

Bear + Bow



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

3d

**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 EL1627

2(b) Name and Address of Premises 72 HIGH STREET, DUNBAR

Post Code EH42 1JH Tel. No. _____

Email [REDACTED]

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

CARA DAVIES

[REDACTED]

Post Code [REDACTED]

Tel. No. [REDACTED] Email address [REDACTED]

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

- Bar snacks to cover cakes & doughnuts and such like but purchased from outside for resale - these will not be made on-site. Sold and stored only.
- Change of hours - we would like to open from 8am Monday to Sunday to capture the early morning trade for coffee and cake. We would not allow the sale of alcohol until normal licencing hours.
- Children to be allowed at certain times - Monday to Sunday from 7am to 7pm. We have throughout the past 3 years unfortunately had to turn away a lot of families/tourist with kids. Kids will not be allowed in after 7pm when a more adult crowd is in.
- Outdoor seating - to allow 4 tables to be used outside with 3 chairs per table during trading hours. Customers would be able to drink coffee/cakes outside as well as any alcoholic beverages (in appropriate plastic containers only during licensed hours). Seating to be stored away at 8pm.
- Outdoor seating to be open 8am-11am for coffee and cakes only. From 11am - 8pm, alcoholic beverages will be allowed for consumption outside

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)

- Addition of outside area available for outdoor drinking
- Addition of bar meals which would be consumed on site. These would not be made onsite but allow for outside cater (takeaways) to provide food.
- Children and young persons given access
- Change of core hours
- Addition of deliveries to be carried out for off site consumption

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.

NO CHANGE TO THE INTERNAL LAYOUT OF THE PREMISES. ONLY CHANGE TO THE EXTERNAL SEATING WHICH THE PLAN OUTLINES.

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

4. LICENCE TO BE AMENDED (See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES Y 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)

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 £ £220.00 is enclosed

(ii) the proposed Operating Plan is enclosed

(iii) the proposed Layout Plan is enclosed

(iv) the Premises Licence is enclosed

Signature CARA DAVIES (See note 5 overleaf)

Date 22/9/2022

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.)

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 2018

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

Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY		
Received & Receipt No.	System Updated	Licence Issued

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

72 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>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES</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>	11AM	11PM
<i>Tuesday</i>	11AM	11PM
<i>Wednesday</i>	11AM	11PM
<i>Thursday</i>	11AM	1AM
<i>Friday</i>	11AM	1AM
<i>Saturday</i>	11AM	1AM
<i>Sunday</i>	11AM	12AM

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>YES</i>
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**If YES -- provide details*

THE PREMISES WOULD OPERATE EXTENDED HOURS AS PER BOARD POLICY FOR FESTIVE EXTENTIONS AND ANY OTHER OCCASIONS AS SET BY THE BOARD

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>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES
<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>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	YES	YES	YES
<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>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO

<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>	YES	YES	YES
<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.

WE WOULD OFFER LIGHT SNACKS THAT ARE PRE-MADE OUTSIDE OF THE PREMESIS. THESE WOULD BE DISPLAY ON THE BAR AND SERVED TO CUSTOMERS. SNACKS WOULD BE ITEMS SUCH AS TRAYBAKES/CAKES AND THE LIKE.

FOR OUTDOOR DRINKING – WE WOULD LIKE TO OFFER CUSTOMERS THE OPTION TO ENJOY A DRINK OUTSIDE FROM 8AM UNTIL 8PM. NO ALCOHOL WILL BE SERVED UNTIL WITHIN CORE LICENSED HOURS.

COFFEES/BAR SNACKS (AS ABOVE) AVAILABLE FROM 7AM (BETWEEN 7AM AND 8AM WE WOULD ONLY OFFER TAKEAWAY OPTIONS TO PREVENT NOISE OUTSIDE PREMESIS). AFTER 8AM – COFFEE AND SNACKS AVAILABLE FOR ONSITE CONSUMPTION.

RECEPTIONS/CONFRENCES/CLUB MEETINGS AVAILABLE OUTSIDE OF CORE LICENCED HOURS TO ALLOW GROUPS TO BOOK THE PREMESIS BEFORE 11AM. THIS WOULD BE FOR BIRTHDAYS OR OTHER EVENTS THAT WE COULD CLOSE TO THE GENERAL PUBLIC (OR SPECIFC AREA IN PREMESIS) AND PROVIDE SOFT DRINKS AND BAR MEALS.

RECORDED MUSIC TO BE PLAYED FOR COFFEE IN MORNINGS AS LIGHT BACKGROUND MUSIC.

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.

<p>COCKTAIL DELIVERY SERVICE TO BE OFFERED TO CUSTOMERS THROUGH ONLINE PLATFORM. DELIVERIES WOULD BE CARRIED OUT BY STAFF WHO WOULD USE APPROPRIATE TRAINING TO PREVENT UNDERAGE DRINKING (CHALLENGE 25/VALID DRIVERS LICENCE/PASSPORT TO BE ACCEPTED ONLY)</p> <p>STAFF TO SIGN AGE VERIFICATION POLICY (ATTACHED) TO CONFIRM THAT APPROPRAITE TRAINING HAS BEEN GIVEN.</p> <p>TAKEAWAY FOOD (LOCAL FOOD ESTABLISHMENTS) TO BE CONSUMED ON SITE. NOTHING PREPARED ONSITE.</p>
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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
When fully occupied, are there likely to be more customers standing than seated?	NO
*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>	YES
	<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 (0-11) TO BE ALLOWED ENTRY WITH A RESPONSIBLE ADULT.
12 – 17 YEAR OLDS ENTRY UNACCOMPANIED DURING THE HOURS OF 7AM – 5PM

WE ARE AIMING TO PROVIDE A CAFÉ STYLE BAR THROUGHOUT THE DAY THAT KIDS CAN ENJOY A SOFT DRINK OR SNACK

.

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

0 – 17 YEARS OLD

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

7AM – 5PM FOR 12-17 YEAR OLDS TO BE ALLOWED IN UNACCOMPANIED
7AM – 5PM FOR 0-12 YEAR OLDS TO BE ALLOWED IN ACCOMPANIED BY AN ADULT
5PM – 7PM FOR 0-17 YEAR OLDS TO BE ALLOWED IN ACCOMPANIED BY AN ADULT
7PM – CLOSING TIME NO U18'S ALLOWED

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

[Empty box for providing statement regarding the PARTS of the premises]

Question 7

CAPACITY OF PREMISES

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

70 INSIDE
8 OUTSIDE
78 TOTAL

Question 8

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

Personal details

8(a) Name

SHARON ELIZABETH JOHNSTON

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>
29/9/2022	EAST LOTHIAN LICENCING BOARD	EL1904

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.

SignatureCARA DAVIES..... * (see note below)

Date5/10/2022.....

Capacity APPLICANT (delete as appropriate).

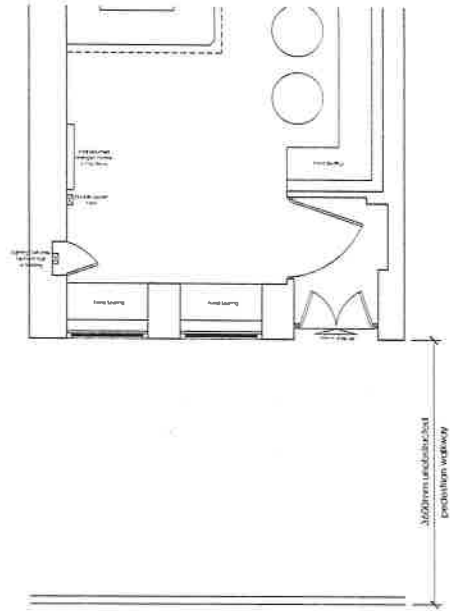
Telephone number and email address of signatory



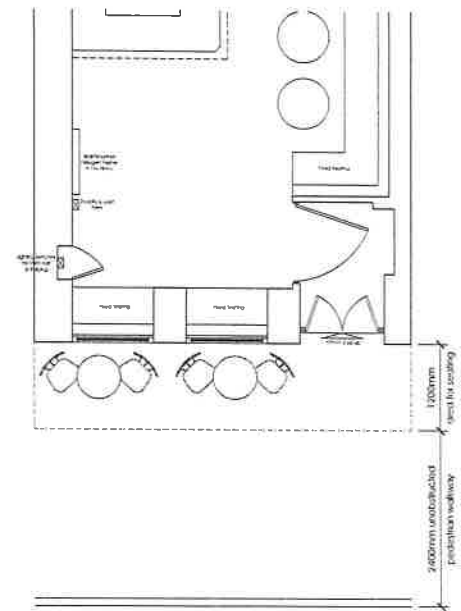
*** Data Protection Act 1998**

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

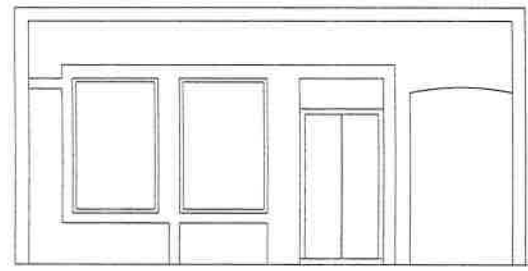
Disclaimer
 This drawing is a conceptual study and may be subject to modification without notice. It is not intended to be a contract. All dimensions are in millimeters unless otherwise stated. All work is to be done in accordance with the current building code of the City of Vancouver. The contractor is responsible for providing all necessary permits and approvals. The contractor is also responsible for providing all necessary safety measures. The contractor is also responsible for providing all necessary safety measures. The contractor is also responsible for providing all necessary safety measures.



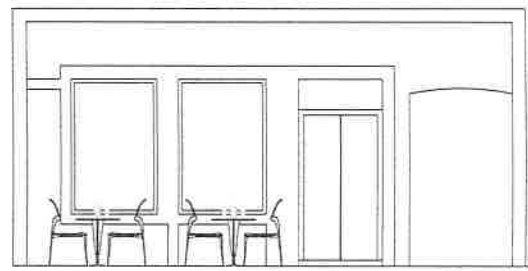
Existing Plan Layout
 Scale 1:50



Proposed Plan Layout
 Scale 1:50



Existing Front Elevation
 Scale 1:50



Proposed Front Elevation
 Scale 1:50

The Bear and Bull

Proposed Outdoor Seating Area

Layout Plans and Elevations

Designer	WEN GRIFFITHS	Project No.	
Client	COLO DAVIES	Sheet No.	B&B-01
Date	1/10/21	Scale	
Drawn	WEN GRIFFITHS	Project Name	
Check		Project Location	
Issue	September 2021	Project Status	
Scale	A3	Project Manager	

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>Business Profile Please describe your business offering.</p> <p>The Bear and Bull is a stylish, upmarket cocktail bar which offers a variety of handcrafted cocktails, a great range of beers and a wide range of spirits and wines. We recently renovated the premises from the old Black Bull into a modern and stylish bar to meet Dunbar's demand for an upmarket place to drink. Our toilets as well as entire bar area were stripped bare and refurbished to an exceptionally high standard.</p> <p>We tied in heavily with the local Ridge Project which were doing a lot of the work behind the premises who used a number of young apprentices on our project. They exposed a lot of the old building and touched up the old stonework to create a rustic and stylish venue.</p> <p>Currently we operate as a bar only – no coffee or food – Thursday to Saturday but hope to expand into more of the daytime family trade that Dunbar is fortunate to see. Especially during the summer months.</p> <p>(extend this box if you require additional space)</p>	
<p>On/Off Consumption</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 & deliveries</p>	<p>a) <u>Café style bar that offers snacks and coffee through the day and more of a cocktail bar by evenings</u></p> <p>b) <u>Wed like to offer deliveries of our cocktails between 10am-10pm</u></p>

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:

- Bar snacks to cover cakes & doughnuts and such like but purchased from outside for resale. These will not be made on-site. Sold and stored only. We would use local suppliers of cakes and sweets which we would then resell on. We'd only store the items onsite and then sell to the public.

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:

We would like to host these events on an ad-hoc basis and only if we have the staff available.

We would be able to section off part of the bar or the whole venue for birthdays/hen groups/stag groups.

Additionally, we would want to offer our space for mornings for social committees as well as baby showers for guests to enjoy snacks and coffees

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:

We'd have light background music on before 11am for people to enjoy a coffee or snack. This would not be on between 7-8am.

We don't have any TV in the premises.

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:

- Outdoor seating - to allow 4 tables to be used outside with 3 chairs per table during trading hours. Customers would be able to drink coffee/cakes outside as well as any alcoholic beverages (in - appropriate plastic containers only during licensed hours). This would be in line with our plan submitted to the roads department. Chairs and tables would be stored away alongside the Eagle's chairs. Staff from both the Bear and Bull as well as The Eagle Inn would be making sure that there was no public nuisance displayed from customers.

8am-8pm for outdoor seating. Only alcoholic drinks to be allowed outside after 11am in line with core onsale hours.

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:

Na

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:

We'd like to offer the following outwith core licensed hours;

Confrences /Reception/Club or other group meetings;

We'd like to offer the above before 11am for groups that might want to meet for coffee and light snacks.

External caterers would be used in-house to give customers an option for light snacks.

Recorded music would be playing as background music before 11am to add atmosphere to the premises

Outside drinking would be allowed for non-alcoholic drinks between 8am and 11am.

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:

In addition to the above activities we would offer the premises to other groups for occasions such as birthdays/hen parties/stag parties/baby showers/ Wedding receptions

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.

We have installed a baby changing facility in one of our toilets. This toilet is located at the back of the premises away from the bar. The changing facility is attached to the wall and drops down to allow a platform for changing the baby

Children and young persons will be able to purchase a variety of soft drinks and/or healthy snacks such as granola bars. Child friendly cutlery and plates will be available as well as high chairs

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:

Staff are suitable trained to recognize when customers have had too much to drink and will ask individuals to leave. Staff are aware of how to escalate the situation upon refusal.
Supervisor/Police.

There will be no glass permitted outside.

Securing Public Safety:

Outdoor seating is in line with regulations. We also ensure that the venue does not become overcrowded and appropriate signage is in place for fire exits/extinguishers. Staff are full bar trained as well.

Preventing Public Nuisance:

New licensing hours are in line with other venues around the town and will be handled the same as current licensed hours.

Outdoor seating to be removed alongside our other premises, directly across the road, The Eagle Inn.

We would prevent early noise pollution (from 7am) by not putting the outdoor seating out until 8am. We will also be providing all drinks in takeaway containers to encourage customers not to loiter.

Protecting and Improving Public Health:

Appropriate signage of measurements, fire exits, fire extinguishers will all be on display as well as have a fully trained team who know when to refuse drink to intoxicated customers.

Protecting Children and Young Persons From Harm:

We would offer a variety of snacks available for purchase rather than just high sugared treats. Granola bars as well as the option of fruit and diet drinks would be available

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

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

We would like to expand our current business offering to cater to a wider family friendly audience.

As Dunbar has rapidly grown in population and also popularity with tourists, we would like the opportunity to offer a family friendly, cafe-styled bar that families can feel comfortable bringing their children and have the opportunity to have an alcoholic drink at the same time.

It is not our aim to create a space for large groups to drink heavily but instead a safe environment that customers can relax and enjoy a wine and coffee in unison.

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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 Cara Davies		Date 5/10/2022	
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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.

THE FRONT DOOR INTO THE PREMESIS HAS A SLIGHT STEP INTO THE PLACE WHICH WHEELCHAIR WOULD BE ABLE TO ACCESS WITH SOME ASSISTANCE.

DUE TO THE AGE OF THE BUILDING THERE IS LIMITED ROOM FOR WHEEL CHAIR ACCESS TO THE REAR OF THE BUILDING, WHERE THE TOILETS ARE LOCATED.

Question 3

Facilities available

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

AS STATED ABOVE, THERE IS NO ACCESS TO THE REAR OF THE BUILDING WHERE TOILETS ARE LOCATED.

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 ALLOWED INTO THE BUILDING. ADDITIONALLY, WHEELCHAIR USERS COULD ACCESS THE FRONT OF THE BUILDING WITH SOME ASSISTANCE OVER THE ENTRANCE STEP.

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.

SignatureCARA DAVIES..... * (see note below)

Date5/10/2022.....

Capacity APPLICANT

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.”

23551-01-gf

29th June 2022

Cara Davies
The Bear & Bull
72 High Street
Dunbar
Eh42 1JH

Dear Cara

Following your instruction, on Wednesday 29th June 2022 we carried out a visual condition survey of the northeast elevation of the building known as the Bear & Bull, 72 High Street, Dunbar. The purpose of the survey was to visually inspect the fabric of the building to ensure it is structurally safe and the area of pavement directly below would be suitable for external seating for patrons of the establishment.

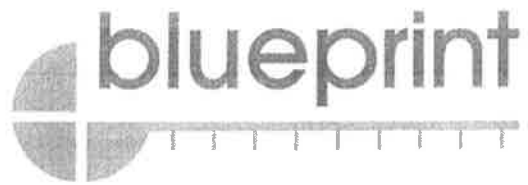
Several photographs were taken and are appended to this letter and have been referenced as 001 to 009 inclusive. Photograph 001 shows the entire northeast elevation of the building (front elevation) and indicates the roof if constructed as a duo pitched roof with slate finish externally. The building is a four-storey masonry construction with stone lintels and sills to each aperture and the entire elevation has a smooth render finish over the stonework. There are 2 chimneys projecting above the roof on the southeast gable and the northwest party wall elevations.

Photograph 004 shows the 2 chimneys projecting above the roof and both were visually inspected from ground level and the render and coping stones look secure and were vertically plumb and generally in good condition. Recent roof works have taken place to remove the cans to both chimneys and render to the chimney on the northwest party wall (see photograph 006) and repair the mortar parging to the stone copes at the junction with the roof. The slate roof finish over the building was visually inspected from ground level and there is evidence of small areas of repair, however the slates all seem uniform and aligned and should be annually inspected but look structurally sound.

The top three floors of the building have a smooth render applied with a painted finish to the external walls. The windows are uniform in size and have a projecting stone sill with smooth jambs and lintels, all nine windows appear in good condition and masonry elements secure. There are several cracks on the façade (see photographs 008 and 009) which appear to extend through the render and into the stonework behind and assume these are caused by historical movement or thermal contraction. The ground floor has a smooth render finish and the 3 openings appear structurally sound with no defects noted.

We can confirm that the following our visual condition survey of the northeast elevation of the Bear & Bull we are satisfied by the structural integrity of the roof coverings and façade at the time of the inspection.

Yours sincerely



Structural Engineering

Timber Engineering

Civil Engineering

Design Consultants



Gary Fairbairn
Structural Engineer
gf@blueprintdunbar.co.uk
for and on behalf of Blueprint (Dunbar) Ltd



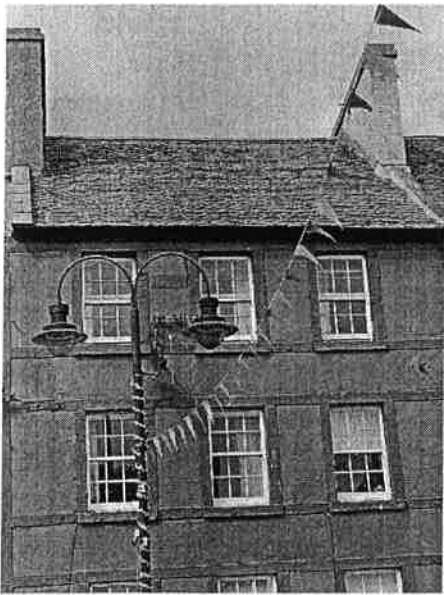
Photograph 001



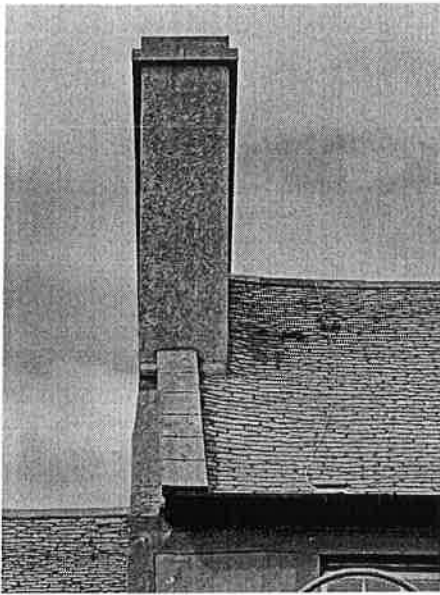
Photograph 002



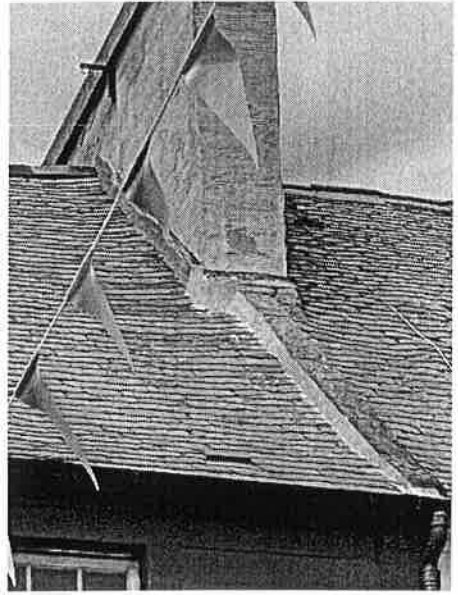
Photograph 003



Photograph 004



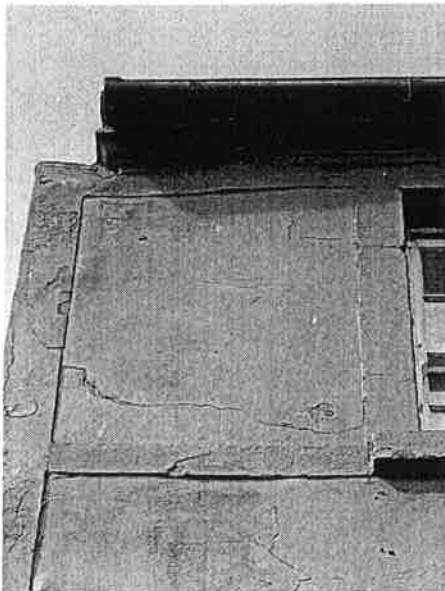
Photograph 005



Photograph 006



Photograph 007



Photograph 008



Photograph 009

PERMISSION TO PLACE A STRUCTURE ON THE ROAD

Application No. (3229336)
Location of Apparatus **The Bear and Bull, 72 High Street, Dunbar EH42 1JH**
Reference **EL001-L816**

The Council as Roads Authority for the purpose of the Roads (Scotland) Act 1984 having considered the application by:-

Name **The Bear and Bull**
Address **72 High Street
Dunbar
EH42 1JH**
Telephone No. **07848870135**
Email
Dated **27/09/2022**

hereby grant permission under Section 59 of the Roads (Scotland) Act 1984 to place a structure on the road as follows

Seating to be placed outside venue and in line with licencing

At

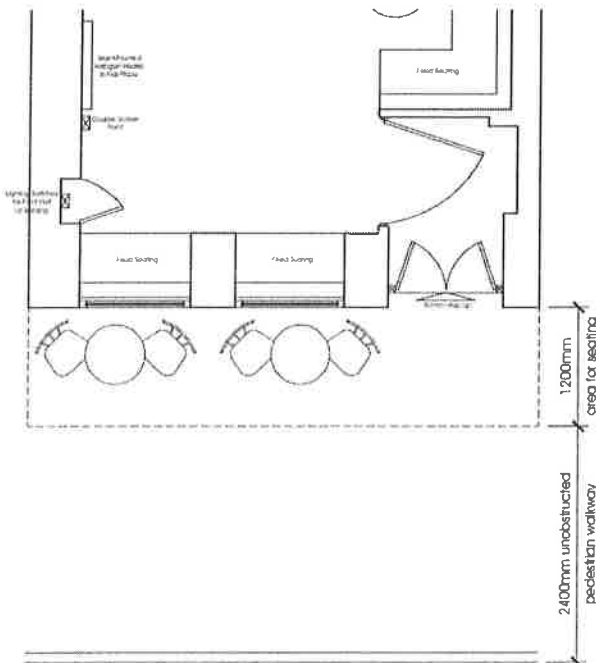
**The Bear and Bull,
72 High Street, EH42 1JH
Dunbar, East Lothian**

This permission shall be valid from **04/10/2022** to **03/10/2023**

Signed [REDACTED] Date **05/10/2022**

In addition to the standard conditions agreed to at the time of application, the following must be complied with:

Seating arrangement as per plan below.



Proposed Plan Layout

Any changes to the details of this permission must be notified immediately at Roadworks@eastlothian.gov.uk

26/10/2022

Your Ref: BEAR & BULL

Our Ref: 671369

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



**POLICE
SCOTLAND**

Keeping people safe

Catriona Paton
Chief Superintendent
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

FOR THE ATTENTION OF EAST LOTHIAN BOARD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
BEAR AND BULL, 72 HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1JH
PREMISES LICENSE HOLDER: CARA JED DAVIES - [REDACTED]**

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 following:-

- 1/ Include bar snacks to cover cakes, doughnuts, etc. purchased from outside for resale, not made on site, sold & stored only.**
- 2/ Change of hours – open from 0800 hours Monday to Sunday to facilitate early morning trade for coffee & cake (no alcohol sold until normal hours)**
- 3/ Children to be allowed at certain times – Monday to Sunday from 0700 hours to 1900 hours.**
- 4/ Outdoor seating – to allow four tables with three chairs per table during trading hours to allow coffee & cakes only from 0800 to 1100hours and after this time alcoholic beverages (in plastic containers) until 2000 hours. Seating to be stored away after this hour. (plan submitted to ELC roads department regarding this matter).**

Winter, Maree

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 26 October 2022 10:55
To: Licensing
Subject: BEAR AND BULL - MAJOR VARIATION
Attachments: LIC38 PREMISES VARIATION - NO ADVERSE COMMENT BEAR & BULL.RTF

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 - 671369

Regards
Iain

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling

Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 4th November 2022

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE MAJOR VARIATION 2022
BEAR & BULL, EAST LoTHIAN EH42 1NP**

I can confirm that the applicant and premises have been visited in relation to this variation application. The premises licence holder Ms Davies has liaised with me at length in relation to the application and taken on board the guidance given.

The changes applied for are:

- Change in on sales and off sales core licensed hours to open earlier on Sundays
- Opening at 7am outwith core hours for the provision of teas/coffees and cakes
- Access to children and young persons to be granted access – during various time depending on age until 7pm thereafter adults only.
- Addition of outside front area with seating to be open 0800-2000 (service and consumption of alcohol only in core licensed hours)
- Addition of deliveries to customers through online platform
- Addition of conference facilities
- Addition of restaurant/bar meal facilities to provide premade light snacks
- Addition of receptions
- Additional of club meetings
- Addition of music out with core hours – to provide music in the morning
- Addition of outside drinking during and outwith core hours to facilitate use in the morning
- Removal of gaming, indoor/outdoor sports and televised sports
- Take away food to be consumed on the premises
- Increase in capacity indoors and outdoors

The current licensed hours of the premises are show below:

Licensed hours

Current ON SALES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	12:30	24:00

The new hours applied for are, as shown below:

Proposed ON SALES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	Midnight

In relation to off sales the application has asked for a change from opening time of 11:00 Mon-Sat and 12:30 Sunday to 10:00 Mon-Sun.

Both the proposed on and off sales hours are within board policy.

In summary, the proposed changes are supported by Licensing Standards. The premises is making a move away from a traditional pub to a hybrid style premises operating as a café during the day and thereafter a cocktail and wine bar type premises at night.

The following conditions are recommended for the board’s consideration:

- Take away use of the premises only from 0700-0800 hours daily, no persons to sit inside or outside.
- No music should be played indoors prior to 0800 hours daily.
- The use of the outside seating area should be opened no earlier than 08:00 hours and closed by 20:00 hours.
- No public entertainment, amplified music, amplified vocals or live music played in the outdoor area to ensure the use does not cause nuisance neighbouring residential properties.
- The outdoor area should be clearly delineated with removable barriers and all seating and barriers should be removed between 2000-0800 hours.
- No blockage of any part of adjacent footpath or roadway.
- Only seating, no standing in outdoor area.
- Outdoor area and area to be easily monitored by staff physically or via CCTV.
- Outside area to be kept clear of rubbish and cigarette litter.
- 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 Sections of the Board's statement of licensing policy on deliveries of alcohol, should be complied with.

K. Harling
Licensing Standards Officer

Winter, Maree

From: Jacqueline Bell [REDACTED]
Sent: 21 October 2022 15:16
To: Winter, Maree; Licensing
Subject: Major Variation of Licence - Bear and Bull , High Street, Dunbar- Dunbar
Community Council Response

Follow Up Flag: Follow up
Flag Status: Flagged

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Thank you for your correspondence regarding this application.

Dunbar Community Council (DCC) discussed the application at its meeting on 17th October 2022.

DCC is supportive of the proposed initiative. A common comment from the public is that there is nowhere to get a coffee & cake in Dunbar High Street early in a morning or after 4 pm.

DCC note that ELC Roads have approved the out door seating.

Jacque Bell

Licensing Link

Dunbar Community Council

Winter, Maree

From: McLennan P (Paul), MSP <Paul.McLennan.MSP@Parliament.scot>
Sent: 13 November 2022 18:20
To: Licensing
Subject: Support for The Bear and Bull Coffee Concept

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.

To Whom it may Concern

I wish to support the Coffee concept that The Bear & Bull who are looking to diversify

I am aware that they currently offer Coffee etc , but not until 11 am .

They are looking to open earlier to secure the early morning business.

The application also allows baby / buggy friendly or dog friendly access .

I've known the applicant for a long period of time as a responsible business owner .

I hope this can be look at favourably .

Paul McLennan

Member of the Scottish Parliament for East Lothian Constituency
Room 4.06
Scottish Parliament
Edinburgh
EH99 1SP

Email: Paul.McLennan.msp@parliament.scot



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The information in this email may be confidential. If you think you have received this email in error please delete it and do not share its contents.

Winter, Maree

From: Muir, Marion
Sent: 10 November 2022 11:46
To: Winter, Maree
Cc: Douglas, Andrew
Subject: Major Variation application - Bear & Bull, 72 High Street, Dunbar
Attachments: image001.png; Bear & bull Major Variation Application.pdf

Maree

I would advise that Food and Safety have no objections in principle to the attached Major Variation Application submitted in relation to the Bear and Bull, 72 High Street, Dunbar subject to the following:-

- As the premises do not have a kitchen or facilities onsite for cooking (or making food) from scratch or for cooking of foods in general, that the types of foods be restricted to that detailed in Part 3(a) of the application in relation to foods such as cakes and doughnuts (and similar foods) that are purchased from outwith the premises and are not made on site.
- This office would have no objections to outside caterers (takeaways) providing food for immediate consumption onsite (Part 3(b)), again provided there is no preparation or cooking/reheating of the meals on the premises.
- There would be no objections to deliveries of cocktails by the premises (3 (b)) provided the products comply with relevant Food Safety Legislation (including both hygiene and labelling requirements).
- In terms of the proposed outdoor drink area/tables et al, there would be no objections subject to ensuring that it is safe to do so and a suitable Health and Safety risk assessment is undertaken before use (and all relevant permissions have been obtained).

If further information is required please contact this office.

Best regards

Marion

Marion Muir
Food and Safety Section
East Lothian Council
John Muir House
Haddington
EH41 3HA
01620 827234

Winter, Maree

From: Robertson, Scott
Sent: 25 October 2022 09:10
To: Winter, Maree
Cc: Licensing
Subject: RE: Major Variation application - Bear & Bull, 72 High Street, Dunbar

Hello,

As the proposed outdoor seating area is located on the public footway and is only for the a small number of tables and chairs, planning permission would not be required and I note that the applicant has the sufficient permissions from road services to use the public footway. Therefore, I have no objections to the major variation application at Bear and Bull.

Kind Regards
Scott Robertson
Assistant Planner

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 14 October 2022 09:48
To: 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>; dunbarcommunitycouncil@gmail.com
Subject: Major Variation application - Bear & Bull, 72 High Street, Dunbar

Dear all,

Please find attached a major variation application from the Bear & Bull, 72 High Street, Dunbar. Could I please have your 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**

