardie

- assured members that he would not violate the licensing objectives as the venture was so precious to him



- stated that he would employ people to be on the door to ensure safety and prevent noise
- pointed out that a minor external risk area would be blocked off
- confirmed that under 18s would only be allowed access to the Christmas Eve carol singing event
- described the internal location of washing, cleaning and serving areas, including sinks
- confirmed that no food would be served
- assured the Board that only staff would be permitted to carry drinks upstairs for patrons
- reported that in relation to building checks for fire safety and access, he had nothing formal yet from the Fire Services but that fire alarms and extinguishers were arriving today and that there were emergency exits
- confirmed that he had never run a bar and had therefore employed people to do so
- advised that he had received provisional bookings for birthday parties, once the premises had a full licence
- provided information on the progress with decoration, furnishings, internal building works and staff training
- praised the LSO for his support and advice
- stated that he had not had a return call from the planning department following his enquiry to them in October and that it was his understanding from conversations with Council officers that he did not require change of use for occasional licences, only to be told subsequently that it is required. He added that a retrospective change of use has been applied for, to which the Board then debated the criteria for change of use in relation to occasional licences
- confirmed that any reference to drinks promotions were removed from Facebook following advice from the LSO

Mr Hardie asked the Board if he would get the chance to address the comments made by the objectors as the remarks were damaging to him. The Clerk stated that the Board had heard his representation and noted the applicant's rebuttal of the comments.

The Board adjourned again to consider the matter in private.

On reconvening, Councillor Dugdale, explained that the Board had carefully reviewed all the information and had reached a unanimous decision that there was insufficient evidence to promote the licencing objective of securing public safety. The Clerk advised that a statement of reasons would be issued to the applicant.

Mr Hardie stated that he did not feel that there had been due process and that he had not been given a proper chance to address the objections that had been made; the Clerk made it clear that the applicant had been given every opportunity to put forward his case and that this had been heard by the Board. Mr Hardie sought more specific information so that he could take action to address the Board's concerns; the Clerk reiterated that reasons would be provided in writing and Councillor Henderson made it clear that the Board had to take a decision that was not just about the applicant and his business, but also about the public. The Clerk confirmed that Mr Hardie could re-apply and pointed out that the issues could be discussed with the LSO and Police Scotland.

### **Decision**

East Lothian Licensing Board unanimously agreed to refuse to grant all five of the occasional licences.

**4. MAJOR VARIATION OF PREMISES LICENCE**  
**4c Town House Fish & Chicken Bar, 17 Market Street, Haddington**

Mr S Santangeli was now present to represent the applicant.

The application seeks to include the facility of supplying alcohol to customers who have purchased a hot food meal. The application also seeks to vary the licence to add ambient background music.

Mr Santangeli provided information about the existing premises licence.

The LSO advised that the business has been operating for years without causing any problems and that the applicant is fully aware of the requirements that need to be fulfilled regarding the delivery of alcohol, adding that he has no objections to the application.

PC Banks referred to the letter from Police Scotland dated 25 October stating that there are no objections to the application.

Mr Santangeli advised members that alcohol deliveries would be made by their own drivers who would be appropriately trained and confirmed that alcohol will only be delivered with a substantial meal and not with snacks.

**Decision**

East Lothian Licensing Board unanimously agreed to grant the variation of the premises licence.

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At the conclusion of the meeting, the Board noted that this would be the final meeting attended by PC Bowsher who will be retiring from Police Scotland. Members joined the Convener in thanking PC Bowsher for her contribution to alcohol licensing in East Lothian.

Signed .....

Councillor F Dugdale  
Convener of East Lothian Licensing Board

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**EAST LOTHIAN**

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

**Licensing (Scotland) Act 2005**

<b>Provisional(s)</b>	<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
	1 BEER ZOO 35 HIGH STREET DUNBAR EAST LOTHIAN EH42 1EW	NORTHERN HOBBY LTD.	8 November 2019	Premises offering alcohol for consumption off the premises and offering recorded music.



ELO 369

**EAST LOTHIAN LICENSING BOARD**

**APPLICATION FOR 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.*

**Beer Zoo  
35 High Street  
Dunbar  
EH42 1EW**

**Question 2**

*Particulars of applicant*

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

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

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

**Northern Hobby Ltd**

**Registered Address: 302 Easter Road, Edinburgh, EH6 8JT**

**Company Registration No: SC520781**

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

[Empty box for club or other body details]

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

DOMINIC HOLT (DIRECTOR)	[Redacted]
[Redacted]	[Redacted]
FIONA HOLT (DIRECTOR)	[Redacted]
[Redacted]	[Redacted]

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

**Question 3**

*Previous applications*

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

*If YES – provide full details*

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**Question 4**

*Previous convictions*

4 <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)</i>	<b>NO*</b>
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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 &amp; position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>
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(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.

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**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)*

Small shop on ground floor of tenement building on High Street, Dunbar
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**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>	<i>N/A</i>

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**



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

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

Signature ..... \* (see note below)

Date ..... 25.10.19 .....

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

Telephone number and email address of signatory ..... office@beerzoo.co.uk.....

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	<input checked="" type="checkbox"/>
<i>Layout plan</i>	<input checked="" type="checkbox"/>
<i>Planning certificate</i>	<input checked="" type="checkbox"/>
<i>Building standards certificate</i>	<input type="checkbox"/>
<i>Food hygiene certificate</i>	<input type="checkbox"/>

**\* 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.

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

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

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

# EAST LOTHIAN LICENSING BOARD

## OPERATING PLAN

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

*Name, address and postcode of premises to be licensed.*

35 High Street  
Dunbar  
EH42 1EW

### 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*

N/A

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

**Question 3**

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

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	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>
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*\*If YES – provide details*

N/A
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**Question 5**

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

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

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

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

Recorded background music will be played in the shop.

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.

Tastings  
Deliveries  
Internet/Telephone sales

5(g) Late night premises opening after 1.00am

N/A

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

N/A

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

N/A

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

N/A

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

N/A

**Question 7**

**CAPACITY OF PREMISES**

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

92.3m
-------

**Question 8**

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

*Personal details*

8(a) *Name:*

Dominic John Holt
-------------------

8(b) *Date of birth*


---

8(c) *Contact address*


---

8(d) *Email address and telephone number*

<u>office@beerzoo.co.uk</u> 
--

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
24 October 2017	City of Edinburgh Licensing Board	369731



**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 ..... 25. 10. 19 .....

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

Telephone number and email address of signatory: 

**\* Data Protection Act 1998**

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

**Supplementary Application Information**

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

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

<p><b>Business Profile</b> Please describe your business offering.</p> <p>A shop selling alcoholic and non-alcoholic beverages for consumption off the premises.</p> <p>Northern Hobby Ltd was set up in November 2015 to open a small shop in Portobello Edinburgh: BEER ZOO. We intend to set up a similar shop; another BEER ZOO at 35 High Street, Dunbar. We will predominantly sell beer, specialising in ales from microbreweries from Scotland and around the world. The shop will also stock a small range of wine, cider, spirits, non-alcoholic beers and interesting non-alcoholic beverages – all with an emphasis on small scale production and quality.</p> <p>We also have a web shop <a href="http://www.beerzoo.co.uk">www.beerzoo.co.uk</a> and deliver beer throughout the UK and Europe from our shop in Portobello. We plan also to dispatch orders from the shop to which this application relates.</p> <p>(extend this box if you require additional space)</p>	
<p><b>On/Off Consumption</b></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 &amp; deliveries</p>	<p>a) N/A</p> <p>b) Alcohol will be sold for consumption solely OFF the premises including internet sales and deliveries.</p>

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

<p><b>To what extent do you intend to use any of the following:</b> Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals: N/A</p>
---

<p><b>Social Functions – Weddings; Birthdays; Retirements ; Other</b> - If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each: N/A</p>
<p><b>Entertainment – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport</b> - If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:</p> <p>Recorded background music will be played in the shop. It will be inaudible from outside the shop and will be on during shop opening hours.</p>
<p><b>Outdoor Drinking Facilities</b> - If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:</p> <p>N/A</p>
<p><b>Adult Entertainment</b> – 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:</p> <p>N/A</p>
<p><b>Activities Outwith Licensed Core Hours</b> - 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:</p> <p>Recorded music may be played outwith core licensed hours for the enjoyment of staff members.</p>
<p><b>Any Other Activities</b> - 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:</p> <p>Tastings: We plan to offer occasional in-shop tasting samples in order to promote product.</p> <p>Internet/Telephone sales/Deliveries: We have a web shop and orders will be processed and dispatched to courier or delivered in our van.</p>
<p><b>Children and Young Persons</b> – 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.</p> <p>No unsupervised children will have access to the premises.</p>

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

(extend the boxes below if you require additional space)

<p><b>Preventing Crime and Disorder:</b></p> <ul style="list-style-type: none"> <li>· CCTV will be operated at all times</li> <li>· An incident book will be kept on the premises which will include full details of any refused alcohol sales</li> <li>· Notices to be placed in prominent areas</li> </ul>
<p><b>Securing Public Safety:</b></p> <ul style="list-style-type: none"> <li>· Ensure that all staff receive appropriate training about emergency and general safety precautions and procedures</li> <li>· Keep appropriate first aid equipment on premises</li> <li>· Ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol</li> <li>· Ensure occupancy capacity of the premises is never exceeded</li> <li>· Create a written policy on how to deal with people on the premises who may have become incapacitated or vulnerable through intoxication</li> </ul>
<p><b>Preventing Public Nuisance:</b></p> <ul style="list-style-type: none"> <li>· Only background music will be played and it will be inaudible from outside</li> <li>· Shop to only open to public during daytime closing early evening</li> <li>· Use signs to advise patrons and staff to be quiet when leaving premises.</li> <li>· Ensure deliveries to be made at reasonable times</li> <li>· Ensuring waste is collected on a regular basis by a reputable/licensed waste carrier</li> <li>· Rubbish bins, recycling and glass refuse to be kept away from public access</li> <li>· Arrange for the area around our premises to be cleared of litter and fouling on a regular basis</li> <li>· Challenge those who foul the area around our premises</li> </ul>
<p><b>Protecting and Improving Public Health:</b></p> <ul style="list-style-type: none"> <li>· Displaying material discouraging drink driving</li> <li>· Challenge 25 checks, records kept of challenges</li> <li>· Make available low-alcohol and alcohol-free alternatives</li> <li>· Ensure reasonably priced snacks are available to encourage eating while drinking</li> <li>· Compliance with the law on alcohol pricing and irresponsible drinks promotions</li> </ul>
<p><b>Protecting Children and Young Persons From Harm:</b></p> <ul style="list-style-type: none"> <li>· No unsupervised children on premises</li> <li>· Appropriate training of staff in accordance with recognised standards</li> <li>· Risk assessments for all areas to which children and young persons have access.</li> <li>· Challenge 25 checks, records kept of challenges</li> </ul>

**Application Supporting Comments / Any Other Additional Information**

(extend the boxes below if you require additional space)

**Additional Information:**

We are a husband and wife team. Dominic previously worked as assistant manager at Cornelius Beer & Wine in Edinburgh and is also a graphic and web designer. He holds a Level 3/Advanced certificate from the Wine and Spirits Education Trust and is a registered Personal License holder.

Fiona has a background in finance and currently works part time as Accounts Controller for de Burgh Wine Merchants in Dalkeith.

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

We will sell responsibly and with a high level of knowledge, experience and passion for the product.

Here's a short list of things we won't be selling: • No 'cheap' strong, mass-produced lagers • No industrial ciders • No Alcopops • No Buckfast • No cigarettes or tobacco

We have been shortlisted as a finalist in the category 'Independent Beer Retailer of the Year' at the Drinks Retailing Awards 2020.

We plan to maintain the character and appearance of the lovely old building and hope that our shop would complement existing businesses. In Portobello we collaborate with other neighbouring businesses e.g. Curate canned beer list for Skylark Bar, Portobello. Beer sponsor at Ted x talks in Portobello. Participation in Portobello street party. We hope to nurture similar relationships with our new community in Dunbar.

**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

25.10.19

## SCHEDULE

### “SCHEDULE 6

Regulation 7

### DISABLED ACCESS AND FACILITIES STATEMENT

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

#### Question 1

##### **Disabled access and facilities**

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	NO
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	NO
<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 shop is from the street at ground level and there are no steps or obstruction to access. The shop comprises a single, one-level retail space with no steps and is accessible to wheelchairs.

**Question 3**

**Facilities available**

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

N/A

**Question 4**

**Other provisions**

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

Assistance dogs are welcome. Staff are on hand to assist the visibly impaired and explain products.

**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 ... [redacted] ..... \* (see note below)

Date ..... 25.10.19 .....

Capacity ..... ~~APPLICANT/AGENT~~

Telephone number and email address of signatory [redacted] office@bevr200.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."





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

**SECTION 50  
PLANNING CERTIFICATE**

**APPLICANT:**

Mr Dominic Holt

**NAME AND  
ADDRESS OF  
PREMISES:**

35 High Street, Dunbar

**SECTION 50 PLANNING CERTIFICATE**

- I confirm that planning permission (ref:.....) 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:

22<sup>nd</sup> October 2019

**Neil Millar  
Planning Officer**



Date 26/11/2019

Your Ref: EL0369

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  
BEER ZOO 35 HIGH STREET DUNBAR  
BEER ZOO, 35 HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1EW.  
NORTHERN HOBBY LTD, 302 EASTER ROAD, EDINBURGH**

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

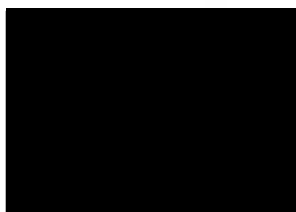
I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

I note that the applicant wishes to make deliveries of alcohol as part of their operating plan and would take this opportunity to remind the applicant of their obligations under Section 119 of the Act in relation to keeping records of these deliveries.

Should the Board be minded to grant this application I would also request that conditions be imposed in respect of:

- CCTV to be installed to the satisfaction of the police and to cover the entire alcohol display area  
and
- that the CCTV installed is to be maintained in working order.

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

# EAST LoTHIAN COUNCIL

## PEOPLE AND GOVERNANCE

**From:** Rudi Fruzynski  
Licensing Standards Officer

**To:** K. MacNeill  
Clerk to the Licensing Board

Date: 27 Nov. 2019

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

**Beer Zoo, 35 High Street, Dunbar, East Lothian EH42 1EW**

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 at the south end of Dunbar High Street, opposite the old Post Office.

Beer Zoo is currently operating under Occasional Licences with an alcohol display area of 92.3m<sup>2</sup>. It sells quirky craft beers and a range of interesting wines and spirits.

The nearest licensed off sale facility is McColls at 21 High Street, Dunbar which has an alcohol display capacity of 13.80m<sup>2</sup>.

The Alcohol displays are covered by CCTV and are in direct view of the service counter. No cheap alcohol products are sold which would be attractive to problem drinkers or young persons. Low alcohol and non-alcoholic drinks products are also available for sale.

Guidance has been provided on deliveries and on-line sales of alcohol. The applicant should comply with the requirements of Section 119 of the Licensing (Scotland) Act 2005 and Section 32 of the Board's statement of licensing policy.

I can confirm that the applicant has the relevant mandatory signage displayed in relation to Section 110 of the Act and Challenge 25.

I support this application.

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:** 12 December 2019 10:18  
**To:** Winter, Maree  
**Cc:** Licensing  
**Subject:** RE: Application for Provisional Licence - Beer Zoo, 35 High Street, Dunbar

Good Morning Maree

NHS Lothian have no objections on this application.

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](mailto: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 \*\*



---

**From:** Winter, Maree [mailto:mwinter@eastlothian.gov.uk]

**Sent:** 20 November 2019 13:44

**To:** Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; [torquil.cramer@firescotland.gov.uk](mailto:torquil.cramer@firescotland.gov.uk); Grant, Shona; Licensing; Boyle, Fiona; Jacqueline Bell

**Subject:** Application for Provisional Licence - Beer Zoo, 35 High Street, Dunbar

Dear all,

Please find attached provisional premise licence application from Northern Hobby Ltd.

**EAST LoTHIAN COUNCIL**

**Internal Memorandum**

**From:** Planning Delivery

**To:** Clerk to the Licensing Board

**Per:** Neil Millar

**Per:** Licensing Board

**Cc:**

---

**Date:** 2<sup>nd</sup> December 2019

**LICENSING (SCOTLAND) ACT 2005**

**Re: Consultation response**

**Address:** Beer Zoo, 35 High Street, Dunbar

**Application type:** Provisional Premises Licence

I have no objection to the grant of a premises licence. No planning permission is required for the sale of alcohol on the premises.



## Herkes, Gillian

---

**From:** Jacqueline Bell [REDACTED]  
**Sent:** 29 November 2019 10:47  
**To:** Licensing  
**Subject:** Provisional Licence for Beer Zoo, High Street Dunbar

Just to note that Dunbar Community Council are supportive of the application. Some people are aware of the Portobello shop which is well run.

One member has queried the need for background music.

Jacque Bell  
Secretary  
Dunbar Community Council

## Gillingwater, Lel

---

**From:** Herkes, Gillian  
**Sent:** 15 January 2020 08:24  
**To:** Gillingwater, Lel  
**Subject:** FW: FW: Attached Image Provisional Licence - Beer Zoo, 35 High Street, Dunbar

Hi Lel

Sorry this has just came in from Beer Zoo may wish to put this in along with the papers.

Gillian

**From:** Fiona Holt <fiona@beerzoo.co.uk>  
**Sent:** 14 January 2020 21:13  
**To:** Herkes, Gillian <gherkes@eastlothian.gov.uk>  
**Subject:** Re: FW: Attached Image Provisional Licence - Beer Zoo, 35 High Street, Dunbar

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Gillian

I apologise, it looks like I omitted to reply to this email. I forwarded it for Dom's attention and we didn't then follow this up.

I can confirm that we are happy to comply with the Police suggestions.

Re CCTV: We had a couple of visits from the police, who inspected and seemed satisfied with our CCTV system that covers the entire alcohol display area as well as the back store.

Home deliveries: A full record will be maintained of all home deliveries.

Please do let me know if you require any further information from us.

Fiona and Dominic Holt

07981 567773

07851487409

BEER ZOO

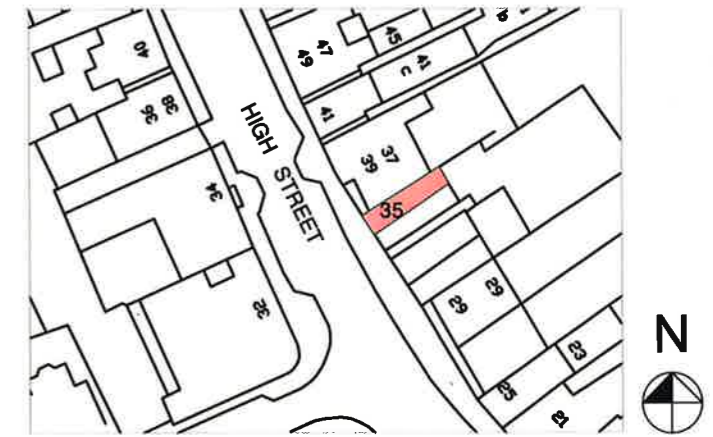
On Thu, 28 Nov 2019 at 09:21, Herkes, Gillian <[gherkes@eastlothian.gov.uk](mailto:gherkes@eastlothian.gov.uk)> wrote:

Hi Dominic

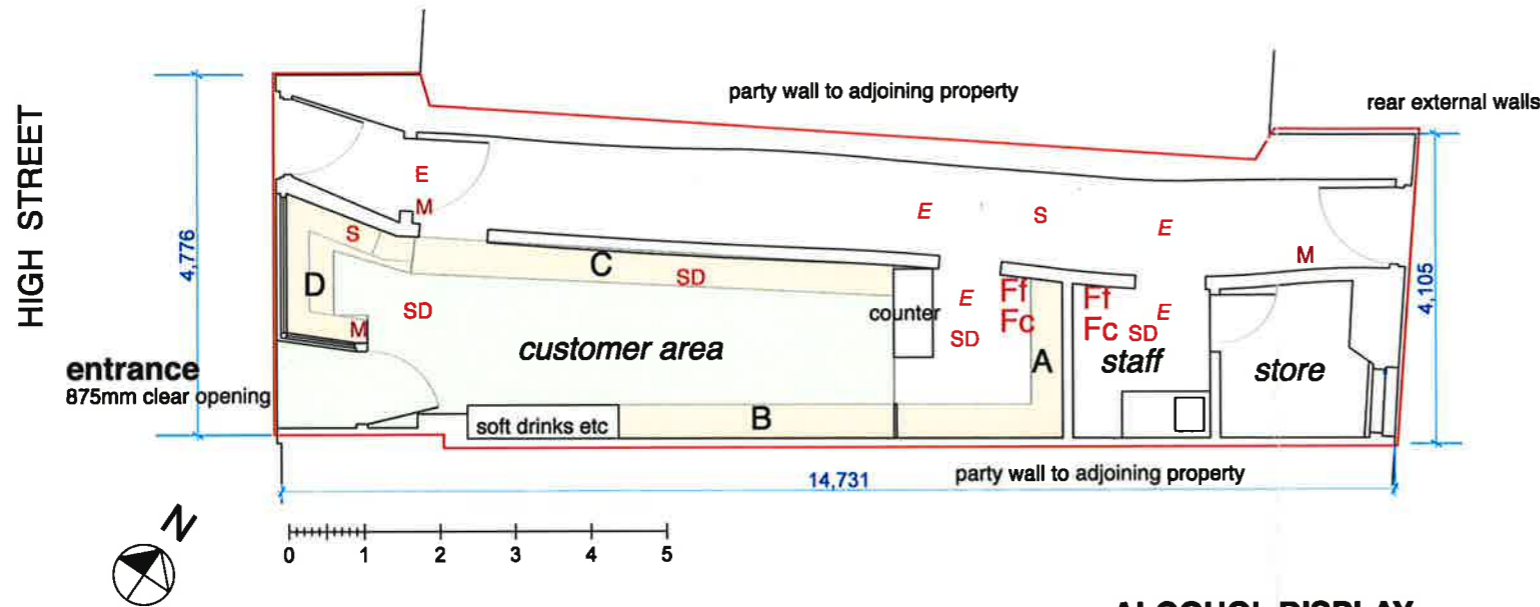
I attach the reports from Police Scotland and our Licensing Standards Officer re your provisional licence. Are you happy to comply with their suggestions.

Kind regards

Gillian



**location plan**



- solid red line shown around entire licensed premises
- Ff Fc Fw** fire extinguisher : foam / Co2 / water
- E** emergency exit illuminated sign
- E** emergency light
- S** alarm sounder
- M** call point
- SD** smoke detector
- extract fan

**ALCOHOL DISPLAY**

**shelves behind counter**

A shelves 5 no @ 3460mm  
total 17.30m

**customer access**

B shelves 6 no @ 5500mm  
total 33.00m  
C shelves 6 no @ 6300mm  
total 37.80m  
D window display total 4.20m

**overall total 92.30m**

**35 HIGH STREET  
DUNBAR, EH42 1EW  
licence plan**

scale 1:100 October 2019  
Whitelaw Assoc. 01968 660452



**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		
<b>Post Code</b>	EH33 1DZ	<b>Phone No.</b>

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

Aldi Stores Limited Holly Lane Atherstone Warwickshire		
<b>Post Code</b>	CV9 2SQ	<b>Phone No.</b>

**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 1<sup>st</sup> to 31<sup>st</sup> 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 – 31.514260m<sup>2</sup>  
Additional seasonal display – 7.200m<sup>2</sup>

**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](mailto:licensing@eastlothian.gov.uk)

<b>FOR OFFICE USE ONLY</b>		
<i>Received &amp; 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>	<b>NO</b>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<b>YES</b>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<b>NO</b>
<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>	<b>YES</b>
--	------------

*\*If YES – provide details*

Increase in alcohol display from 1<sup>st</sup> to 31<sup>st</sup> 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
<b>5(d)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<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>	<b>NO</b>
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<b>NO</b>
<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*

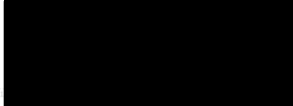
<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
04.08.14	EAST LOTHIAN LICENSING BOARD	EL1074



**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)

Date .....28.11.19.....

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.

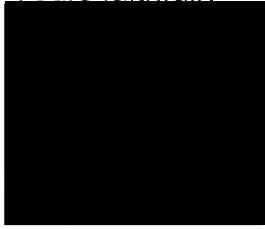
The variation requested consists of amended seasonal variations to increase alcohol display from 1<sup>st</sup> to 31<sup>st</sup> December, annually, and for a week prior to Easter Sunday, as it falls, for a period of 21 days, thus amending alcohol capacity as follows:

Permanent Display -	31.514260m <sup>2</sup>
Additional Seasonal Display -	7.200m <sup>2</sup>

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

---

**Date:** 23<sup>rd</sup> 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 <ehts@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.

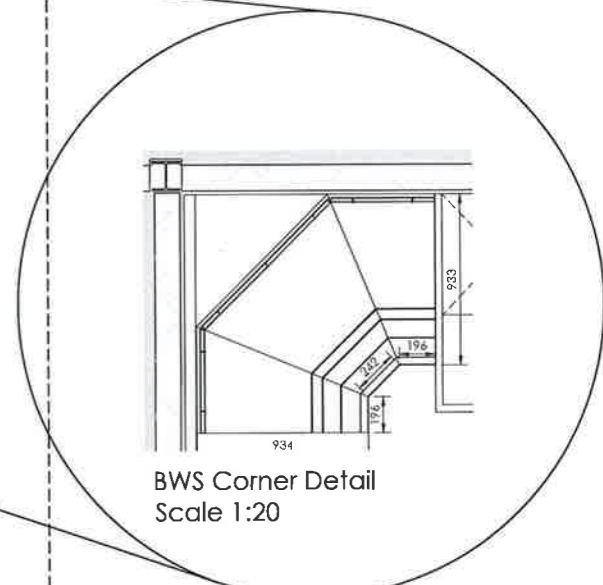
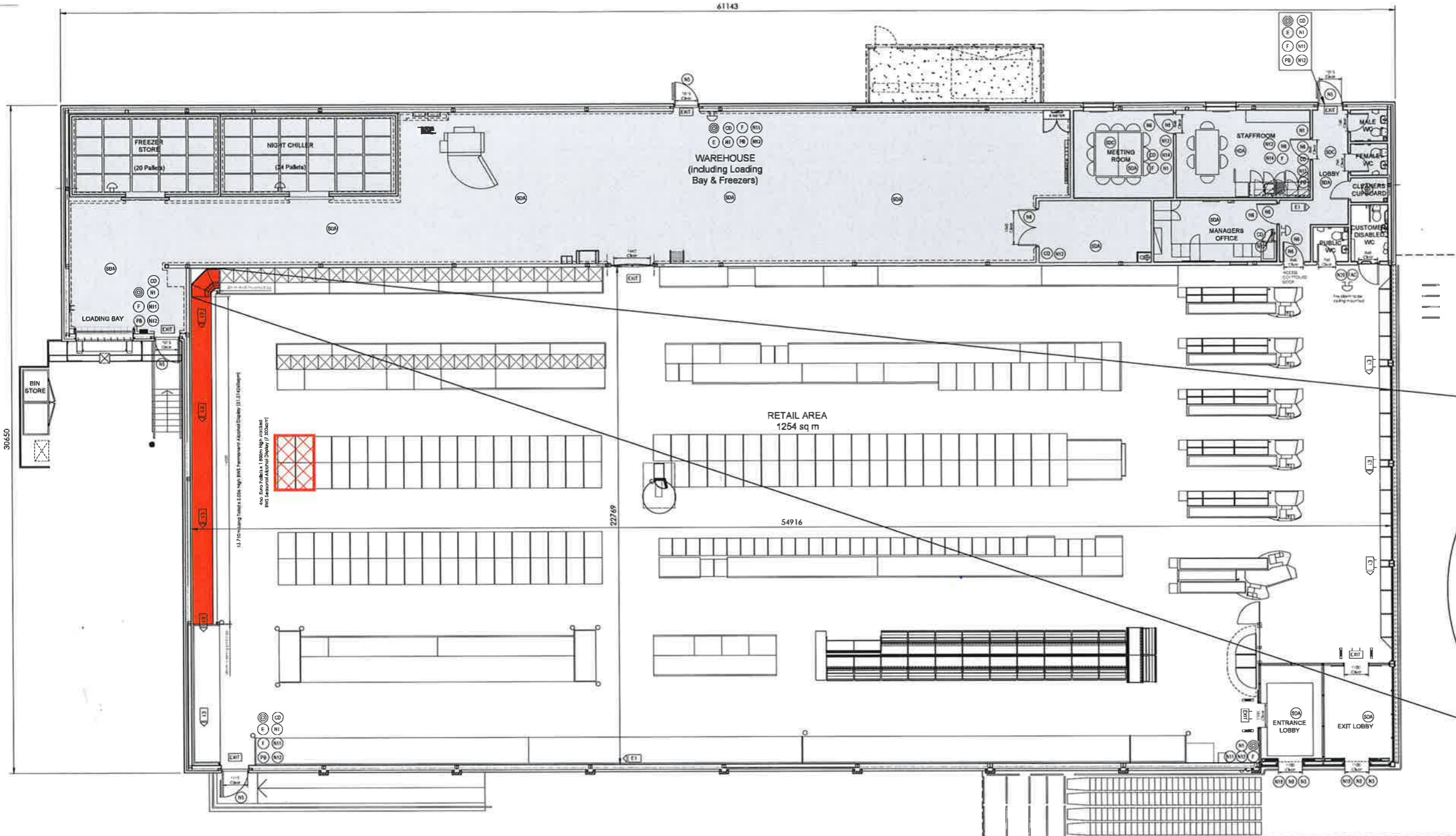
Gillian

Gillian Herkes  
Licensing Officer  
Democratic & Licensing Services  
John Muir House  
Haddington  
East Lothian Council  
01620 820114  
[gherkes@eastlothian.gov.uk](mailto:gherkes@eastlothian.gov.uk)





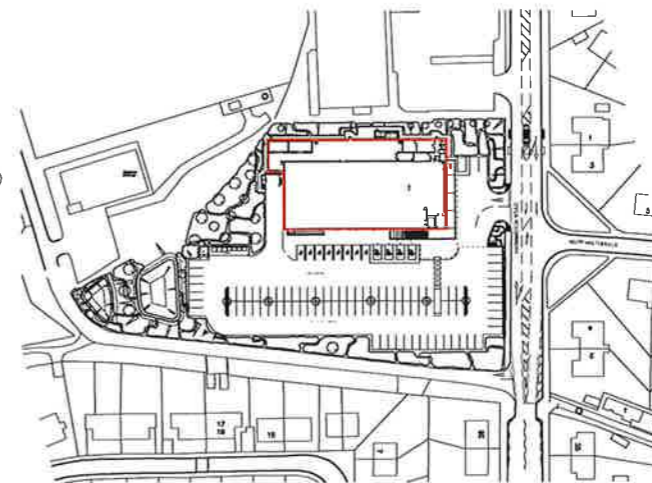
Rev	Date	Description	Drawn	Checked
A	08.11.2017	Rev Issue	AW	NM
B	13.11.2017	Seasonal display drafted	NM	



BWS Corner Detail Scale 1:20



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
- (H) FIRE ALARM CALL POINT SIGN 80 x 80mm SELF ADHESIVE
- (H) FIRE ALARM CALL POINT SIGN 150 x 200mm
- (H) "FIRE EXTINGUISHER" SIGN 150 x 200mm
- (H) "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
- (M) "MIND THE STEP" SIGN 400 x 100mm
- (N) "WAY IN / NO EXIT" SELF ADHESIVE VINYL SIGN
- (N) "WAY OUT / NO ENTRY" SELF ADHESIVE VINYL SIGN
- (M) "FIRE ALARM CONTROL PANEL" SIGN 200 x 150mm
- (E) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm LEFT HAND
- (E) DIRECTIONAL FIRE EXIT SIGN 600 x 200mm RIGHT HAND
- (E) 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 AFF FIRE EXTINGUISHER
- (C) CARBON DIOXIDE FIRE EXTINGUISHER
- (B) FIRE BLANKET
- (M) SMOKE DETECTOR
- (M) VOID MOUNTED SMOKE DETECTOR WITH CEILING MOUNTED INDICATOR
- (M) FIRE ALARM SMOKE DETECTOR & SOUNDER
- (M) FIRE ALARM HEAT DETECTOR & SOUNDER
- (M) FIRE ALARM CONTROL PANEL
- (M) FIRE ALARM BELL

**ALCOHOL MERCHANDISE LEGEND:**

- Permanent Alcohol Display
- Seasonal Alcohol Display  
Christmas: 1<sup>st</sup> December to 31<sup>st</sup> 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

Media Exchange 2  
Cassell Street  
Newcastle Upon Tyne  
NE1 3QB

0191 240 5551  
admin@projektsarchitects.com  
www.projektsarchitects.com

**projekt**  
Architects | Construction



**EAST LOTHIAN**

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

**Licensing (Scotland) Act 2005**

**Personal Licence(s)**

**Applicant**

**Date Received**

**Comments**

**5 CARGILL LEE**

7 November 2019



EL1633  
PC/RH 7/11

## 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.

<b>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</b>	
<b>TITLE</b> (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	LEE
Forenames	CARGILL
Date and Place of Birth	[REDACTED]
NI Number	[REDACTED]
<b>ADDRESS WHERE ORDINARILY RESIDENT</b> (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
[REDACTED]	Post code, [REDACTED]
<b>TELEPHONE NUMBERS</b>	
Daytime	[REDACTED] East Lothian Council Licensing
Evening	[REDACTED] - 7 NOV 2019
Mobile	[REDACTED] Received
<b>FAX NUMBER</b>	
<b>E-mail address</b> (if you would prefer us to correspond with you by e-mail)	
[REDACTED]	
<b>Address for correspondence associated with this application</b> (if different to the address above)	
[REDACTED]	
Post town	Post code

<b>2. Your licensing qualification</b>		
<b>Read note 2</b>	<b>Please tick</b>	
I hold an accredited qualification	Yes	<input type="checkbox"/>
If you have ticked yes please provide a copy of your qualification with your application.		

<b>3. FIRST APPLICATIONS ONLY</b>		
<b>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.</b>		
<b>Note: You may only hold one personal licence at a time</b>	<b>Please tick</b>	
Do you currently hold a personal licence?	<input type="checkbox"/>	No
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	<input type="checkbox"/>	No
Has any personal licence held by you been forfeited in the last 5 years?	<input type="checkbox"/>	No
<b>Licensing Board</b>		
<b>Licence number</b>		
<b>Date of issue</b>		
<b>Date of expiry</b>		
<b>Any further details</b>		



<b>4. RENEWAL ONLY</b>	
<b>This section should be completed only if you are applying for a renewal of your existing licence</b>	
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	
<b>Details of current personal licence</b>	
<b>Licensing Board</b>	
<b>Licence number</b>	
<b>Date of issue</b>	
<b>Date of expiry</b>	
<b>Any further details</b>	
If you cannot provide your personal licence, provide a statement explaining why	

<b>Other personal licence</b>		
<b>Note: You may only hold one personal licence at a time</b>		<b>Please tick</b>
I confirm that I do not hold any other personal licences other than the one submitted for renewal	Yes	<input type="checkbox"/>

<b>5. CHECKLIST</b>		
<b>I have</b>	<b>Please tick yes</b>	
<ul style="list-style-type: none"> <li>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.</li> </ul>	<input checked="" type="checkbox"/>	✓
<ul style="list-style-type: none"> <li>Enclosed a copy of any licensing qualification I hold</li> </ul>	<input checked="" type="checkbox"/>	✓
<ul style="list-style-type: none"> <li>Enclosed my current personal licence (renewal only)</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Made or enclosed payment of the fee for the application</li> </ul>	<input checked="" type="checkbox"/>	✓

<b>6. Previous Convictions</b>
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



<b>7. Declaration</b>			
The contents of this application are true to  of my knowledge and belief			
SIGNATURE – read note 5		DATE	6/11/19
Applicant/Agent* (*Delete as appropriate)			

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>)







**Highfield**  
Qualifications®

## **Highfield Qualifications**

Certifies that

*Lee Cargill*

has successfully passed an assessment in

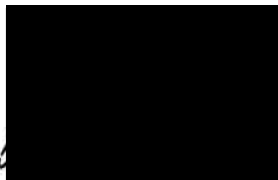
**Scottish Certificate for Personal Licence Holders at  
SCQF Level 6**

*Qualification number* R354 04

*Date of award* 03 October 2019

*Certificate number* PLH2774094

  
*Course Director*



*Jason Sprenger - Chief Executive  
Highfield Qualifications*



**Accreditation**



Date 26/11/2019

Your Ref: EL1633

Our Ref: J/LIC/3705/HB



**POLICE  
SCOTLAND**

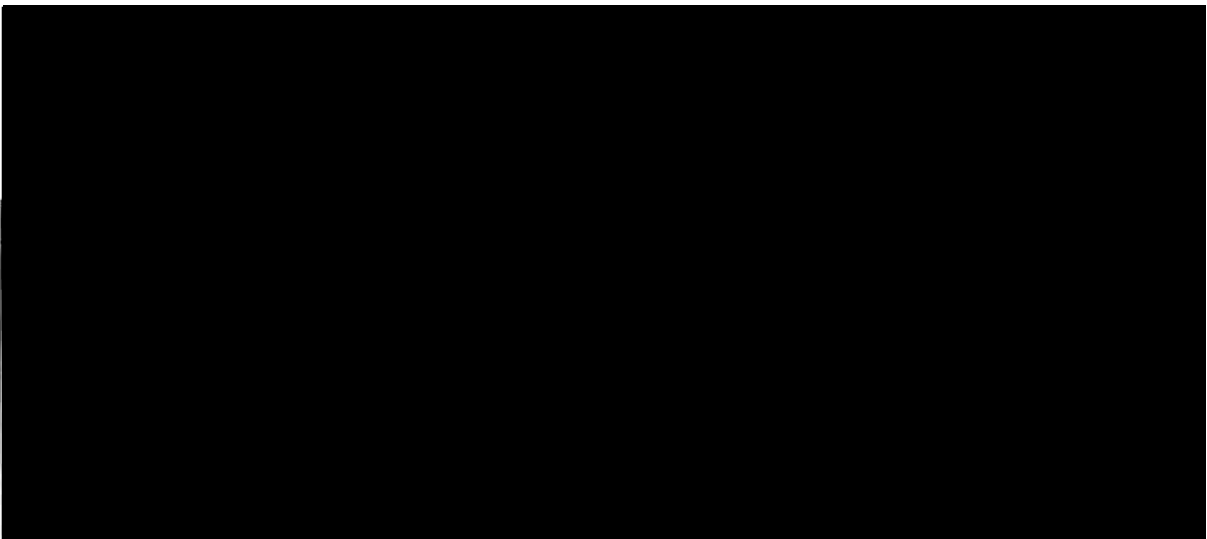
Keeping people safe

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  
PERSONAL LICENCE  
LEE CARGILL, [REDACTED]**



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

Yours faithfully



For enquiries please contact the Licensing Department on 01620 826147

**EAST LOTHIAN**

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

**Licensing (Scotland) Act 2005**

**Request to Extend Provisional Premises Licence**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comment</b>
5. 10 – 12 Court Street Haddington	10-12 Court Street Macdonald Licensing 21a Rutland Square Edinburgh	13 November 2019	Extension Request to Provisional Licence





**REPORT TO:** East Lothian Licensing Board

**MEETING DATE:** 23 January 2020

**BY:** Clerk of the Licensing Board

**SUBJECT:** Request to Extend Provisional Premises Licence, 10-12 Court Street, Haddington

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## **1 PURPOSE**

- 1.1 To advise Members of a request made in terms of section 45(7) of the Licensing (Scotland) Act 2005 (“the Act”) to extend the period of a provisional premises licence in respect of premises at 10-12 Court Street, Haddington.

## **2 RECOMMENDATIONS**

- 2.1 That East Lothian Licensing Board considers whether to grant the request to extend the period of effect of the provisional premises licence, and if minded to grant, to determine the appropriate period of the extension.

## **3 BACKGROUND**

- 3.1 In terms of section 45 of the Act, a provisional premises licence granted by the Board does not take effect until confirmed. If the provisional premises licence is not confirmed by the period ending 4 years from the date of issue, it is treated as being revoked.
- 3.2 On the application of the holder of a provisional premises licence made before the expiry of the 4 year period, the Licensing Board can extend the provisional period by such period as it considers appropriate if it is satisfied that:
- (i) completion of the construction or conversion of the premises has been delayed; and
  - (ii) the delay has been caused by factors out with the licence holder’s control.

- 3.3 The provisional premises licence in respect of the premises at 10-12 Court Street, Haddington, was originally granted by the Licensing Board on 24 March 2016.
- 3.4 The premises are described as a café/bistro in a commercial unit situated in Court Street, Haddington. If confirmed, the premises licence will have a maximum capacity figure of 38 persons, with licensed hours for the sale of alcohol on and off the premises being 11.30am to 10pm, Monday to Sunday.

#### **4 POLICY IMPLICATIONS**

- 4.1 None

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – none
- 6.2 Personnel – none
- 6.3 Other – none

#### **7 BACKGROUND PAPERS**

- 7.1 Application for provisional licence to East Lothian Licensing Board, 24 March 2016.

<b>AUTHOR'S NAME</b>	Kirstie MacNeill
<b>DESIGNATION</b>	Clerk to the Licensing Board
<b>CONTACT INFO</b>	01620 827164 <a href="mailto:kmacneill@eastlothian.gov.uk">kmacneill@eastlothian.gov.uk</a>
<b>DATE</b>	13 January 2020



# EAST LoTHIAN LICENSING BOARD

## APPLICATION FOR PROVISIONAL PREMISES LICENCE

Licensing (Scotland) Act 2005, section 20

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

#### Question 1

*Name, address and postcode of premises to be licensed.*

10-12 Court Street  
Haddington  
East Lothian  
EH41 3JA

#### Question 2

*Particulars of applicant*

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

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

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

Meucci Ltd  
2 Lanark Road  
Edinburgh  
EH14 1TQ  
  
Company Registration No. SC517963

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.\**

Franco Cucchi

[REDACTED]

[REDACTED]

Contact:

[REDACTED]

[REDACTED]

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

**Question 3**

*Previous applications*

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

*If YES – provide full details*

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**Question 4**

*Previous convictions*

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

*\*If YES – provide full details*

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

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

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

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

**\* Data Protection Act 1998**

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

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

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

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

**SECTION 50  
PLANNING CERTIFICATE**

APPLICANT:	Meucci Ltd
NAME AND ADDRESS OF PREMISES:	10-12 Court Street, Haddington

**SECTION 50 PLANNING CERTIFICATE**

I confirm that planning permission (ref: 15/00849/P) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.

I confirm that planning permission is not required.

**SECTION 50 PROVISIONAL PLANNING CERTIFICATE**

I confirm that planning permission (ref:.....) or outline planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.

I confirm that planning permission is not required.

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

Signed:		Date:	25 <sup>th</sup> January 2016
Neil Millar Planning Officer			

## EAST LoTHIAN LICENSING BOARD

### OPERATING PLAN

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

*Name, address and postcode of premises to be licensed.*

10-12 Court Street Haddington East Lothian EH41 3JA
--

**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>	<b>NO</b>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<b>NO</b>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<b>YES</b>
<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>	<b>11:30am</b>	<b>10:00pm</b>
<i>Tuesday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Wednesday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Thursday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Friday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Saturday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Sunday</i>	<b>11:30am</b>	<b>10:00pm</b>

**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>	<b>11:30am</b>	<b>10:00pm</b>
<i>Tuesday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Wednesday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Thursday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Friday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Saturday</i>	<b>11:30am</b>	<b>10:00pm</b>
<i>Sunday</i>	<b>11:30am</b>	<b>10:00pm</b>

**Question 4**

**SEASONAL VARIATIONS**

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

*\*If YES – provide details*

Would like to take advantage of any general extensions granted by the Board, and may apply for extensions for certain events and occasions.



**Question 5**

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

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

<b>5(b) Activity</b> <i>Social functions including:</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<i>Club or other group meetings etc.</i>	<b>YES</b>	<b>YES</b>	<b>YES</b>

<b>5(c)</b> <b>Activity</b> <i>Entertainment including:</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Recorded music – see 5(g)</i>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<i>Live performances – see 5(g)</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Dance facilities</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Theatre</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Films</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Gaming</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Indoor/outdoor sports</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Televised sport</i>	<b>YES</b>	<b>YES</b>	<b>YES</b>

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

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

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

The premises may open from (6am) for the provision of snacks, breakfasts etc. but no alcohol will be sold or supplied outwith Licensed Hours

Activities answered 'yes' in column 4 may take place during Seasonal Variations, during the period referred to the above, with the benefit of an extension of permitted 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.

Takeaways (within Licensed Hours)
Deliveries (which may include alcohol)
Outside Catering
Tastings
Tutorials

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>	<b>YES</b>
	<i>*Delete as appropriate</i>	

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

Children and Young Persons are welcomed onto the premises.  
Children will be required to be accompanied by an Adult.

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

No Restrictions (0 – 17 years)

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

No Restrictions

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

Children and Young Persons will have access to all public areas.

**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 and telephone number*

--

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

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

Signature ..... \* (see note below)

Date .....

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

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

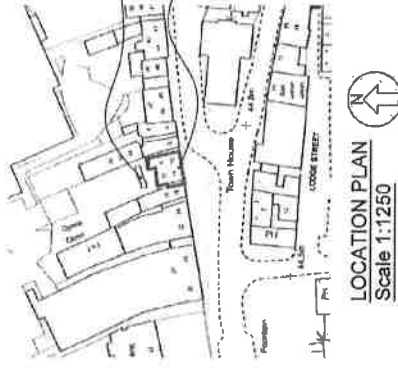
**\* Data Protection Act 1998**

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

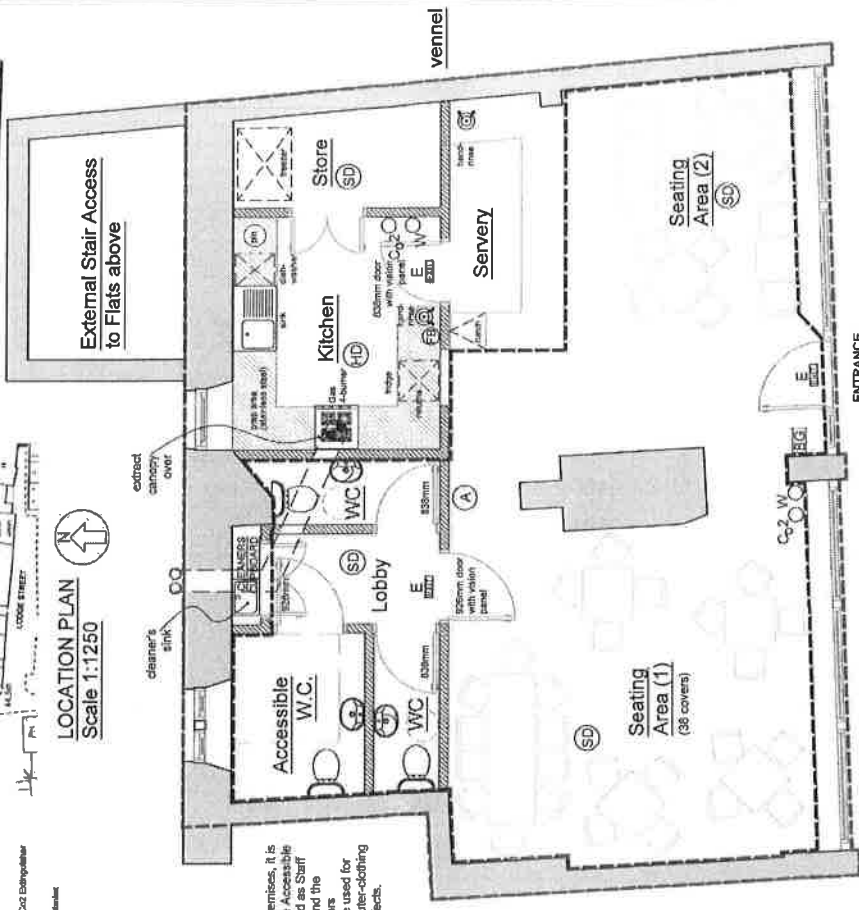
- KEY**
- (SD) Mains approved (protected supply), (unprotected supply), (protected supply), (protected supply), (protected supply), (protected supply), (protected supply)
  - (SD) Mains approved (protected supply), (protected supply), (protected supply), (protected supply), (protected supply), (protected supply), (protected supply)
  - (E) Directional illuminated Emergency Exit sign
  - (E) Exit
  - (K) Break glass point
  - (A) Audible fire alarm
  - (W) 8 litre water extinguisher
  - (C) 8 litre water extinguisher
  - (C) 8 litre water extinguisher
  - (C) 8 litre water extinguisher
  - (PB) Fire Blanket

PLAN APPROVED  
REF: ELSS4  
DATE: 24/3/2016  
CLERK

Application Premises:  
10 - 12 Court Street,  
Huddersfield  
EH47 1TQ



**Note**  
Due to size of premises, it is intended that the Accessible W.C. will be used as Staff changing area and the Lockable Cleaners Cupboard will be used for the storage of outer-clothing and personal effects.



**PROPOSED FLOOR LAYOUT**  
Scale 1:50



**david paton building consultancy**  
13 High Street, Loanhead, Midlothian, EH20 9RH.  
TEL : 0131 440 1213  
e-mail : davidpatonb@btconnect.com  
www.davidpatonb.co.uk  
Established in 1981

**Project:**  
Drinks License for Bistro at  
10-12 Court Street  
Huddersfield  
EH47 3JA  
for: Meucci Ltd  
Date: January 2016

**Drawing Title:**  
Floor Layout  
& Location Plan

**Drawing No.:**  
15-60-DL01

**Scale:** 1:50  
**Drawn:** SM  
**Revision:**







Maree Winter  
Democratic & Licensing Services  
East Lothian Council  
John Muir House  
DX - 540741  
Haddington

**12 November 2019**  
**Our Ref: M124/1**

Dear Maree

**10-12 Court Street, Haddington**

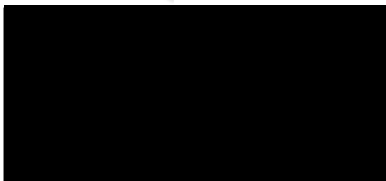
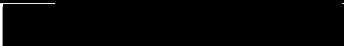
I refer to recent correspondence and the Provisional Premises Licence for the above premises. This was granted on 24 March 2016 and therefore is due to expire on 23 March 2020.

We would like to request an extension to the Provisional Premises Licence, under Section 45(7) of the Licensing (Scotland) Act 2005. As the March 2020 Board would be too late, and we would rather not leave it until the last Board that it can be considered at, we would be obliged if this matter could be considered at your Board Meeting on 30 January 2020.

As you will appreciate, since obtaining this Provisional Premises Licence, it has been our clients desire to complete the work and open to the public as soon as possible. This is a massive investment, and is seriously over-budget and behind schedule.

I am awaiting a detailed summary, from the architect, as to the reasons for the delay here which I will pass to you prior to the Hearing. An update will also be given just before the meeting.

Could you please acknowledge receipt and confirm that this will be placed on the Agenda for the January 2020.

  
  
Alistair I Macdonald  
Director

East Lothian Council  
Licensing

13 NOV 2019

Received



## Winter, Maree

---

**From:** Fruzynski, Rudi  
**Sent:** 06 January 2020 13:52  
**To:** Winter, Maree; Lothian Scot Borders Licensing East Mid Lothian  
**Subject:** RE: Report for request for extension to provisional licence

I think I would like some additional information on the following before commenting on this application:

- Why has there been a delay in completion and opening of these premises.
- What now is the anticipated timescale for opening.
- Will there be any changes to the original provisional licence operating and layout plan.

Kindest wishes

Rudi

Rudi Fruzynski  
Licensing Standards Officer  
Accredited Paralegal  
East Lothian Council



01620827363

---

**From:** Winter, Maree <mwinter@eastlothian.gov.uk>  
**Sent:** 06 January 2020 13:02  
**To:** Lothian Scot Borders Licensing East Mid Lothian  
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>  
**Subject:** Report for request for extension to provisional licence

Hi

Don't know if I sent this to you or not, but please see attached, do you have any objection to an extension to the provisional licence for 10 – 12 Court Street, Haddington being given.

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](mailto:mwinter@eastlothian.gov.uk)

**Winter, Maree**

---

**From:** Banks, Colin <Colin.Banks@scotland.pnn.police.uk>  
**Sent:** 08 January 2020 10:07  
**To:** Winter, Maree  
**Subject:** RE: Report for request for extension to provisional licence [OFFICIAL]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

**OFFICIAL**

Maree,

Nothing adverse from Police, noted Rudis Comments

Colin

---

**From:** Winter, Maree [mailto:mwinter@eastlothian.gov.uk]  
**Sent:** 06 January 2020 13:02  
**To:** Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi  
**Subject:** Report for request for extension to provisional licence

Hi

Don't know if I sent this to you or not, but please see attached, do you have any objection to an extension to the provisional licence for 10 – 12 Court Street, Haddington being given.

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](mailto:mwinter@eastlothian.gov.uk)**



\*\*\*\*\*  
\*\*\*\*\*

Email Disclaimer - East Lothian Council  
This email and any files transmitted with it are confidential and

## Winter, Maree

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**From:** Tabbi McGhee <tabbi@macdonaldlicensing.com> on behalf of Alistair Macdonald <alistair@macdonaldlicensing.com>  
**Sent:** 08 January 2020 16:09  
**To:** Winter, Maree  
**Cc:** Fruzynski, Rudi  
**Subject:** 10-12 Court Street, Haddington - Request to Extension Provisional Licence

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Maree and Rudi

I refer to your respective emails of 6 January.

I asked Franco Cucchi for a bit more information. Apparently initially he entered into a contract with a firm of Builders, but the Building Warrant took longer to obtain than they anticipated and he wouldn't allow the Builders to start until it had been granted. They then decided that they couldn't wait any longer, terminated the contract, and took up another job. When the Building Warrant came through, they weren't available.

It was understood that they would return so he didn't employ anybody else. There was then an issue with 3 phase supply, which took over four months to sort out, and Franco's recollection is that there was an issue with the extractor system from Planning.

The original Builders were not available then.

The next contractor was not up to the job, but the current firm are satisfactory and everything is coming together.

It is hoped that the premises will open 'early this year' but no definite date, taking into account the history here, has been mentioned.

It is not envisaged that there will be any changes to the Layout Plan. Nor will a change to the Operating Plan be required.

I will obtain a further update just before the Hearing.

Kind regards

Alistair I Macdonald  
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC388451)  
21a Rutland Square  
Edinburgh  
EH1 2BB

DX Edinburgh 561

Tel: 0131 229 6181  
Fax: 0131 221 1282  
[www.macdonaldlicensing.com](http://www.macdonaldlicensing.com)

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