

Licensing Standards

From: Karen Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 6th February 2023

Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE - PERIOD OF EFFECT
DUNGLASS ESTATE, COCKBURNSPATH, EAST LoTHIAN TD13 5XF

The Licensing (Scotland) Act 2005, section 28(1)(b) & 28(5)(b) provides that if licensed premises in respect of which a premises licence has been issued ceases to be used for the sale of alcohol, then the premises licence ceases to have effect.

GH event Catering Ltd are the holders of Premises Licence No. EL306 relating to the premises known as Dunglass Estate, Cockburnspath, East Lothian, TD13 5XF.

A provisional licence was granted on 24th November 2011, and subsequently confirmed on 15th May 2012. The licence was transferred to GH Event catering Ltd in 2017 who remain the current licence holders. A transfer application was received in November 2020 to change the licence holder to Dunglass Estate Events Ltd, however this was not a complete and competed application therefore was not granted.

The description of the premises is a marquee and catering tent, together with temporary toilet facilities, situated within Dunglass Estate. The layout plan shows the licensed area to the east of the Cogitate Church on the Estate.

From March 2020 operations moved to an alternative building on Dunglass Estate which have been licensed by means of occasional licences. Initially use of the venue was halted by covid and was then re-established in 2021.

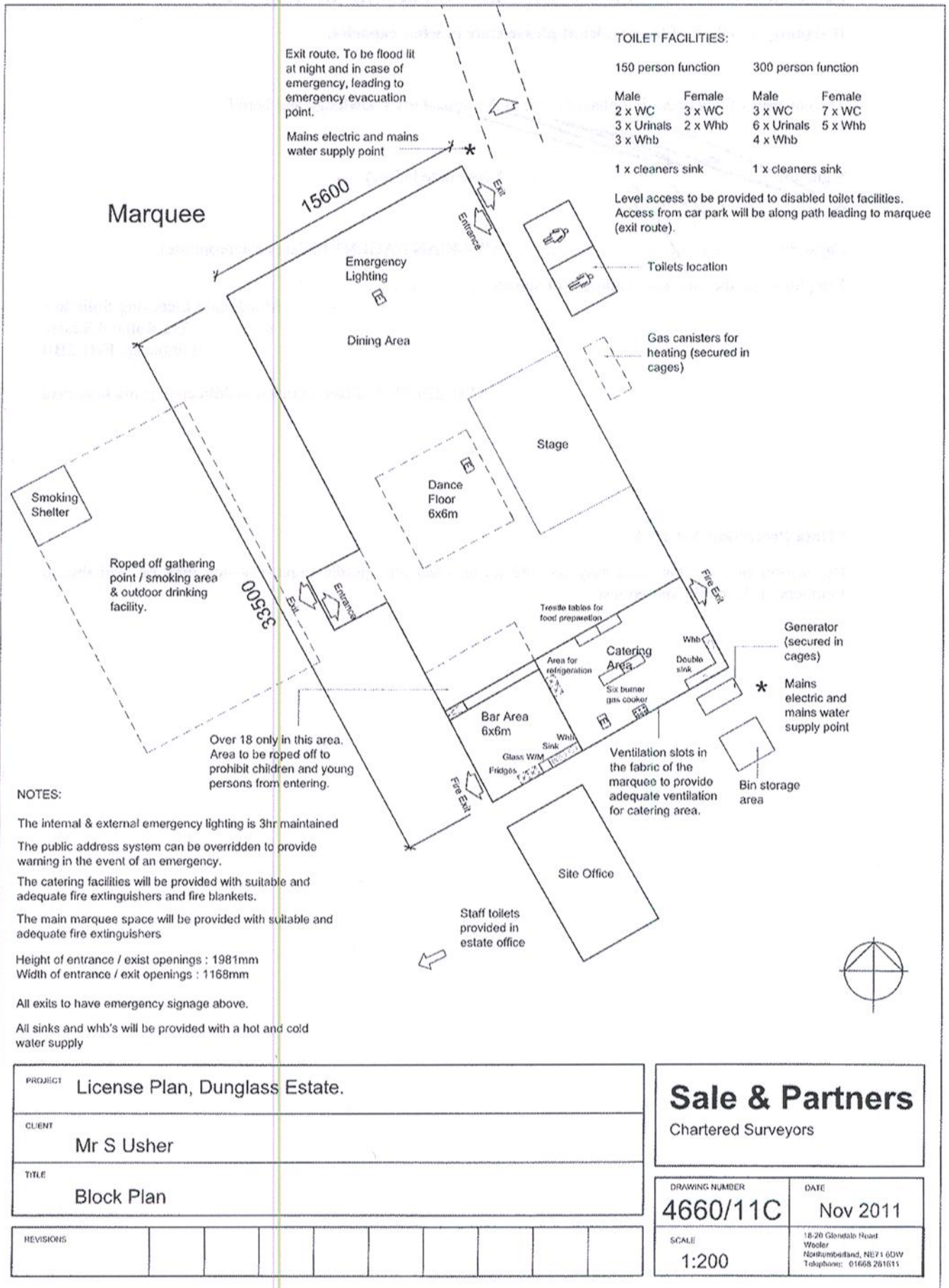
On a visit to the premises on 6th February 2023 it was established that the marquee and other buildings no longer exist and have been completely removed, there are no facilities for the sale of alcohol and the premises is not being used for the sale of alcohol and has not been for some considerable time.

I spoke with Claire Weir, Event Manager on my visit and discussed the new event area. I viewed the new operations that held to the west of the collegiate church in what was previously a stable yard that has been converted into a venue and accommodation. Ms Weir confirmed operations on this new premises are licensed through occasional licences applied for by 3 catering companies that they use. She detailed that Dunglass Estates Events Ltd would be happy to apply for a premises licence. The new premises in my opinion requires a new premises licence and it would not be correct or suitable to transfer the current licence to a new location and a different renovated building that is not in the licensed area. This would allow the appropriate statutory process to be followed as per the Act to obtain a premises licence.

It is quite clear that in all the circumstance the premises have ceased to be used for the sale of alcohol and I would recommend that East Lothian Licensing Board note the content of this report and confirms by declaration at the next meeting of East Lothian Licensing Board that premises licence No. EL036 now ceases to have effect, and that they notify the premises licence holder accordingly.

I attach a copy of the layout plan detailing what was on the premises and a picture of the area now without any structures or facilities for the board's information.

K. Harling
Licensing Standards Officer



TOILET FACILITIES:

150 person function		300 person function	
Male	Female	Male	Female
2 x WC	3 x WC	3 x WC	7 x WC
3 x Urinals	2 x Whb	6 x Urinals	5 x Whb
3 x Whb		4 x Whb	
1 x cleaners sink		1 x cleaners sink	

Level access to be provided to disabled toilet facilities. Access from car park will be along path leading to marquee (exit route).

NOTES:

- The internal & external emergency lighting is 3hr maintained
- The public address system can be overridden to provide warning in the event of an emergency.
- The catering facilities will be provided with suitable and adequate fire extinguishers and fire blankets.
- The main marquee space will be provided with suitable and adequate fire extinguishers
- Height of entrance / exist openings : 1981mm
- Width of entrance / exit openings : 1168mm
- All exits to have emergency signage above.
- All sinks and whb's will be provided with a hot and cold water supply

PROJECT	License Plan, Dunglass Estate.				
CLIENT	Mr S Usher				
TITLE	Block Plan				
REVISIONS					

Sale & Partners
Chartered Surveyors

DRAWING NUMBER	DATE
4660/11C	Nov 2011
SCALE	18/20 Glendale Road Wooler Northumberland, NE71 6DW Telephone: 01668 261611
1:200	



Licensed area with no buildings or facilities for the sale of alcohol – Dunglass Estate EL306 – 6th February 2023