



EAST LoTHIAN LICENSING BOARD

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

3b

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

EL0216

2(b) Name and Address of Premises

Day Today
84, HIGH STREET, HADDINGTON, EAST-LoTHIAN
Haddington Wines & Whiskies, Day To Day
82/84, High Street, Haddington EH413ET, Scotland - UK
Company Number - 500619
cheateauin@yahoo.co.in
www.haddingtonwines.com
Post Code: EH413ET Phone No.: 01620825410 OR 07981608682

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

SHANTHI SHIVAKUMAR			
[REDACTED]			
Post Code	[REDACTED]	Phone No.	[REDACTED]
Email address	[REDACTED]		

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

we have signed up with "snappy shopper" for deliveries in our area. The So we are wanting to serve alcohol with groceries. Our list is Groceries, chocolates, biscuits, wines, beers, spirits, and cigarettes

This is from Day Today premises. The order shall be placed and paid Online.

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)

ssame existing one

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.

Its a delivery

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)

none : only delivery to be included

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

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-

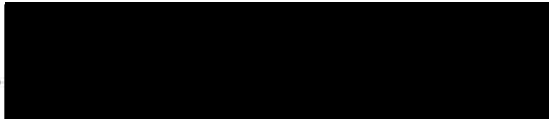
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

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) the appropriate fee of £ is enclosed.

Signature



..... (See note 5 below)

Date

28-09-2022

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

If agent, please provide name, address, phone number and email address

XXXX.....

X
X
X

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.

N/A

Question 1

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

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

Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
Monday	X	X
Tuesday	X	X
Wednesday	X	X
Thursday	X	X
Friday	X	X
Saturday	X	X
Sunday	X	X

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>	<i>10.00 AM</i>	<i>10.00PM</i>
<i>Tuesday</i>	<i>10.00 AM</i>	<i>10.00PM</i>
<i>Wednesday</i>	<i>10.00 AM</i>	<i>10.00PM</i>
<i>Thursday</i>	<i>10.00 AM</i>	<i>10.00PM</i>
<i>Friday</i>	<i>10.00 AM</i>	<i>10.00PM</i>
<i>Saturday</i>	<i>10.00 AM</i>	<i>10.00PM</i>
<i>Sunday</i>	<i>10.00 AM</i>	<i>10.00PM</i>

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*

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		
<i>Restaurant facilities</i>	NO		
<i>Bar meals</i>	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		
<i>Club or other group</i> <i>meetings etc.</i>	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>			
<i>Live performances –</i> <i>see 5(g)</i>			
<i>Dance facilities</i>			
<i>Theatre</i>			
<i>Films</i>			
<i>Gaming</i>			
<i>Indoor/outdoor sports</i>			
<i>Televised sport</i>			
<i>5(d)</i>	<i>Please confirm</i>	<i>To be provided</i>	<i>Where activities are</i>

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

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

N/A

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.

N/A

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?	NO MUSIC
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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)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO *
	*Delete as appropriate	

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

NOT APPLICABLE

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

NOT APPLICABLE

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

NOT APPLICABLE

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

NOT APPLICABLE

Question 7

CAPACITY OF PREMISES

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

OFF SALES ONLY

Question 8

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

Personal details

8(a) Name

Shanthi
Shivakumar

8(b) Date of birth

[Redacted]

8(c) Contact address

[Redacted]

8(d) Email address and telephone number

[Redacted]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
02/08/2020	EAST LOTHIAN	EL689

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 [Redacted] (see note below)
Date 28.09.2022
Capacity owner APPLICANT/AGENT (delete as appropriate).
Telephone number and email address of signatory . [Redacted]

*** Data Protection Act 2018**

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.

WE ARE A EXCLUSIVE GROCERY STORE OFFERING A BIG RANGE OF GROCERIES,
CHOCOLATES, BISCUITS, WINES, SPIRITS, BEERS ETC

Now we wish to offer on line sales and deliveries.

(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.

a) N/A

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

b) **same, but sales on line and than home delivery**

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:

none

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:

none

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:

none

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:

none

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:

none

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:

none

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:

none

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.

Only accompanied by families and cannot order on line.

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: we as a company will, aim to work with a code. The aim of this code is to provide guidance on good practice for the promotion of the four licensing objectives which are paramount considerations at all times. Well trained staff will contribute to well-run premises and a responsible approach to the sale of alcohol.
I will only sell alcohol only to people aged 18 and above and challenge any one with an ID who looks 21...
All staff will be advised of licensing law in writing before they are allowed to serve alcohol.

Securing Public Safety: for our deliveries, a full risk assessment will be done taking into account staff and customers safety. This will be carried out at the premises to delivery point to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards.
During our deliveries, first aid boxes will be available at the premises, in the van and will be maintained with sufficient in date stock.

Preventing Public Nuisance:

not applicable

Protecting and Improving Public Health:

Drinks promotions will not be allowed and be socially responsible and this will reduce drunk, dealing and not encourage excessive drinking.

Driving Staff training on the effects of alcohol and how to spot early signs of customers becoming drunk will be provided to give them the knowledge and confidence to deal with drunken patrons.

Protecting Children and Young Persons From Harm:

Operate a strict 'No ID – No Sale' policy during our deliveries.

'Challenge 21' scheme will serve as a reminder to driving staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.

A 'Challenge 25' scheme will give driving staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.

our drivers will be trained to Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID. We will train delivery drivers to accept other forms of ID such as EU National ID cards, these must bear a photograph, date of birth and holographic mark.

Staff, drivers training in the age related sections of the Licensing Act 2003 shall be provided. This includes the ability to competently check customers' identification where necessary.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

This concept of delivering through "SNAPPY SHOPPER" is new to this area. We aim to deliver a mixture of groceries, food, frozen food and range of wines and beers from both our stores.

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

We have been a responsible retailer since 2010, we have not had any convictions in the past. I request you to grant permission for starting deliveries.

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	28-09-2022
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8 SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES / NO*
1(b)	Do you have facilities for those with a disability	YES / NO*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES / 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

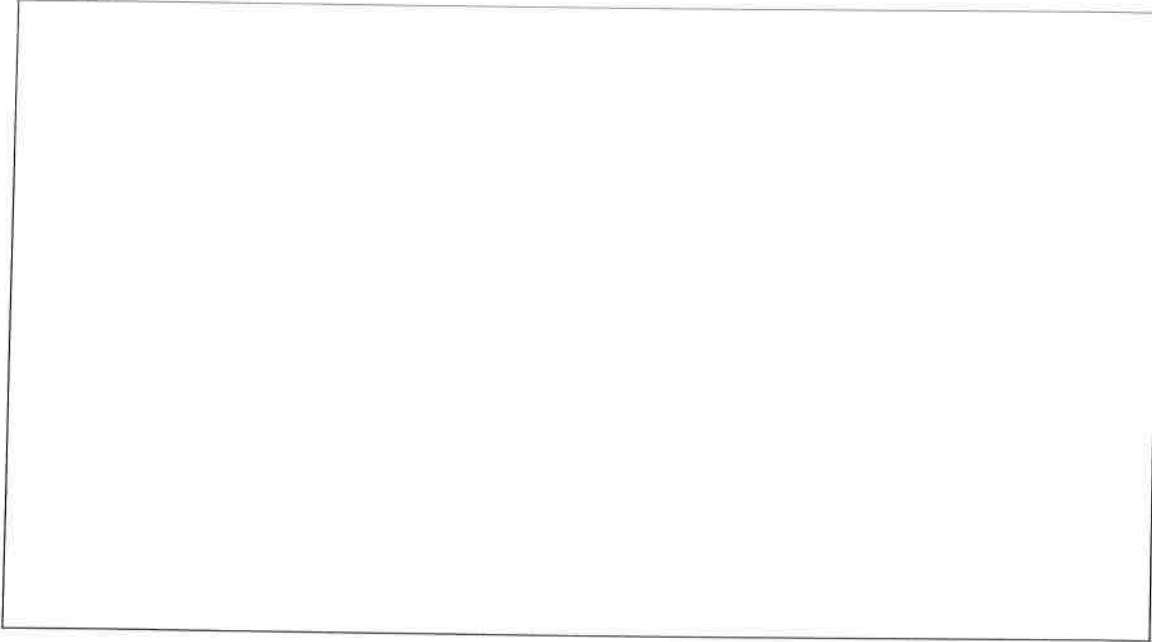
Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

N/A

Question 3

Facilities available

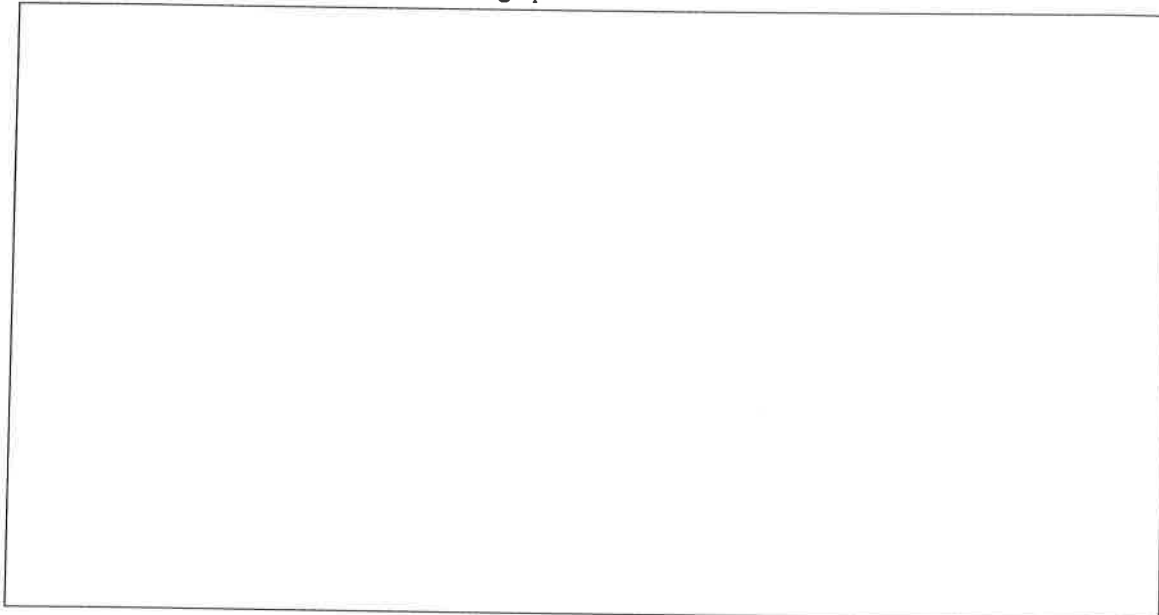
Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.



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.



Winter, Maree

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 14 October 2022 11:21
To: Licensing
Subject: ADD DELIVERIES - DAY TODAY, HADDINGTON
Attachments: DAY TO DAY MAJOR VARIATION APPLICATION.PDF

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 all,
No Police objection
Our ref - 670852

Regards
Iain

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling

Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 3rd November 2022

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION 2022

DAY TODAY, 84 HIGH STREET, HADDINGTON, EAST LoTHIAN, EH41 3ET

I can confirm that the applicant and premises have been visited in relation to this variation application.

The changes applied for are:

- Addition of deliveries of food and alcohol

I spoke with the premises licence holder Shivakumar Kandaswamy about the Snappy shopper app that the premises is using along with training requirements and responsibilities involved whilst conducting deliveries. Guidance was given that all drivers are required to complete the 2 hours mandatory training and training records completed. An age verification policy was provided for guidance and use.

In summary, the proposed changes are supported by Licensing Standards and I would recommend the following condition:

- Should the applicant operate a service of delivery of alcohol to customers, the terms of the Licensing (Scotland) Act 2005 Section 119 and those of the Board's statement of licensing policy on deliveries of alcohol, should be complied with.

K. Harling
Licensing Standards Officer

Herkes, Gillian

From: Douglas, Andrew
Sent: 12 October 2022 14:25
To: Licensing
Cc: Environmental Health/Trading Standards; Trading Standards
Subject: FW: Application for major variation - Day Today
Attachments: Haddington Wines major variation application.pdf; Application for major variation - Day Today

No objs, std conditions.

EHTS – can this be scanned to commercial premises ref: 05060/0084/0/000 , as ‘2022 Major Variation application’.

Thanks

Andrew

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 12 October 2022 14:01
To: Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; 'Licensing@nhslothian.scot.nhs.uk'; torquil.cramer@firescotland.gov.uk; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; [REDACTED]
Subject: RE: Application for major variation - Day Today

Dear all,

Please find attached a major variation application to add deliveries to Haddington Wines and Whiskies operating plan. Could I please have any representations/objections by 11th November 2022.

Kind regards
Maree

Maree Winter

**Licensing Officer: Accredited Specialist Paralegal in Licensing Law, Democratic & Licensing Services: East Lothian Council: John Muir House:
Haddington: EH41 3HA
01620 827867
mwinter@eastlothian.gov.uk**



Licensing

From: Robertson, Scott
Sent: 25 October 2022 08:42
To: Winter, Maree
Cc: Licensing
Subject: RE: Application for major variation - Day Today

Hello,

Please note I have no comments or objections to make in relation to the major variation application at Day Today.

Kind Regards
Scott Robertson
Assistant Planner

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 12 October 2022 13:56
To: Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; 'Licensing@nhslothian.scot.nhs.uk'; torquil.cramer@firescotland.gov.uk; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; [REDACTED]
Subject: Application for major variation - Day Today

Dear all,

Please find attached a major variation application to add deliveries to Day Today's operating plan. Could I please have any representations/objections by 11th November 2022.

Kind regards
Maree

Maree Winter

**Licensing Officer: Accredited Specialist Paralegal in Licensing Law, Democratic & Licensing Services: East Lothian Council: John Muir House:
Haddington: EH41 3HA
01620 827867
mwinter@eastlothian.gov.uk**



