



# APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

**1c**

**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)

We request a change to our licensed hours

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## 2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0263

2(b) Name and Address of Premises The Royal British Legion (Scotland)  
Dunbar Branch  
147 High Street  
Dunbar East Lothian

Post Code EH42 1ES Tel. No. 01368 863275

Email manager@rblidunbar.co.uk

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

Laura Janet Logan  
[REDACTED]

Post Code [REDACTED]

Tel. No. [REDACTED] Email address manager@rblidunbar.co.uk

## 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

We request that our Licensed Hours for SALES ON PREMISES  
on SUNDAY be amended to  
OPENING TIME 11:00 TERMINAL HOUR 12 MIDNIGHT

**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)**

We request that our Licensed Hours for SALES ON PREMISES on SUNDAY be amended to  
OPENING TIME 11:00 TERMINAL HOUR 12 MIDNIGHT

**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)

We request that our Licensed Hours for SALES ON PREMISES on SUNDAY be amended to  
OPENING TIME 11:00 TERMINAL HOUR 12 MIDNIGHT

**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)

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**5. FEE PAYABLE**

Information on fees can be found at

[https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol\\_licences/2](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 £ 200.00 has been paid online

(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 27th April 2022

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

**If agent, please provide details**

Full name \_\_\_\_\_

Address \_\_\_\_\_

Post Code \_\_\_\_\_

Tel. No. \_\_\_\_\_ 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.)



02/05/2022

Your Ref: EL0263

Our Ref: 631755/GB

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



**POLICE  
SCOTLAND**

Keeping people safe

Catriona Paton  
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  
ROYAL BRITISH LEGION SCOTLAND DUNBAR  
147 HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1ES.**

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 of on sales hours on Sundays to an opening time of 11.00hrs and a terminal hour of 00.00hrs.

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

  
Catriona Paton  
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 561 6119.

# EAST LoTHIAN COUNCIL

## PEOPLE & GOVERNANCE

**From: K. Harling**  
Licensing Standards Officer

**To: Carlo Grilli**  
Clerk to the Licensing Board

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Date: 01 June 2022

**Subject: LICENSING SCOTLAND ACT 2005**  
**PREMISES LICENCE APPLICATION (MAJOR VARIATION) – JUNE 2022**

**The Royal British Legion (Scotland), Dunbar Branch, 147 High Street, Dunbar, East Lothian,  
EH42 1ES**

I refer to the above subject, due to time constraints and the new appointment of my post as Licensing Standards Officer the premises have not been visited and inspected in relation to application for a Premises Licence variation however I have liaised with the current premises licence holder via phone in relation to the variation.

It is noted that the applicant has requested a change of core hours in respect of the premises from the operating core hours of 12.30pm – 12 midnight on Sundays respectively to 11am – 12 midnight. I should point out that East Lothian Licensing Board Statement of Licensing Policy, as published in November 2018, refers to licensed hours for the sale of alcohol for the consumption on the premises as follows:

### 17.1 On Sales

*For applications relation to premises licences and occasional licences, the Board's general policy on the licensed hours for the sale of alcohol for the consumption on the premises is:-*

*11.00 am to 11.00 pm Monday to Wednesday (inclusive)*

*11.00 am to 1.00 am Thursday to Saturday (inclusive)*

*11.00 am to 12.00 midnight on Sunday*

On speaking with the applicant the change is to facilitate the viewing of sports on Sky TV which has recently been installed and the earlier opening time is required to capture that start of some matches that start before 12.30pm. Televised sport is detailed on the current operating plan.

I have no objection to the earlier opening hours applied for.

This report is submitted for the information of the Boards Members.

**K. Harling**  
Licensing Standards Officer

**EAST LoTHIAN COUNCIL**

**Internal Memorandum**

**From:** Planning Delivery

**To:** Clerk to the Licensing Board

**Per:** Neil Millar

**Per:** Licensing Board

**Cc:**

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**Date:** 9<sup>th</sup> May 2022

**LICENSING (SCOTLAND) ACT 2005**

**Re: Consultation response**

**Address:** Royal British Legion, 147 High Street, Dunbar

**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.



**Herkes, Gillian**

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**From:** Jacqueline Bell [REDACTED]  
**Sent:** 10 May 2022 17:49  
**To:** Licensing; Winter, Maree  
**Subject:** British Legion, Dunbar - Dunbar Community Council Response

**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.

Thank you for the information about this request to extend hours of operation.  
The application has been circulated to DCC members by e mail. No concerns have been raised.  
It is noted that the changes are within the Licensing Board policy.

Jacquie Bell  
Secretary  
Dunbar Community Council

**Herkes, Gillian**

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**From:** Mary Ann Kyle [REDACTED]  
**Sent:** 26 May 2022 11:37  
**To:** Licensing  
**Subject:** Objection to Application for variation British Legion, 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 Ms Macneill, I'm writing to strongly object to any increase of licensing hours for the British Legion at 147 High Street Dunbar. I live at [REDACTED] and my bedroom [REDACTED] the entrance of the legion. I suffer from a long term health condition and feel that the noise pollution caused by the increased licensing hours would be disturbing and could be detrimental to my health. I've lived at [REDACTED] since April last year 2021. The refuse bin assigned to my premises was homed in the vennel leading to the British legion. I'd often find it had been dragged into the middle of the High street and/or filled with empty alcohol bottles. I now load my car with the refuse and take it to the recycling centre.

Yours sincerely  
Mary Ann Kyle

## Herkes, Gillian

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**From:** Dunbar Branch Secretary <branchsecretary@rbldunbar.co.uk>  
**Sent:** 01 June 2022 19:04  
**To:** Herkes, Gillian  
**Cc:** 'manager'; legionclub@rbldunbar.co.uk  
**Subject:** Major Variation - Royal British Legion Scotland, Dunbar  
**Attachments:** Objection to Application for variation British Legion, Dunbar\_Redacted.pdf

**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.

Good afternoon,

Laura has asked me to assist with a response to the attached objection to our Major Variation application.

Might I first note that we have no record of the complainant having brought any issue with noise or refuse bins to our attention.

The first point raised concerns noise pollution.

It seems possible that the complainant has not fully realised that we are asking only to open one hour earlier on Sunday mornings.

Given the complainant's residence location, she is already in a site which may experience noise from her immediate commercial neighbours: Lewis George Hairdressing and customers of The Castle Hotel and Pub. In particular, I would note that the Castle Hotel and Pub are open for licensed sales at 11 am on Sundays.

I believe that we present a very small potential for noise pollution as the main entrance to our premises is actually to the Castle Street, not the High Street end of the building.

Indeed, we have many residential neighbours in closer proximity than the complainant and they have not brought any concerns to us

The second point notes difficulties with refuse bins.

Legion Close is a heavily trafficked narrow public passageway between High Street and Castle Street.

Pedestrians must walk single-file throughout its length.

A refuse bin left in the Close might prove a barrier to members of the public using the passageway and they may have moved it.

RBLS Dunbar staff do not use any bins adjacent to the High Street and would never deposit refuse in any container not owned by us.

We have a fully compliant recycling system which we operate from the rear (castle street end) of our premises.

I am sorry to hear that this complainant, or anyone, feels that RBLS Dunbar is, in any way, detrimental to their health or comfort.

I would be happy to meet with her to discuss her concerns if she felt that would be of benefit.

**Herkes, Gillian**

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**From:** Jazz [REDACTED]  
**Sent:** 26 May 2022 11:55  
**To:** Licensing  
**Subject:** Re: Objection to Application for variation British Legion, 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.

Yes I will be able to attend this meeting.  
Regards  
Mary Ann Kyle

Sent from my iPhone

On 26 May 2022, at 11:43, Licensing <licensing@eastlothian.gov.uk> wrote:

Dear Ms Kyle

I acknowledge receipt of your objection. You will be invited to attend the Licensing Board Meeting on 23<sup>rd</sup> June, 2022 at 10am. This will be a virtual meeting and you will be sent the details one week before this meeting. Can you please confirm that you wish to attend.

Kind regards

Gillian

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**From:** Mary Ann Kyle [REDACTED]  
**Sent:** 26 May 2022 11:37  
**To:** Licensing <licensing@eastlothian.gov.uk>  
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Yours sincerely  
Mary Ann Kyle

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Email Disclaimer - East Lothian Council