



**AGENDA FOR THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 24 NOVEMBER 2022 at 10.00am
VIA DIGITAL PLATFORM**

Agenda of Business

Apologies

Declarations of Interest

Members and officers should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

- 1. Minutes for Approval**
East Lothian Licensing Board, 27 October 2022 **(pages 1-6)**
- 2. Presentation by Snappy Shoppers – Deliveries**
- 3. Major Variation**
 - a. Premier Store, 8 Muirpark Drive, Tranent **(pages 7-34)**
 - b. Day Today, 84 High Street, Haddington **(pages 35-58)**
 - c. Haddington Wine & Whiskies, 82 High Street, Haddington **(pages 59-80)**
 - d. Bear & Bull, 72 High Street, Dunbar **(pages 81-118)**
- 4. Grant of Personal Licence**
Amerjeet Singh **(pages 119-124)**
- 5. Non-Payment of Annual Fees**
 - a. New Plough, 63 High Street, Tranent **(pages 125-126)**
 - b. Stodola, 109 High Street, Musselburgh **(pages 127-128)**

Carlo Grilli
Clerk of the Licensing Board
17 November 2022

Public papers for this meeting are available to view on the East Lothian Council website:
http://www.eastlothian.gov.uk/meetings/committee/53/east_lothian_licensing_board



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 27 OCTOBER 2022
ONLINE PLATFORM MEETING**

1

Board Members Present:

Councillor L Bruce (Convener)
Councillor F Dugdale
Councillor G McGuire

Clerk of the Licensing Board:

Mr C Grilli, Service Manager – Governance

Attending:

Ms G Herkes, Licensing Officer
Ms S Fitzpatrick, Team Manager – Licensing and Landlord Registration
Ms K Harling, Licensing Standards Officer
Sgt R Stark, Police Scotland

Committee Clerk:

Ms B Crichton – Committees Officer

Apologies:

Councillor C Cassini
Councillor G Gilbert
Councillor J McMillan

Declarations of Interest:

None

**1. MINUTES FOR APPROVAL
East Lothian Licensing Board, 22 September 2022**

The minutes were agreed as an accurate record of the meeting.

2. CHIEF CONSTABLE'S REPORT TO THE EAST LOTHIAN LICENSING BOARD, 1 APRIL 2021 - 31 MARCH 2022

A report had been submitted to the East Lothian Licensing Board by the Chief Constable to inform the Board of Police Scotland's licensing activities in the area from 1 April 2021 to 31 March 2022.

Sergeant Rachel Stark explained that the report had been completed in May when she had recently come into post. The information was based on activities from the previous year, but she was able to take questions.

Councillor Bruce thanked Sergeant Stark for her work on the report. The Members had read it carefully and found it useful. The report would help to inform the work of the East Lothian Licensing Board going forward, and particularly the upcoming review of Licensing Board policy. Sergeant Stark responded that the report covered a period which had been greatly affected by the Covid-19 pandemic, and expected that the service would be able to be more productive and proactive in the following year.

Decision

The East Lothian Licensing Board agreed to note the Chief Constable's report.

FESTIVE HOURS STATEMENT

The Convener provided the festive hours statement on behalf of the East Lothian Licensing Board.

In terms of Section 67 of the Licensing (Scotland) Act 2005, the Board had determined that it was appropriate to grant a general extension of licensed hours for the festive period. This extension would apply as follows:

Christmas Eve - Saturday 24 December 2021,
Christmas Day - Sunday 25 December 2021,
Boxing Day - Monday 26 December 2021,
Hogmanay - Saturday 31 December 2021, and
New Year's Day - Sunday 1 January 2022, (inclusive) and would allow an extension of the terminal hour for the sale of alcohol during that period until 2am.

This extension would only apply to on-sales and not to off-sales of alcohol.

There would be no general extensions outwith these days although any applications for extended hours outwith the general extension would be considered on a case-by-case basis. It should be noted that such applications required to be submitted no later than 2 December 2021.

There would be no need for licensees to apply for the general extension to 2am. On sales premises could utilise these hours to the extent they considered appropriate.

3. REVIEW OF OCCASIONAL LICENCE
Buck & Birch Ltd., Unit 9, Merryfield Business Centre, Macmerry

The applicant had been called to the Board hearing on 22 August due to a request from the LSO, which highlighted repeated occasional licence applications. Occasional licences could be granted under delegated powers only up to a maximum of three months. At the 22 August hearing, the Board had advised Rupert Waites, of Buck & Birch Ltd. to apply for a provisional premises licence, but granted further licences up to 27 October 2022 to allow the business to continue trading. The application sought seven occasional licence licences covering a period of 28 October 2022 to 5 January 2023.

Mr Waites was present and was represented by Alistair Macdonald, agent. Mr Macdonald advised of his involvement with Buck & Birch Ltd. since August 2022, after the Licensing Standards Officer had visited the premises and highlighted the need to submit a premises licence application. Since then, the layout plan had been produced by an architect and an application had been made for a Section 50 certificate. Depending on the timing of the certificates arriving, Mr Macdonald would submit a provisional or full premises licence on behalf of his clients, and would visit the premises to finalise the application in the following week.

Sergeant Stark had no comment to make, and Karen Harling, LSO, was happy that work was ongoing to lodge the application, as outlined by Mr Macdonald.

Responding to a question from Councillor Dugdale, Mr Macdonald said he hoped to lodge the application within the next week or two. Once the application was finalised, he would make contact with the planning authority to enquire whether the planning application could be expedited.

The Convener said the Board appreciated the work that had gone in thus far, and looked forward to the forthcoming application being made.

The Convener moved to a roll call vote and the occasional licence applications were unanimously approved.

Decision

The occasional licences were granted.

4. GRANT OF PERSONAL LICENCE
Gareth Fender

The application for a personal licence had come before the Board on the basis of representation from Police Scotland, which requested that the application be refused for the purposes of preventing crime and disorder, securing public safety, and preventing public nuisance.

Gareth Fender, applicant, was present to speak to the application. He understood that Police Scotland had not wished for his licence to be granted on the basis of actions that were in his past. He said he was not the same person as he had been at the time of the incidents; at the time he had been suffering severe mental health issues and had been drinking heavily. He said he was now stable on medication and had been sober for four years. He said he appeared to plead his case that he was in a position to be granted a personal licence for the sale of alcohol.

Responding to a question from Councillor McGuire, Mr Fender said he managed the Student Union Bar at Queen Margaret University. He said that the grant of the personal licence would mean he could keep the bar open until 1am without the premises manager being on the premises. He had worked in the bar for 3 years and 10 months, and often closed the bar, but faced certain restrictions due to not holding a personal licence.

Sergeant Stark highlighted Mr Fender's previous offending history, which included violence towards uniformed officers. She acknowledged that Mr Fender had worked in his role for over three years without incident, and said that this was also for the consideration of the Board.

The Convener called a short recess to allow the Board to deliberate in private. Upon the Members' return, the Convener said that the Board had taken into account the report from Police Scotland, and were also pleased to hear that Mr Fender was looking after himself well. It was felt that almost four years of working in a licenced premises showed evidence of changes made. He was happy to approve the application offered his best wishes to Mr Fender.

Councillors McGuire and Dugdale echoed the Convener's comments, and Councillor Dugdale thanked Mr Fender for his account, which had helped the Board to understand the situation. They also agreed to grant the personal licence application.

Decision

The application was granted unanimously.

The Convener announced that item 5 would be heard in private session.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The East Lothian Licensing Board agreed to exclude the public from item 5.

5. REVIEW OF PERSONAL LICENCE Andrew Leggett

The Board agreed that no action would be taken and the licence would remain in place.

PREMIER STORE



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

3a

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).

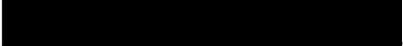
(Provide Details)

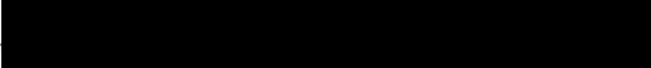
2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL 0148

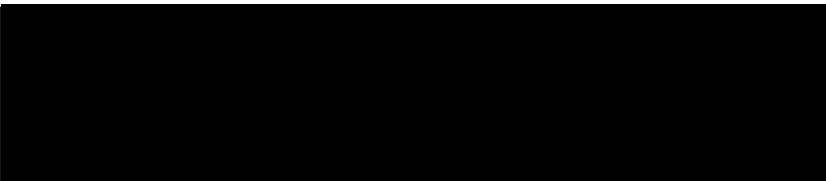
2(b) Name and Address of Premises PREMISE STORE

8 MONK PARK DRIVE, TRARENT, EAST LoTHIAN

Post Code EA33 2PE Tel. No. 

Email 

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



 Post Code 

Tel. No.  Email address 

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

N/A

7. CAPACITY OF PREMISES

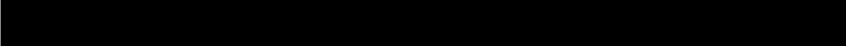
What is the proposed capacity of the premises to which this application relates?

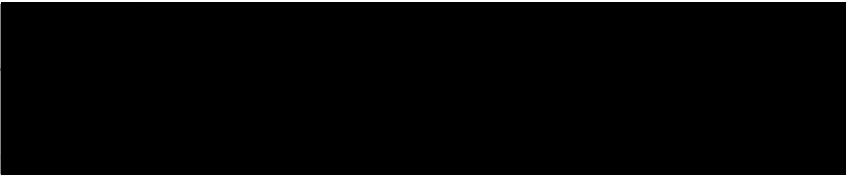
OFF SALES - 74.65 LINEAR METRES - 27.13m²

8. PREMISES MANAGER

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

Full Name ANISA ALI

Date of birth 

Contact address 

Post Code _____

Tel. No. _____ Email address _____

Personal licence

Date of issue 1st SEPT 2009

Name of Licensing Board issuing EAST LoTHIAN LICENSING BOARD

Reference no. of personal licence EL 403

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

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

N/A

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

5(f) If you propose to provide any activities other than those listed in 5(a) - (e), please provide details or further information below.

GENERAL CONVENIENCE STORE OPEN FROM 6:30am TO 10pm
MON - SUNDAY
FOOD TO GO
HOME DELIVERY OF FOOD & ALCOHOL

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?

YES NO

When fully occupied, are there likely to be more customers standing than seated?

YES NO

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

ACTIVITY	ACTIVITY PROVIDED? YES / NO	To be provided during core licenced hours. Please confirm YES / NO	Where activities are also to be provided outwith core licensed hours. Please confirm YES/NO
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5a.	Accommodation	No	N/A	N/A
	Conference facilities	No	No	No
	Restaurant facilities	No	No	No
	Bar meals	No	No	No

Social functions including:

5b.	Weddings, funerals, birthdays, retirements etc.	No	No	No
	Club or other group meetings etc.	No	No	No

Entertainment, including:

5c.	Recorded music – see 5(g)	Yes	Yes	Yes
	Live performances – see 5(g)	No	No	No
	Dance facilities	No	No	No
	Theatre	No	No	No
	Films	No	No	No
	Gaming	No	No	No
	Indoor/outdoor sports	No	No	No
	Televised sport	No	No	No

5d.	Outdoor drinking facilities	No	No	No
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5e.	Adult Entertainment	No	No	No
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4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES NO

*If YES – provide details

NONE

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

DAY	ON CONSUMPTION	
	Opening time	Terminal Hour
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

3. STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

OPERATING PLAN

LICENSING (SCOTLAND) ACT 2005, SECTION 20(2)(B)(i)

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

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

Name and Address of Premises PREMIER STORE

8 MUIR PARK DRIVE, TRONENT

Post Code EA 33 2PE

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

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 £ _____ 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 21/9/2022

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

If agent, please provide details

Full name GORDON EMSUE, GNE CONSULTANCY LTD

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.)

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)

PREMISES LICENCE DOCUMENTATION CAN BE SCANNED OR
POSTED IN IF REQUIRED.

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

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)

① CHANGE OFF SALES CORE HOURS TO 10AM - 10PM MON - SUN
② CHANGE ALCOHOL DISPLAY AREA.
③ ADD ACTIVITIES - DELIVERY OF FOOD & ALCOHOL
- FOOD TO GO
- PLAYING OF BACKGROUND MUSIC

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.

STORE IS BEING REFURBISHED & ALCOHOL DISPLAY IS CHANGING TO INCORPORATE A CHILLED 'BEER CAVE' DISPLAY AREA.
LINEAR CAPACITY IS NOT INCREASING.

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

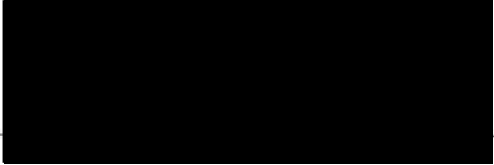
Provide details below of any other variation sought to the Premises Licence (e.g. Alteration to the description of the premises contained within the Premises Licence)

N/A

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

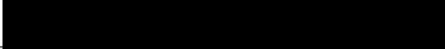
If signing on behalf of the applicant please state in what capacity.


The contents of this operating plan are true to the best of my knowledge and belief

Signature _____  _____ (* see note below)

Date _____ 21/9/2022 _____

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

Tel. No. of signatory _____  _____

Email address _____  _____

*** 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.

The premises is a modern convenience store that has served the local community for many years.

It offers a wide range of foods and services.

(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)
Not applicable

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

b) Off Sales and offering home delivery of both food and alcohol

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:

Not applicable

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:

Not applicable

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:

Not applicable

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

Not applicable

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:

Not applicable

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:

Background music is played during all trading hours. This is live stream radio which is part of the Premier branding where music and adverts are played.

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:

*General convenience store that opens daily from 6.30am to 10pm.
We intend to offer Food to Go
We offer the home delivery of food and alcohol via Snappy Shopper.*

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.

Not applicable

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:

- All staff will be issued with an age verification policy, which includes a policy on dealing with the sale or service of alcohol to drunk persons.
- A manual refusals log will be in place to record any refusal of the sale of alcohol.
- CCTV camera system is being installed which will have an external camera to view customer leaving or entering the premises.
- The premises will have at least 1 SCPLH holder and all other staff will have received their mandatory 2-hour training before commencing the sale of alcohol.
- The premises will display Challenge 25 signage to ensure no sale of alcohol is made to any person appearing to look under the age of 18.

Securing Public Safety:

- The premises will manage litter in the vicinity of its location on Muirpark Drive on a regular basis.
- All staff are trained on customer service skills and with particular focus on ensuring a safe shopping environment is provided for customers.
- As part of their customer service training they have been coached on identifying and managing any potential conflict situations.
- The convenience store has modern CCTV camera's to monitor customers.

Preventing Public Nuisance:

- Due to the premises location we will minimise noise from deliveries etc by ensuring full consideration to local residents at all times. Deliveries will be made during normal working times.
- The premises will trade until 10pm, which we believe will minimise any late evening conflict situations.

Protecting and Improving Public Health:

- All alcohol products offered for sale will have unit measures on each bottle or can which is now industry standard.
- All alcohol product promotions being offered will be in line with licensing legislation.
- All staff will be fully trained to understand the daily/weekly recommended maximum alcohol consumption levels.

Protecting Children and Young Persons From Harm:

- The premises will have a written policy in relation to the prevention of the sale or supply of alcohol to under 18's.
- Visible age verification requirements will be displayed in the premises.
- All staff will fully understand the proof of age scheme and acceptable forms of ID.
- Staff will monitor customers for unusual shopping patterns to prevent alcohol purchase for young people by an agent.
- A Refusals log will be in place to record any sales refusals.
- Staff training records will be kept on site for inspection.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

Home delivery process

- All purchases for home delivery of food & alcohol will be made via the Snappy Shopper App which customers can freely download.
- It is Premier Tranent's responsibility to service and deliver any food or alcohol being ordered online for home delivery.
- Records will be kept and maintained showing each order placed for despatch and will be held on the premises. This is held electronically.
- A record of each transaction is carried by the person delivering the alcohol which is accessible from the delivery handset.
- The record will show the quantity, description and price of the foods/alcohol being delivered.
- The record will show the name and address of the person to whom the alcohol is being delivered to.
- Alcohol will only be delivered between the hours of 10am and 22.00 pm daily.
- Challenge 25 will be in place where any person receiving a delivery who must prove they are over the age of 25 should they appear to look younger than this. Copies of the Snappy Shopper Challenge 25 process is attached.
- Only current acceptable proof of age ID will be accepted e.g. European Driving Licence, European Provisional Driving Licence, a current passport or PASS logo's identification
- All delivery drivers will be employed by Premier Tranent.
- All delivery drivers will have undertaken their 2- hour training to demonstrate their competence.
- All staff training records are held on site within an appropriate file.
- A refusal log will be used should any delivery not be made due to either the recipient being unable to prove their age or appearing intoxicated.

Supporting Comments: i.e. reasons why the Board should support your application.
 We are looking to increase our core licensed hours to 10am to 10pm which is within the Licensing Boards policy.
 We wish to add Food to Go as a service to customers.
 We wish to formalize homedelivery as a service within our operating plan.
 This is a premises that has traded successfully for many years and always remained complaint with all aspects of licensing legislation and on those grounds would propose that this is a competent application for consideration.

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	<i>Gordon Emslie</i>	Date	23/09/2022
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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
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	YES
*Delete as appropriate		

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.

Access to the premises is available via one main entrance door. This is a manual door that opens inwards.
 This doorway is wheelchair accessible.
 The premises is one level flooring surface throughout the site.
 There is suitable space within the premises to accommodate wheelchairs and customers who may have mobility difficulties.

Question 3

Facilities available

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

The serving counter area can be accessed by wheelchair users.

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 is offered to all customers when they enter the premises irrespective of whether they have a disability or not.
All staff have been trained to identify those who may appear to require support or assistance.

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.

Signature *Gordon Emslie*..... * (see note below)

Date23rd Sept 2022.....

Capacity**Agent**..... APPLICANT/AGENT

Telephone number and email address of signatory.....Tel ([REDACTED]

Email: [REDACTED]

*** 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.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling

To: C. Grilli

Licensing Standards Officer

Clerk to the Licensing Board

Date: 9th November 2022

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION 2022

**PREMIER STORE, 8 MUIRPARK DRIVE, TRANENT, EAST LoTHIAN EH33
2PE**

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

The changes applied for are:

- Change to off sales core hours
- Change to alcohol display areas and layout
- Change to off sales capacity
- Addition of delivery of food and alcohol, food to go and recorded music

The current licensed hours of the premises are:

Current OFF SALES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10:00	21:30
Tuesday	10:00	21:30
Wednesday	10:00	21:30
Thursday	10:00	21:30
Friday	10:00	21:30
Saturday	10:00	21:30
Sunday	12:30	21:30

The new hours applied for are, as shown below:

Proposed OFF SALES

<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

I spoke with the premises licence holder and premise manager Anila Ali about all aspects of the variation during a visit to the premises. We discussed 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. A delivery policy has been put in place at the premises included in the supplementary application information.

I was shown the areas that will be changed during the proposed refurbishment of the shop to form the addition of a beer cave and other alcohol display. This will be a refrigerated room for beers and wines as per the submitted layout plan. The refurbishment will also see the expansion of the display behind the till area that is not accessible to the public. In total this equated to an off sales capacity of 27.113m². This is an increase of 8.97m² from the previous layout. There are 2 other off sales only licences premises within 800m being Aldi on Haddington Road and Asda on High Street.

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

- 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.
- CCTV be installed to cover all alcohol displays, including the beer cave area and entrance/exit.

K. Harling
Licensing Standards Officer

Winter, Maree

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 19 October 2022 14:29
To: Licensing
Subject: PREMIER STORE, TRANENT - MAJOR VARIATION
Attachments: LIC38 PREMISES VARIATION - NO ADVERSE COMMENT PREMIER STORES, TRANENT.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 - 671105

Regards
Iain

Licensing

From: Robertson, Scott
Sent: 25 October 2022 08:46
To: Winter, Maree
Cc: Licensing
Subject: RE: Major Variation - Premier Store, 8 Muirpark Drive, Tranent

Hello,

Please note I have no comments or objections in relation to the major variation application at Premier Stores, Muirpark Drive.

Kind Regards
Scott Robertson
Assistant Planner

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 13 October 2022 11:07
To: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; 'Licensing@nhslothian.scot.nhs.uk'; torquill.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>; tecc.secretary@aol.co.uk
Subject: Major Variation - Premier Store, 8 Muirpark Drive, Tranent

Dear all

Please find attached major variation for the above. Please note that there is also a transfer application in to change to a company, this is not to go through until the variation has been processed. The Licence Holder should read Anila Ali who is also the designated premise manager.

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**





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-

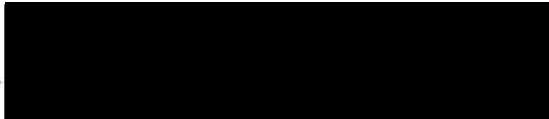
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

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.....
.....
.....
.....

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

<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>NA</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>X</i>	<i>X</i>
<i>Tuesday</i>	<i>X</i>	<i>X</i>
<i>Wednesday</i>	<i>X</i>	<i>X</i>
<i>Thursday</i>	<i>X</i>	<i>X</i>
<i>Friday</i>	<i>X</i>	<i>X</i>
<i>Saturday</i>	<i>X</i>	<i>X</i>
<i>Sunday</i>	<i>X</i>	<i>X</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>	<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>
--	-----------

**If YES – provide details*

Question 5

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

COL. 1	COL. 2	COL. 3	COL. 4
5(a) <i>Activity</i>	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>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO		
<i>Restaurant facilities</i>	NO		
<i>Bar meals</i>	NO		
5(b) Activity <i>Social functions</i> <i>including:</i>	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</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	NO		
<i>Club or other group</i> <i>meetings etc.</i>	NO		
5(c) <i>Activity</i> <i>Entertainment</i> <i>including:</i>	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</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>			
5(d)	Please confirm	To be provided	Where activities are

<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

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>NO MUSIC</i>
--	---------------------

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

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

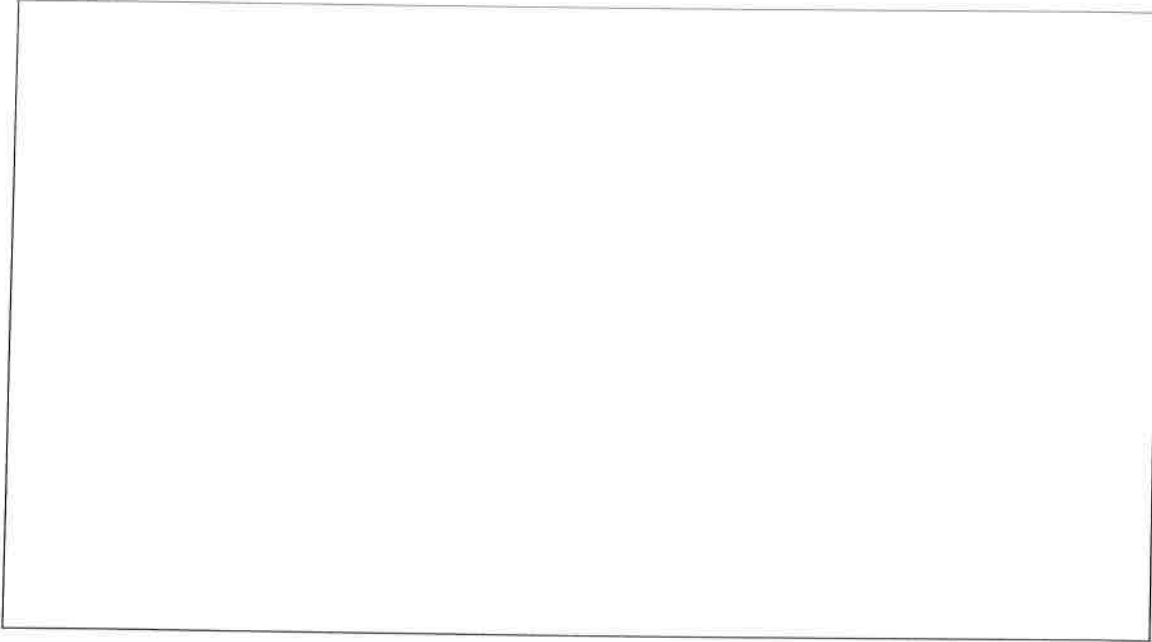
Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

N/A

Question 3

Facilities available

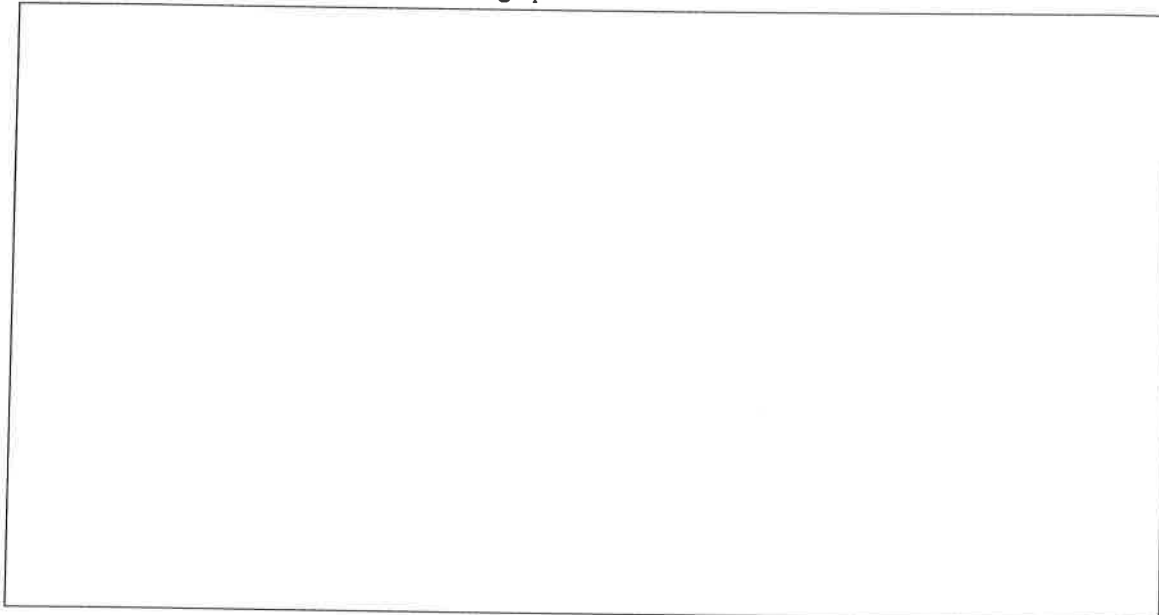
Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.



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**





EAST LoTHIAN LICENSING BOARD

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

3c

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

EL0171

2(b) Name and Address of Premises

<p>HADDINGTON WINES & WHISKIES, 82, HIGH STREET, HADDINGTON, EAST-LOTHIAN</p>	<p>Haddington Wines & Whiskies, Day To Day 82/84, High Street, Haddington EH413ET, Scotland - UK Company Number - 500619 [REDACTED] www.haddingtonwines.com</p>				
<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Post Code</td> <td>[REDACTED]</td> <td style="width: 20%;">Phone No.</td> <td>[REDACTED]</td> </tr> </table>	Post Code	[REDACTED]	Phone No.	[REDACTED]	
Post Code	[REDACTED]	Phone No.	[REDACTED]		

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

SHIVAKUMAR KANDASWAMY			
[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 wines, beers, spirits, ssingle malts, cigars and miniatures.

This is from Haddington wines & whiskies 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)

same 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 forms of fee have been paid.

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
.....
.....
.....

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

<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>NA</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>X</i>	<i>X</i>
<i>Tuesday</i>	<i>X</i>	<i>X</i>
<i>Wednesday</i>	<i>X</i>	<i>X</i>
<i>Thursday</i>	<i>X</i>	<i>X</i>
<i>Friday</i>	<i>X</i>	<i>X</i>
<i>Saturday</i>	<i>X</i>	<i>X</i>
<i>Sunday</i>	<i>X</i>	<i>X</i>

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

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

NA

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.

NA

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
---	-------------

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

SHIVAKUMAR

KANDASWAMY

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>
11/05/2018	EAST LOTHIAN	EL397

~~DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT~~

If signing on behalf of the applicant please state in what capacity.

The content is true to the best of my knowledge and belief.

Signature [Redacted]

..... * (see note below)

Date 28/9/22

Capacity Owner APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory [Redacted]

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 WINES STORE OFFERING A BIG RANGE OF WINES, SPIRITS, BEERS, MINIATURES, GIFT-SETS 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.

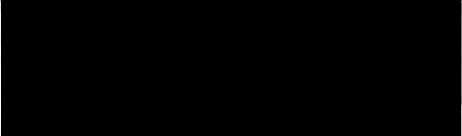
we have been a responsible retailer since 2012, we have not had any convictions in the past. I request you to grant permission for starting deliveries.

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	28/09/22
-----------	---	------	----------

8 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 / 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*
*Delete as appropriate		

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 10:53
To: Licensing
Subject: VARIATION - ADD DELIVERIES - HADDINGTON WINES & WHISKIES
Attachments: HADDINGTON WINES 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 - 670863

Regards
Iain

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling

To: C. Grilli

Licensing Standards Officer

Clerk to the Licensing Board

Date: 3rd November 2022

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION 2022

**HADDINGTON WINES AND WHISKIES, 82 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

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>	YES
--	------------

**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 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
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
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
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
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
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO
Films	NO	NO	NO
Gaming	YES	YES	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	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>
--

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.

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.

--

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*
*Delete as appropriate		

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.

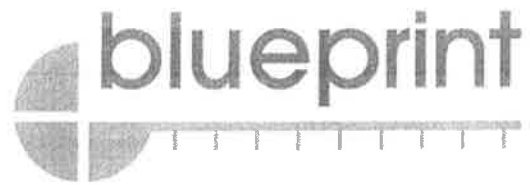
Several photographs were taken and are appended to this letter and have been referenced as 001 to 009 inclusive. Photograph 001 shows the entire northeast elevation of the building (front elevation) and indicates the roof if constructed as a duo pitched roof with slate finish externally. The building 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



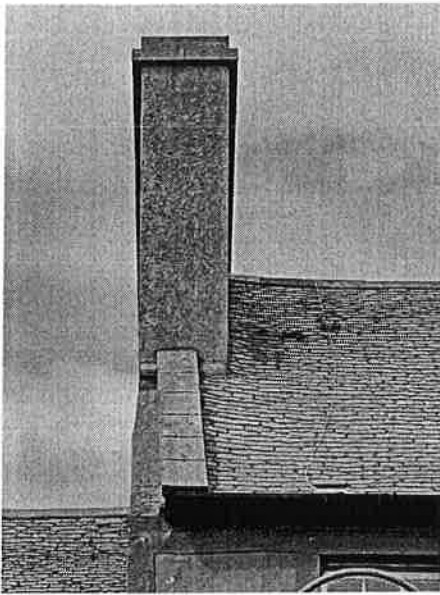
Photograph 002



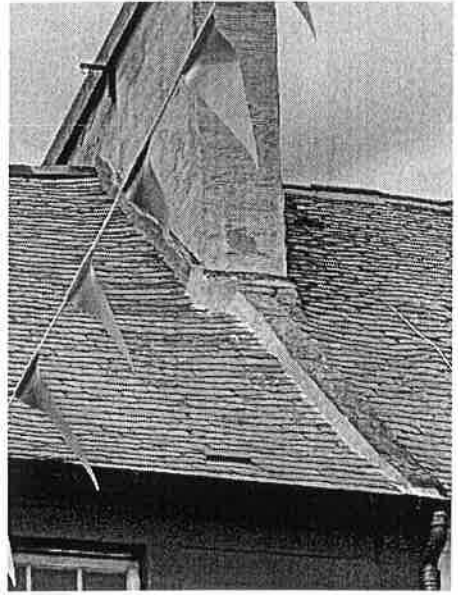
Photograph 003



Photograph 004



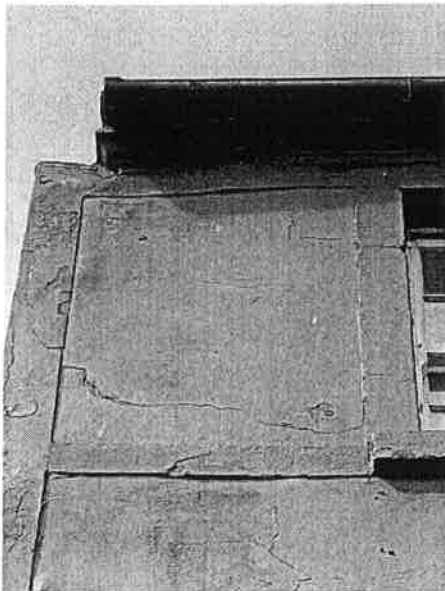
Photograph 005



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

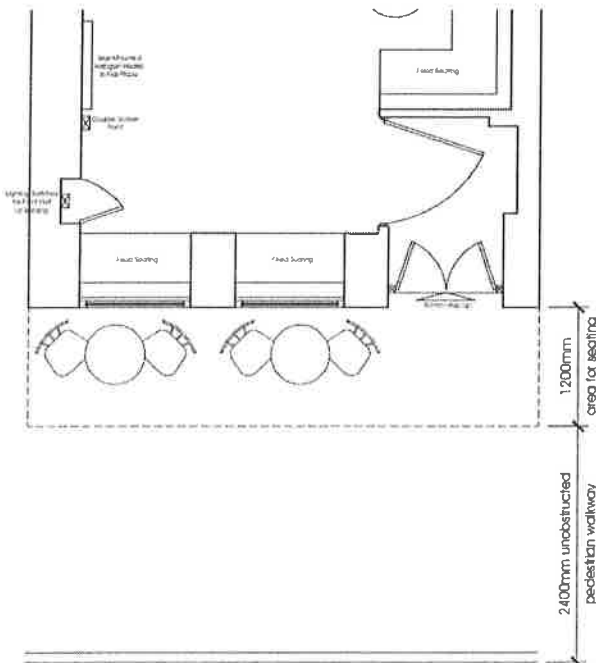
**The Bear and Bull,
72 High Street, EH42 1JH
Dunbar, East Lothian**

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

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 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**



24/10/2022

Your Ref: EL1907

Our Ref: 670292

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

4

FOR THE ATTENTION OF EAST LOTHIAN LICENSING BOARD

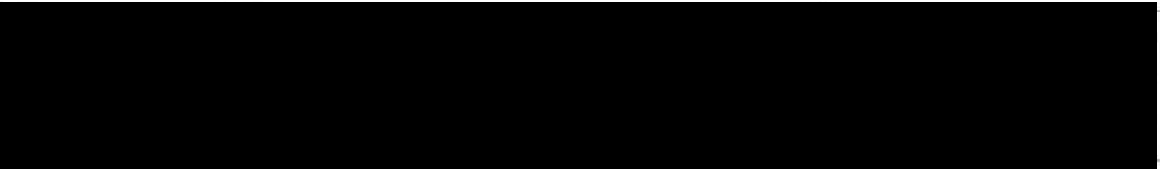
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE
AMERJEET SINGH, [REDACTED]**

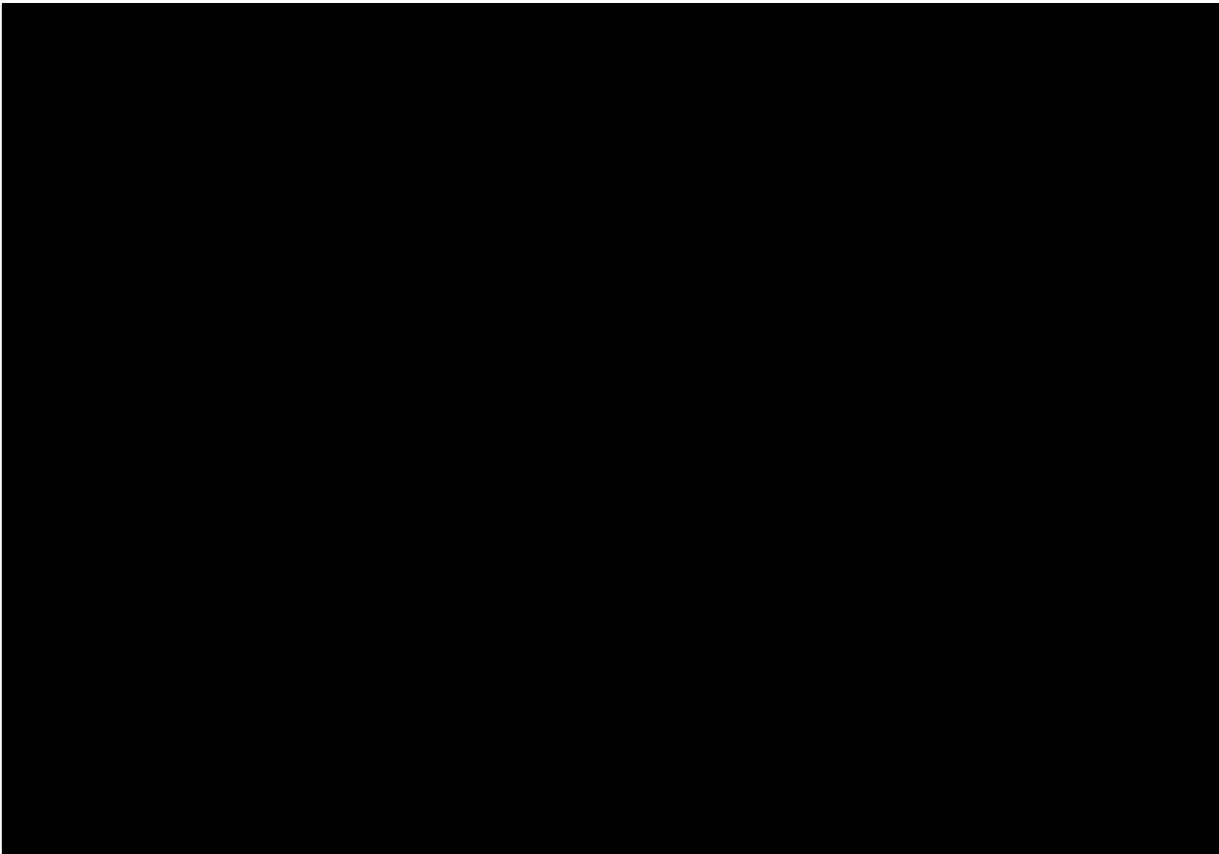
I refer to the above application.

In terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I give notice that, based upon the information provided and as far as the Chief Constable is aware, the applicant has been convicted of the following relevant offence(s).

Date	Court	Crime/Offence	Disposal
[REDACTED]			



In terms of Section 73(5) of the 2005 Act the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application:-



Due to this offending, I am of the opinion that the applicant demonstrates a blatant disregard for the law and in terms of Section 73(4) of the Licensing (Scotland) Act 2005, the Chief Constable recommends, for the purposes of the Preventing Crime and Disorder and Securing Public Safety Licensing objectives, the application be refused.

I am unable to confirm the existence of any foreign offence in respect of the applicant.

Yours faithfully



Catriona Paton
Chief Superintendent

EL1907
PC/KH 11/10

SCHEDULE 2

East Lothian Licensing Board

Application for a personal licence

FIRST APPLICATION/RENEWAL APPLICATION (delete as appropriate)

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary. You may wish to keep a copy of the completed form for your records.

1. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Mr Miss Ms Other (please state)	
Surname	SINGH
Forenames	AMERJEET
Date and Place of Birth	[REDACTED]
NI Number	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	[REDACTED]
E-mail address (if you would prefer us to correspond with you by e-mail)	
[REDACTED]	
Address for correspondence associated with this application (if different to the address above)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]

2. Your licensing qualification		
Read note 2	Please tick	
I hold an accredited qualification	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time		Please tick
Do you currently hold a personal licence?	Yes	No <input checked="" type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	Yes	No <input checked="" type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years?	Yes	No <input checked="" type="checkbox"/>
Licensing Board	HIGHFIELD QUALIFICATIONS	
Licence number	PLH6610593	
Date of issue	12/7/22	
Date of expiry		
Any further details	Qualification number R65404	

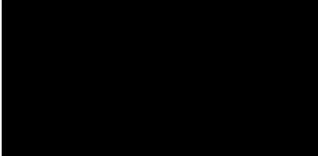
4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	

Other personal licence		
Note: You may only hold one personal licence at a time	Please tick	
I confirm that I do not hold any other personal licences other than the one submitted for renewal	Yes ✓	No

5. CHECKLIST	
I have	Please tick yes
• Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3.	
• Enclosed a copy of any licensing qualification I hold	✓
• Enclosed my current personal licence (renewal only)	✓
• Made or enclosed payment of the fee for the application	✓

6. Previous Convictions
You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

Offence	Court	Date	Penalty
none			

7. Declaration			
The contents of this application are true to the best of my knowledge and belief			
SIGNATURE – read note 5 Applicant/Agent* (*Delete as appropriate)		DATE 29/9/22	

I understand that East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. East Lothian Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

NOTES

Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)



Highfield
Qualifications®

Highfield Qualifications

Certifies that

Amerjeet Singh

has successfully passed an assessment in

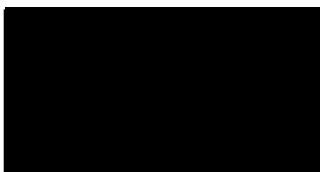
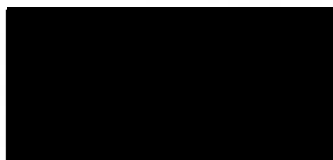
**Scottish Certificate for Personal Licence Holders at
SCQF Level 6**

Qualification number R654 04

Date of award 12 July 2022

Certificate number PLH6610593

Course Director



Jason Sprenger - Chief Executive
Highfield Qualifications



scottish credit and
qualifications framework



Accreditation

This qualification has been SCQF credit rated by SQA Accreditation.

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: K. Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 14th November 2022

5a

Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE- NON PAYMENT OF ANNUAL FEES
THE NEW PLOUGH, 63 HIGH STREET, TRANENT EAST LoTHIAN EH33 1LN

Licensing Standards Officer's Report

Thomas O'Brien was granted a conversion of a Full Premises Licence in 2008 as part of the transition to the 2005 Act in respect of the above premises.

On 21st July 2020 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2020. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence. Details of payment method were included in this letter.

On 20th September 2022 the Clerk to the Board sent additional letters of reminder to the premises address and licensing agent. No response was received.

During October multiple attempts were made by the licencing team and LSO to contact the licence holder and persons who may have details from him with no response.

On Tuesday 8th November, the Depute Clerk to the Board sent a letter to the licensee with a further reminder that the they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 24th November 2022 to explain the reason for the stated breach of licence.

By the time of preparation for the Licensing Board meeting, on 24th November 2022, payment of the mandatory annual fee had still not been made.

Since 2008 the premises licence annual fee last year was made on 23/08/2021 and all payments previous to this have been made.

K. Harling
Licensing Standards Officer

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: K. Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 14th November 2022

5b

Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE- NON PAYMENT OF ANNUAL FEES
STODOLA, 109 HIGH STREET, MUSSELBURGH, EAST LoTHIAN EH21 7DA

Licensing Standards Officer's Report

MJJ Foods Ltd was granted a Full Premises Licence in respect of the above supermarket in February 2021.

On 21st July 2020 the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2020. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence. Details of payment method were included in this letter.

On 20th September 2022 the Clerk to the Board sent additional letters of reminder to the premises address and licensing agent. No response was received.

On 28th October 2022 the Licensing Standards Officer called the mobile number belonging to company director of MJJ Foods Ltd, Jaroslaw Wiatrowski, in relation to the supermarket and left a message asking that contact be made with the Licensing Office concerning payment of the annual fee.

On 2nd November 2022 the Licensing Standards Officer visit team the premises and hand delivered another copy of the reminder letter to staff and asked that it be passed to management and the premises licence holder.

On Tuesday 8th November, the Depute Clerk to the Board sent a letter to the licensee with a further reminder that they had not paid their mandatory annual fee and since this was a breach of a condition of their Premises Licence they would require to make payment of the outstanding fee and also appear at the Licensing Board on 24th November 2022 to explain the reason for the stated breach of licence.

By the time of preparation for the Licensing Board meeting, on 24th November 2022, payment of the mandatory annual fee had still not been made.

Since 2021 the premises licence annual fee has been paid on the following dates:

- 06/10/2021 (late payment)

K. Harling
Licensing Standards Officer