
EAST LoTHIAN**3a****Meeting 26 March 2020 at 10.00a.m. in , Council Chambers, Town House, Haddington****Licensing (Scotland) Act 2005****Variation (Major)(s)**

	Premises	Applicant	Date Received	Comments
2	MARGIOTTA 10A HIGH STREET ABERLADY LONGNIDDRY EAST LoTHIAN EH32 0RB	JELCM LIMITED C/O MACDONALD LICENSING 21A RUTLAND SQUARE EDINBURGH EH1 2BB	10 February 2020	Change name of premises to Margiotta. Add recorded(background) music, to take place prior to core hours. Amend opening hours 7am to 10pm. Add takeaway (hot food and coffee) and Deliveries (which may include alcohol). Reduce offsale capacity to 13.5m2.
3	NISA LOCAL 18-26 HIGH STREET NORTH BERWICK EAST LoTHIAN EH39 4HQ	TASNEEM AHMED	30 January 2020	To vary licence for addition of home deliveries of alcohol and increase alcohol display from 23.4m2 to 28.89m2 and vary layout plan for introduction of new checkout area.

EAST LoTHIAN LICENSING BOARD

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

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

SECTION 1: TYPE OF VARIATION

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

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

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL063

2(b) Name and Address of Premises

Londis Aberlady Village Store
10A High Street
Aberlady
East Lothian

Post Code EH32 0RB

Phone No. 01875 870 261

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

Aberlady Village Store Ltd
10A High Street
Aberlady
East Lothian

Post Code EH32 0RB

Phone No.

SECTION 3: NATURE OF VARIATION

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

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

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

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

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

To add Recorded Music, which will be background music, as an Activity, which may take place prior to the commencement of core hours.

To remove the reference in Question 5(f) of the current Operating Plan relating to opening and closing times.

Providing that the shop may open at 7am and remain open until 10pm each day.

To add Takeaways (there is an element of hot food sold, plus coffees) and Deliveries (which may include alcohol) as additional Activities.

As part of the refurbishment reduce the capacity to 13.5sqm.

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.

To substitute a new Layout Plan showing the reduced alcohol display and changes to the layout.

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

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

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

To change the name of the business to 'Margiotta'

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 £170 is enclosed

Signature

..... (See note 5 below)

Date

.....

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

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

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com

Note 1:

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

Note 2:

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

Note 3:

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

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

Note 4:

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

Note 5:

Data Protection Act 1998

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

Contact Us:

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

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

FOR OFFICE USE ONLY

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

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Margiotta
10A High Street
Aberlady
East Lothian
EH32 0RB

Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>		
<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>	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>	<i>NO</i>
--	-----------

**If YES – provide details*

Question 5

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

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

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

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

Recorded music, namely background music, may be played prior to licensed hours commencing, as the property may open from 7am.

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.

Hot food takeaway (there will be a limited amount of hot food available, together with coffees and teas).

Deliveries (which may include alcohol).

The shop may open at 7am and remain open until 10pm each day.

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>	<i>YES/NO*</i>
--	----------------

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

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES/NO*
	<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?

Off Sales - 13.5sqm

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 the  the best of my knowledge and belief.

Signature  * (see note below)

Date *6/2/20*

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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

Supplementary Application Information

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

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

Business Profile

Please describe your business offering.

This Application is by JELCM Ltd, owned and operated by the Margiotta family. Margiotta Ltd operate six convenience stores in Edinburgh and are well known and well respected in those areas. The shops range is sized from fairly small, to quite substantial, and are all overseen by members of the family. Younger members of the family are now involved to a larger extent as well. This is a new company, owned by the next generation who have decided that East Lothian is an area that they would like to operate from. These premises became available and they considered that this would be an ideal location for their type of operation.

The Application deals with the following issues:-

- To add Recorded Music as an Activity. This is simply background music which they play in all of their shops. The volume will be at a level that is conducive to people carrying on their business of shopping and for staff serving. It will not be loud.
- There is actually a reduction in the alcohol display capacity.
- There is an element of hot food sold plus coffees, and also deliveries may take place. That is the case in their Edinburgh stores and they will just repeat the formula which works very well.
- With regard to the shop hours, all of their current shops remain open until 10pm, which is the maximum Statutory Hours for an off-sale. We have also provided that they may open at 7am in the morning.
- Finally there is a new Layout Plan showing the new layout including the alcohol display area, and also to change the name of the business to 'Margiotta'

(extend this box if you require additional space)

On/Off Consumption

(a) Please describe the type of business you intend to operate in respect of On consumption.

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

a) As explained above a convenience store type of business with a range of products, including groceries, fresh fruit and veg, toiletries and alcohol, which is what the shop provides at the moment.

b) With regard to deliveries, deliveries are carried out by Margiotta staff who have received the two hour statutory training. The Board's Conditions in respect of Deliveries will be accepted

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

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

N/A

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

N/A

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

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

As explained above Recorded Music will be played at an appropriate level. None of the others are applicable.

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

N/A

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

N/A

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

The shop will open from 7am. Recorded Music may be played during that period and the general business of the shop, other than the sale of alcohol, will be available from then. No alcohol will be sold or supplied until the commencement of licensed hours.

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

As explained, there will be a limited hot food (rolls, pies, pizza, for takeaway) available along with teas and coffees.

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

There is of course no restriction on access by children and young persons in off-sales. The store would expect to have children and young persons as customers, sometimes unaccompanied. From the point of view of the sale of alcohol, our clients are experienced in implementing Challenge 25, appropriate staff training and due diligence. This will be strictly enforced here as well.

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

(extend the boxes below if you require additional space)

Preventing Crime and Disorder:

Our clients have had no issues in their Edinburgh shops and would not expect to have here, in this village environment. One of the Margiotta family will be the Premises Manager and staff will be employed, probably locally.

Our clients wish to fit into the village in the same way as the current operation does and the main business will be from locals.

On that basis the last thing they would want to do is create any issues or concerns regarding crime and disorder. We have already made reference to the sale of alcohol to children and young persons, but they will be equally strict with regard to people who have already consumed alcohol. According to the current owners this is not an issue but they will be diligent, especially in the initial period when they takeover.

Potential theft is an issue that all shops have to deal with these days but our clients will review CCTV system when they take over and will add to it if they consider appropriate and this will be closely monitored. In particular alcohol display areas will be in view of the staff to deal with potential theft of alcohol, as well as other products.

Securing Public Safety:

The premises will go through a refurbishment and public safety of customers and of course staff is taken into account when this is done. There will be CCTV for the protection and assistance of staff and customers alike. There have been no public safety issues at any of their shops. They are responsible and experienced operators.

Customers with any form of disability, be it mobility, sight, hearing etc will be treated accordingly and their safety will be paramount. As part of the refurbishment aisles will be widened.

Preventing Public Nuisance:

Recorded Music in the premises will be played at a low volume appropriate for a shop.

They do not consider that their shop will cause any inconvenience. We are requesting that the hours be extended, but it is not anticipated this will be an issue. Obviously in the first few weeks or months of opening, our clients will welcome input from local neighbours if there has been any increase in any form of inconvenience, which they will then address.

Protecting and Improving Public Health:

Our clients are responsible retailers and are fully aware of the concerns of the Government, alcohol agencies and the public at large.

They consider that they have contributed to the increased standards in the off-sale trade, including training, and heightening the awareness and responsibility of staff and management in their shops.

Protecting Children and Young Persons From Harm:

As explained above children and young persons will be welcomed onto the premises and monitored if appropriate. They would also expect most children and young persons to be local and over time for staff to get to know them, know how old they are, and do not envisage there being any issues.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

With the retiral of the current owners who have become very much part of the community, our clients look forward to taking over these premises and operating in this beautiful village in East Lothian.

There are opportunities in Edinburgh for shops to be acquired, but they intentionally decided that they would like to venture outwith Edinburgh and are delighted with this proposed acquisition.

They consider East Lothian to already be a thriving part of Scotland, but with a growing population resulting in increased demand for first class services in terms of shopping, restaurants and bars etc they would like to be part of that.

East Lothian is of course a major producer of fresh fruit, vegetables and meat and they would certainly envisage looking locally for their supplies.

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

Taking over an existing community store and upgrading the store.

SIGNATURE AND DECLARATION BY APPLICANT

IT IS AN OFENCE 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	
-----------	--	------	--

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com

17/02/2020

Your Ref: EL063

Our Ref: JE/4926LIC/20

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



**POLICE
SCOTLAND**

Keeping people safe

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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
LONDIS ABERLADY MINI MARKET
10A HIGH STREET, ABERLADY, EAST LOTHIAN, EH32 0RB.**

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

The variation requested consists of a change to the operating plan in that following refurbishment the name be changed to 'Margiotta' there be a reduction in the alcohol display to 13.5sqm, recorded music be played in the background prior to the commencement of core hours, to include hot food takeaway, and deliveries (which may include alcohol). That the shop may open at 7am and remain open until 10pm each day.

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

Should the Board be minded to grant this variation, I 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.

I have no adverse comment to make regarding the variation proposed

Yours faithfully



For enquiries please contact the Licensing Department on 01602 826147

EAST LoTHIAN COUNCIL

PEOPLE and GOVERNANCE

From: R. Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 06 March 2020

Subject: LICENSING SCOTLAND ACT 2005
PREMISES LICENCE MAJOR VARIATION APPLICATION

Londis Aberlady Village Store, 10A High Street, Aberlady, East Lothian EH32 0RB

I have no objection to this application.

I can confirm that the applicant and premises have been visited in relation to this variation application. My observations are as follows:

The changes applied for are:

- To change the name of the premises to Margiotta.
- To add ambient background music.
- To add in the facility of home delivery of alcohol. In this respect, the applicant should comply with requirements of Section 119 of the Licensing (Scotland) Act 2005 and Section 32 of the Board's statement of licensing policy.
- To change the layout of the store and decrease the alcohol display from 16m² to 13.5m². Licensing Standards has no objection to this proposal, but as a standard now being set for all variations to off-sales premises, it is requested that conditions be applied that all theft of alcohol should be reported to the police.
- Any CCTV will be of a specification supported by Police Scotland.

In summary, the proposed changes are supported by Licensing Standards.

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: 26 February 2020 11:49
To: Winter, Maree
Subject: RE: Major Variation application - Londis Village Store (new name - Margiotta).

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.

Hi Maree

No comments from NHS Lothian on above application, thanks.

Kind regards, Fiona

From: Winter, Maree [mailto:mwinter@eastlothian.gov.uk]
Sent: 10 February 2020 11:19
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Environment Reception; Licensing; Boyle, Fiona; Grant, Shona; torquil.cramer@firescotland.gov.uk;
[REDACTED]
Subject: Major Variation application - Londis Village Store (new name - Margiotta).

Dear all,

Please find attached major variation application for the above premises. Could I please have any objections/representations by Friday 6th March 2020.

Kind regards

Maree.

Maree Winter
Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:
Haddington: EH41 3HA
01620 827867
mwinter@eastlothian.gov.uk



Winter, Maree

From: [REDACTED]
Sent: 22 February 2020 11:57
To: Licensing
Cc: [REDACTED]
Subject: Change of Licence - 10a High Street Aberlady

Follow Up Flag: Follow up
Flag Status: Flagged

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 Ms MacNeill,

Thank you for your letter re the Application for Variation (Major) of the Off Sales Licence at our local village shop.

[REDACTED]

We are concerned re the proposed extension to opening hours until 10pm bringing increased noise and traffic congestion late in the evening. The shop is next to the zebra crossing and close to the bus stop which restricts parking.

By 7pm most residents have returned home from work and parked - the result is that visitors to the shop by car stop illegally either within the zebra crossing restricted area or in the bus stop. This is an accident waiting to happen and increasing the opening hours especially in the winter months makes this more likely.

Our other concern is background music being played - what restrictions are there on volume and if approved could this be played outside the shop where there is space to put tables and chairs? Quiet background music inside the shop is fine otherwise outside or loud music we would object to.

Finally could a provision be made for an on-site rubbish bin?

[REDACTED]

Finally we welcome the new owners of the shop as we believe their reputation for good quality products can only enhance the village but we ask that the above comments are taken into consideration.

Your sincerely

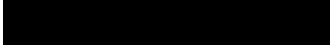


East Lothian Council
Licensing
25 FEB 2020
Received

Your ref. KmacN/mjw/EN/L/L1
25 February 2020

Dear Sir/Madam

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR VARIATION (MAJOR)
PREMISES – MARGIOTTA, 10A HIGH ST, ABERLADY, EH32 0RB.
TYPE – OFF SALES

Further to your notification dated 10 Feb. 2020 regarding the above premises as an  I wish to make the following objections and representations.

- * Recorded (background) music to be limited to the inside of the premises at all times and not at any time to be audible from the outside of the premises.
- * The current premises close at 7pm weekdays and 6pm at weekend which is acceptable and the prospect of opening till 10pm will only encourage an element of customers who are wanting to buy alcohol late in the evening. This would encourage excessive noise with possible drinking in the streets. Most customers at this time of night will arrive by car which could mean that the alcohol, just purchased, could be consumed in the car and possibly by the driver. This action is impossible to police and therefore the only way to control it is not to open later than 7pm. One must remember the financial cost of a fatal accident to the public authorities is enormous and the loss to family and friends is a permanent tragedy.
- * Currently the forecourt of the shop is not used and it would be totally unacceptable for this to be used in anyway with tables and or chairs to eat or drink. The hotel DUCK'S is directly opposite and provides adequate facilities for anyone who wishes these outside services.
- * This shop at the moment has been well run and is an asset to the village but a large number of its customers arrive by car. Immediately outside the shop is a Traffic Light controlled Pedestrian crossing with Zig-Zag lines on both sides of the road and there is a rapidly growing tendency for drivers to park either on the Zig- Zag lines or half on the pavement both of which, apart from

being strictly illegal, are highly dangerous as they restrict the visibility of the pedestrians trying to cross the road and of course the motorists approaching the crossing. This crossing is used daily by numerous children and unless it is better policed there will be an avoidable and tragic accident

I am well aware this last item is not solely the responsibility of the Licensing Board but would ask that they liaise with the Police to ensure that special attention is given to illegally parked vehicles and drivers are prosecuted when they break the law. Also to liaise with East Lothian Council to ensure the repair of the pavements and kerbstones in the immediate area which are currently in a dangerous condition and in need of immediate attention.

