



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

3b

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

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)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0137

2(b) Name and Address of Premises Co-operative Group Food Ltd

117 High Street, North Berwick, East Lothian

Post Code EH39 4HB Tel. No. 0141 336 0636 (AGENT)

Email info@mshblicensing.com (AGENT)

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

The Co-operative Group Food Ltd

1 Angel Square

Manchester Post Code M60 0AG

Tel. No. 0141 336 0636 (AGENT) Email address info@mshblicensing.com (AGENT)

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 detail below the proposed changes. **(See Note 1)**

Amend the box at Q5(f) to read: The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

3(c) Variation to the Layout Plan of the Premises Licence

A copy 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.

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)

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)

All of our staff are working remotely due to the ongoing public health restrictions, and as such

have extremely limited access to any original documents.

5. FEE PAYABLE

Information on fees can be found at

https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol_licences/2

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) (i) the appropriate fee of £ 200 is enclosed
- (ii) the proposed Operating Plan is enclosed
- (iii) the proposed Layout Plan is enclosed
- (iv) the Premises Licence is enclosed

Signature  (See note 5 overleaf)

Date 15/06/2021

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

If agent, please provide details

Full name Eilidh McGuire

Address Hill Brown Licensing, The Forsyth Building, 5 Renfield Street

Glasgow

Post Code G2 5EZ

Tel. No. 0141 336 0636

Email address info@mshblicensing.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.)

OPERATING PLAN

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

Question 1

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

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

Question 2

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

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

Question 5

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

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

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

Recorded background music may be played within and outwith core 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.

The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

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>N/A</i>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>N/A</i>
<i>*Delete as appropriate</i>	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

<i>N/A</i>

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?

OFFSALES – TOTAL 29.235
FLOOR – 27.135 KIOSK – 2.1 M2

Question 8

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

Personal details

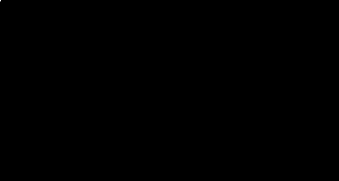
8(a) Name

ANDREW BATES

8(b) Date of birth



8(c) Contact address



8(d) Email address

info@mshblicensing.com (AGENT)

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
28 JANUARY 2015	CITY OF EDINBURGH COUNCIL	280393

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)

Eilidh McGuire, Hill Brown Licensing
The Forsyth Building, 5 Renfield Street
Glasgow, G2 5EZ

Date 15th June 2021

Capacity AGENT

Telephone number and email address of signatory ... 0141 336 0636 / info@mshblicensing.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.

28/06/2021

Your Ref: EL0137

Our Ref: 568410/GB

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



John McKenzie
Divisional Commander
The Lothians and Scottish Borders Division
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

FOR THE ATTENTION OF EAST LoTHIAN LICENSING BOARD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
CO-OP NORTH BERWICK
117 HIGH STREET, NORTH BERWICK, EAST LoTHIAN, EH39 4HB.**

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 the following

*“The sale of food, non-food and other household items and the provision of ancillary customer services within and out with licensed hours.
Home deliveries may be provided to customers.
Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.”*

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

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

EAST LoTHIAN COUNCIL

People and Governance

From: Rudi Fruzynski,
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 18 June 2021

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE MAJOR VARIATION 2019
CO-OP GROUP FOOD LTD., 117 HIGH STREET, NORTH BERWICK, EAST
LoTHIAN EH39 4HB**

Licensing Standards has no objection to this application.

The change applied for is:

- To add deliveries to the operating plan facilities. In this respect, the applicant should comply with the relevant sections of Board's Statement of Licensing Policy 2018 – 2023, as follows:

Section 32.0 Deliveries

- 32.1 Applicants for licences that include any type of alcohol delivery should produce a 'policy' on preventing children and young persons accessing the alcohol. This should include the staff training that will be provided, and how deliveries are recorded. Police and LSO will have access to delivery records. (ref. Section 119 L(S)A 2005)
- 32.2 Not relevant
- 32.3 When making a delivery that includes alcohol, certain checks should be carried out such as Challenge 25 and checking that the customer is 18 years or over. No orders that include alcohol are to be left in nominated safe places. Staff delivering alcohol must be trained to the same level as staff who sell or supply alcohol in licensed premises. Licensees who use couriers to make their deliveries should ensure that they comply with the checks and standards required by the Licensing Board.
- 32.4 Not relevant

R. Fruzynski
Licensing Standards Officer

Winter, Maree

From: Kathryn Smith - [REDACTED]
Sent: 07 July 2021 17:15
To: Winter, Maree
Subject: RE: Co-op, 117 High Street, North Berwick, East Lothian, EH39 4HB

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.

Maree

At the virtual meeting of North Berwick Council last night it was agreed to support the major variation of the premises license for the Co-op, 117 High Street, North Berwick to add home deliveries to their operation plan. They provided an excellent service during lockdown.

Regards

Kathryn

Kathryn E Smith
Secretary, NBCC

From: Winter, Maree [mailto:mwinter@eastlothian.gov.uk]
Sent: 18 June 2021 10:31
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; 'Licensing@nhslothian.scot.nhs.uk'; Environmental Health/Trading Standards; Environment Reception; Trading Standards; Grant, Shona; Fire officer (torquil.cramer@firescotland.gov.uk); [REDACTED]
Subject: FW: Co-op, 117 High Street, North Berwick, East Lothian, EH39 4HB

Dear all,

Please find attached application for a major variation for Co-op, 117 High Street, north Berwick, it is to add home deliveries to their operating plan.

Could I please have any objections/representations by 19th July.

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: Douglas, Andrew
Sent: 18 June 2021 11:43
To: Licensing
Subject: FW: Co-op, 117 High Street, North Berwick, East Lothian, EH39 4HB
Attachments: Co-op North Berwick - Operating Plan.doc; Co-op North Berwick - Major Var Home Deliveries.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

I have no objections to the granting of this licence.

Andrew

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 18 June 2021 10:41
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Co-op, 117 High Street, North Berwick, East Lothian, EH39 4HB

Karen Baikie | Business Support Administrator | Council Support | East Lothian Council | John Muir House | Brewery Park | Haddington | East Lothian EH41 3HA
Direct Dial 01620 828755, ext 6755 | kbaikie@eastlothian.gov.uk |
www.eastlothian.gov.uk

* As a result of the coronavirus outbreak, I am working from home and therefore, only contactable via email at this time*

Thank you for your email. East Lothian Council is currently concentrating on maintaining essential services. This may mean a delay in responding if your enquiry is not considered urgent. Our website provides up-to-date information and guidance www.eastlothian.gov.uk
Thank you for your understanding.

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 18 June 2021 10:31
To: Lothian Scot Borders Licensing East Mid Lothian <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; 'Licensing@nhslothian.scot.nhs.uk'; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; Fire officer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; [REDACTED]
Subject: FW: Co-op, 117 High Street, North Berwick, East Lothian, EH39 4HB

Dear all,

Please find attached application for a major variation for Co-op, 117 High Street, north Berwick, it is to add home deliveries to their operating plan.

Could I please have any objections/representations by 19th July.

EAST LoTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery
Per: Neil Millar
Cc:

To: Clerk to the Licensing Board
Per: Licensing Board

Date: 2nd July 2021

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Co-operative Group Food Ltd, 117 High Street, North Berwick

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

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