

EAST LoTHIAN LICENSING BOARD

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

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

EL0181

2(b) Name and Address of Premises

The Main Course  
40 Main Street  
Gullane  
East Lothian

Post Code    EH31 2AP

Phone No.   

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

U. Crolla & Sons Ltd  
1a Torphicen Street  
Edinburgh

Post Code    EH3 8HX

Phone No.   

3

**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

**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)

To increase the On Sale Capacity to 118

**3(c) Variation to the Layout Plan of the Premises Licence**

7 Copies 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.

To substitute a new Layout Plan showing the increased restaurant area, by way of an extension that has been built.

**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)*

**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**

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

If submitted with an application for transfer, please specify the order in which the applications are to be considered-

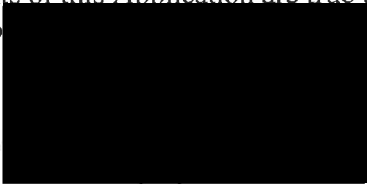
- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

**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

Signature



..... (See note 5 below)

Date

13/1/12

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

**If agent, please provide name, address,  
phone number and (if applicable) email address**

.....  
Macdonald Licensing  
21a Rutland Square  
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.com

**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](mailto:licensing@eastlothian.gov.uk)

FOR OFFICE USE ONLY		
<i>Received &amp; 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.*

The Main Course 40 Main Street Gullane East Lothian EH31 2AP
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### 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>	11.00	23.00
<i>Tuesday</i>	11.00	23.00
<i>Wednesday</i>	11.00	23.00
<i>Thursday</i>	11.00	Midnight
<i>Friday</i>	11.00	Midnight
<i>Saturday</i>	11.00	Midnight
<i>Sunday</i>	11.00	Midnight

**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>	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

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
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*\*If YES – provide details*

The premises may benefit from Seasonal Variations as decided by the Board for certain general events and specific occasions.

**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
<b>5(a)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	Yes	Yes	Yes
<i>Bar meals</i>	No	No	No
<b>5(b)</b> <i>Activity</i> <i>Social functions including:</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	Yes	Yes	Yes
<i>Club or other group meetings etc.</i>	Yes	Yes	No
<b>5(c)</b> <i>Activity</i> <i>Entertainment including:</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outwith core licensed hours please confirm <b>YES/NO</b>
<i>Recorded music – see 5(g)</i>	Yes	Yes	Yes
<i>Live performances – see 5(g)</i>	Yes	Yes	Yes
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	Yes	Yes	Yes

<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.*

Certain Activities may take place during periods of Seasonal Variations or Extension of Permitted Hours.

*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.*

Deliveries  
Takeaways  
Outside Catering  
Live Performances will be acoustic music and no later than 11pm.

*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>YES/NO*</i>
<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	



**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 and Young Persons are welcome on the premises. Children require to be accompanied by an adult.

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

0-17 years

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

No restriction

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

All public areas.

**Question 7**

**CAPACITY OF PREMISES**

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

On Sales – 118  
Off Sales – 7.7m<sup>2</sup>

**Question 8**

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

*Personal details*

8(a) *Name*

Luciano Crolla

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>
18 March 2021	Edinburgh Licensing Board	443124

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 document are true to the best of my knowledge and belief.

Signature .....  (see note below)

Date ..... 13/2/23

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

Telephone number and email address of signatory .....

Macdonald Licensing  
21a Rutland Square  
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.com

**\* 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.

### Business Profile

Please describe your business offering.

This is The Main Course on Main Street, Gullane which since its opening has established a very good reputation in Gullane. Operated by the Crolla family, who have another business interest in the town. It may open for early morning coffees and snacks, lunches and evening meals. It caters for many local residents, workers and visitors to Gullane plus tourists visiting Gullane, particularly golfers obviously, plus bird watchers, cyclists etc.

The restaurant has proved extremely popular, and of course with there being more visitors and tourists to East Lothian, many of whom come for the golf and stay in Gullane, the restaurant has often been full and so they made a decision some time ago to increase the size of the building, as they own the land to the back as well. With the help of their architect, Planning Permission and Building Warrant was obtained for the building which is now being constructed. It adds an additional 40 covers, but there has been a small reduction in covers in the original area, so the overall capacity has increased from [ ] to 118.

(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. As above. Italian themed restaurant

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

B. Off sales include takeaways, collections and deliveries.

**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:

Restaurant Facilities are the principal offering of these premises.

**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:

Social Functions of all kinds are considered.

**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:

Recorded Music, Live Performances, TV Sport.

**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 drinking facilities are provided in the licence, which were added by means of a variation last year. The area is to the rear of the premises.

**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:

The premises may open prior to licensed hours for coffees, snacks, breakfasts, soft drinks etc, but no alcohol is sold or supplied until the licensed hours commence.

**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:

The Licence contains deliveries, and takeaways which has been very useful during lockdown in particular.

**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.

This is a child friendly premise where families are very much encouraged. Baby changing facilities are of course available. Children are catered for in terms of snacks and meals and generally encouraged.

**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:**

Our clients consider that they operate premises that Gullane and East Lothian can be proud of. It is a destination premise as well as catering for locals and visitors. Over the years there have been no issues. Our clients have a great relationship with the Police and the LSOs and attract the type of business that does not create problems. The larger restaurant would be operated on a similar basis and is still a manageable size

**Securing Public Safety:**

The public safety of our client's staff and their customers are uppermost in their mind. The corona virus lockdown has heightened the responsibility of operators as they do their best to attract business back. Maybe people are still nervous about visiting licensed premises. Our clients want to operate in such a way that customers feel confident, particularly those who have been shielding for instance. This will include many regular customers to the Main Course. Certainly recent events have heightened customer's expectations of hygiene arrangements for instance, Customers like a bit more space now as well.

**Preventing Public Nuisance:**

There have been no complaints from music escape from the premises. So far as customers causing problems either within or when they leave the premises, this has simply not happened. Our clients are good neighbours however and have been there long enough for everyone to know them! Any issues would be dealt with immediately. The operation of the outside area will be done in such a way as to minimize the possibility of this.

**Protecting and Improving Public Health:**

Our clients consider alcohol an ancillary, albeit necessary, feature of their type of operation. It is complimentary to the food that they serve, although they do have people just coming in and sharing a bottle of wine etc. However it is not a destination for people who wish to drink to excess, and our clients would not permit customers to do so.

They totally support the Government's recommendations in this respect but drunk people cause problems. That is not what they want. Our clients top priority is the health and safety of their

customers and staff and this proposed increase in size would not change that.

**Protecting Children and Young Persons From Harm:**

As referred to above our clients wish to attract families and cater for a range of soft drinks, plus food, for youngsters. There should be nothing going on in the premises that would be anything other than conducive to children and young persons being in attendance. The restricted hours for under 18s are implemented.

**Application Supporting Comments / Any Other Additional Information**  
(extend the boxes below if you require additional space)

**Additional Information:**

As explained, this involves an increase in the size of the restaurant to provide additional seating without having to compromise on comfort and the atmosphere within the restaurant. Relevant technical permissions have been obtained.

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

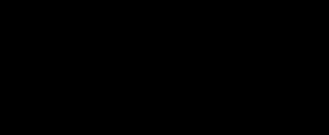
This is a well-known and well-run premises in East Lothian. They provide an excellent facility to locals and visitors. This reflects the popularity of this restaurant, for additional diners to enjoy the ambience, whether they be local residents, golfers, golf spectators, or just visitors to this part of the country.

**SIGNATURE AND DECLARATION BY APPLICANT**

**IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

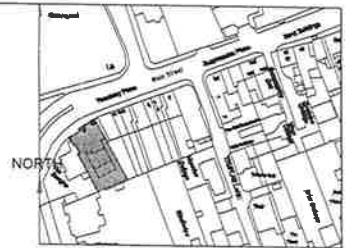
(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to my knowledge and belief.

Signature		Date	13/2/23
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Macdonald Licensing  
21a Rutland Square,  
Edinburgh, EH1 2BB

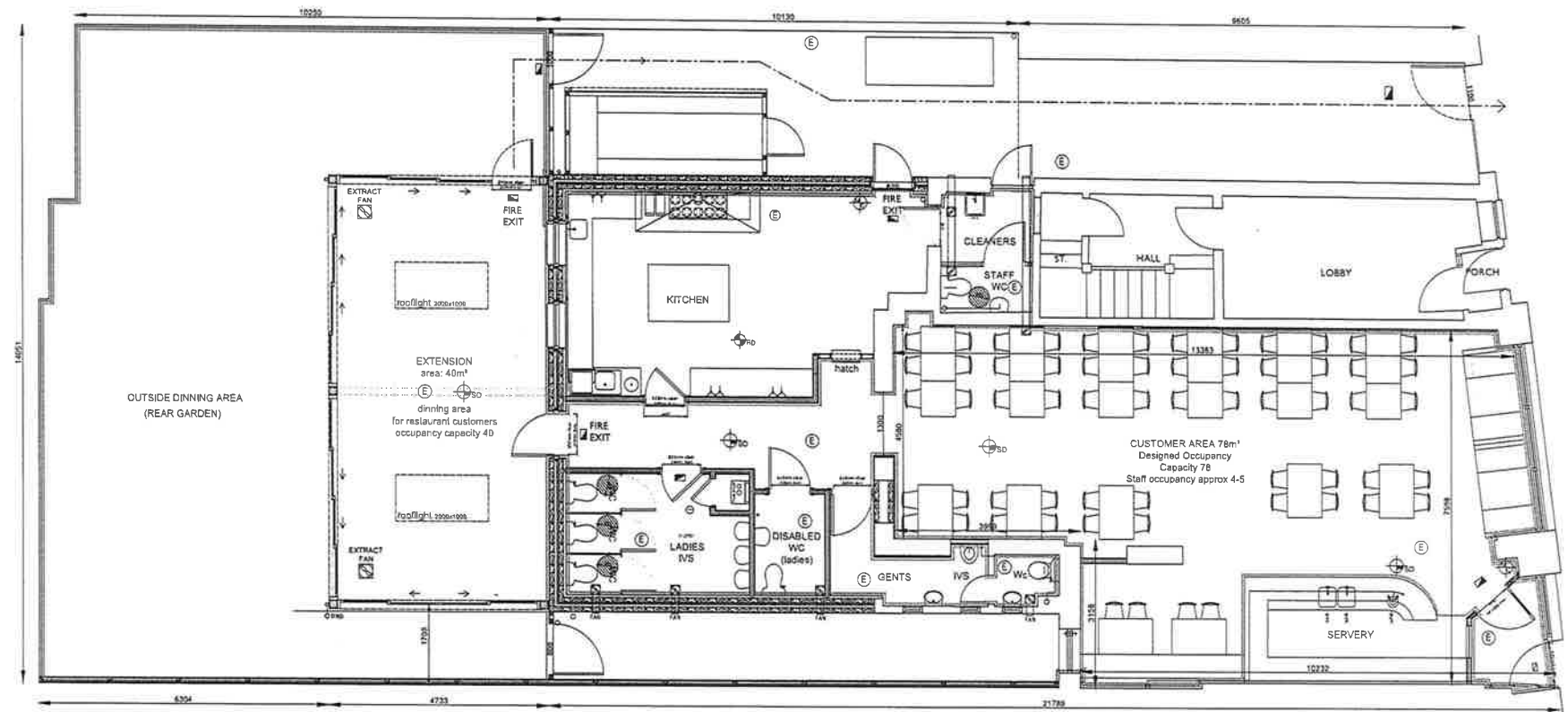
0131 229 6181, [alistair@macdonaldlicensing.com](mailto:alistair@macdonaldlicensing.com)



LOCATION PLAN 1:1250

**LEGEND**

- Emergency lighting
  - Heat detector
  - Manual call point
  - Smoke detector
  - Illuminated exit box with exit signage
  - Illuminated exit box with running man exit signage
  - Access for children and young persons
  - Licensed area
- Fire Warning System to comply with British Standard 5833 Part 1:2017.
- Emergency Lighting System to comply with British Standard 5266 Part 1:2016 (Maintained 3 hour duration) and BS EN 1838:2013 (or BS 5265-7:2015).
- Firefighting Equipment to comply with British Standard EN3, British Standard 7893:1995, British Standard 5306-3:2003 and British Standard 5306-6:2005.
- Signs and Notices to comply with the Health and Safety (Safety Signs and Signals) Regulations, 1996 and/or British Standard 5309: Part 8:2000.



GROUND FLOOR PLAN

rev	date	details	by	rev	date	details	by

THIS DRAWING WAS PREPARED TO OBTAIN BUILDING CONTROL AND/OR PLANNING PERMISSION AND CAN ONLY BE USED AS A WORKING DRAWING WITH PERMISSION FROM FORMAT BUILDING DESIGN.

THIS OFFICE'S LIABILITY ENDS UPON THE RECEIPT OF A DECISION FROM BUILDING CONTROL AND/OR THE PLANNING DEPARTMENT.

THIS DRAWING IS NOT TO BE REPRODUCED WITHOUT PERMISSION.

CONTRACTOR NOT TO DEVIATE FROM THE APPROVED DRAWING WITHOUT INFORMING FORMAT DESIGN.

ALL SIZES AND DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR AND MANUFACTURER.

**SERVICES OFFERED:**

MEASURED SURVEYS  
 PLANNING CONSULTANTS  
 FEASIBILITY STUDIES  
 NEW BUILDS

PLANNING APPLICATIONS  
 LISTED BUILDING APPLICATIONS  
 BUILDING WARRANT APPLICATIONS  
 LIQUOR LICENSING DRAWINGS  
 DEED PLANS

drawing title: floor plan and location plan	scale: @A3
job title: 40 Main Street, Gullane	drawing no: 10072 15
client: L. Croila	date: 03.02.2023
status: BUILDING WARRANT	drawn: SK

**format DESIGN**  
 FADADS Limited  
 Holyrood Business Park 146 Duddingston Road West Edinburgh, EH16 4AP

Tel: 0131 651 7656  
 Fax: 0131 659 6033  
 Email: formatdesign@aol.com  
 Web: www.formatbuildingdesign.com



## Licensing

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**From:** Iain Anderson <Iain.Anderson3@scotland.police.uk>  
**Sent:** 15 February 2023 09:24  
**To:** Licensing  
**Subject:** MAIN COURSE, GULLANE - MAJOR VARIATION - CAPACITY FROM 87 TO 118  
**Attachments:** LIC38 PREMISES VARIATION - NO ADVERSE COMMENT MAIN COURSE.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 - 699505

Regards  
Iain

# EAST LoTHIAN COUNCIL

## Licensing Standards

**From:** Karen Harling

**Licensing Standards Officer**

**To:** C. Grilli

**Clerk to the Licensing Board**

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Date: 1<sup>st</sup> March 2023

**Subject:** LICENSING (SCOTLAND) ACT 2005

**PREMISES LICENCE MAJOR VARIATION 2023**

**THE MAIN COURSE, 40 MAIN STREET, GULLANE, EAST LoTHIAN EH31  
2AP**

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

I can also confirm that no complaints or licensing concerns have come to my attention in the last year.

The changes applied for are to alter the layout plan to include an extension to the rear of the premises that is within the licensed area. An uplift in capacity for use of this additional space from 87 to 118.

The applicant should ensure that all other statutory permission are out in place before use of the new extension is commenced.

I support this application and recommend the variation be granted.

I submit this report for the information of the board in determining this application.

K. Harling

Licensing Standards Officer

## Winter, Maree

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**From:** Robertson, Scott  
**Sent:** 20 February 2023 14:55  
**To:** Winter, Maree  
**Cc:** Licensing  
**Subject:** RE: Major Variation - Main Course, Main Street, Gullane

Hello,

Please note I have no comments or objections to make in relation to the major variation change at The Main Course, Gullane.

Kind Regards  
Scott Robertson  
Assistant Planner

---

**From:** Winter, Maree <mwinter@eastlothian.gov.uk>  
**Sent:** 14 February 2023 14:44  
**To:** 'Licensing@nhsllothian.scot.nhs.uk'; Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.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>; Fire officer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>; gaccsecretary@gmail.com  
**Subject:** Major Variation - Main Course, Main Street, Gullane

Dear all,

Please find attached a major variation to change the capacity on the operating plan and layout plan from 87 to 118 to cater for the extension built to the restaurant.

Could I please have your representations/objections by 14<sup>th</sup> March 2023.

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](mailto:mwinter@eastlothian.gov.uk)



## Licensing

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**From:** Douglas, Andrew  
**Sent:** 15 February 2023 08:32  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Major Variation - Main Course, Main Street, Gullane  
**Attachments:** Main Course - Major Variation application.pdf; Main Course - Layout Plan-Major-Feb 2023.pdf

No objs, std conditions

EHTS – can you please scan this to Commercial premises ref: 15/00040/COM , as '2023 Major Variation'.

Thanks

Andrew

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**From:** Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
**Sent:** 14 February 2023 15:01  
**To:** Douglas, Andrew <adouglas@eastlothian.gov.uk>  
**Subject:** FW: Major Variation - Main Course, Main Street, Gullane

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**From:** Winter, Maree <mwinter@eastlothian.gov.uk>  
**Sent:** 14 February 2023 14:44  
**To:** 'Licensing@nhslothian.scot.nhs.uk'; Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.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>; Fire officer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>; gaccsecretary@gmail.com  
**Subject:** Major Variation - Main Course, Main Street, Gullane

Dear all,

Please find attached a major variation to change the capacity on the operating plan and layout plan from 87 to 118 to cater for the extension built to the restaurant.

Could I please have your representations/objections by 14<sup>th</sup> March 2023.

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**

## Winter, Maree

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**From:** Dingwall, Keith  
**Sent:** 03 March 2023 10:43  
**To:** Findlay, Jeremy  
**Cc:** Winter, Maree  
**Subject:** RE: Major Variation - Main Course, Main Street, Gullane

Hi Jeremy,

I have discussed this email with Maree, who advises that Licensing will take Ms Hepburn and Mr Lee's representation into account when assessing the Licensing application. The planning permission (Ref: 22/00266/P) for the use of the rear garden as an outdoor seating, eating and drinking area lapses on the 07 June 2023. Therefore, planning permission would be required should the operator wish to use the garden for such purpose beyond the 07 June. You may remember that In February 2021, planning permission (Ref: 20/01391/P) was granted for alterations and extension to the building, as well as for the formation of hardstanding area and erection of shed and fencing (Part Retrospective).. Details can be viewed here:

[20/01391/P | Alterations and extension to building, formation of hardstanding area and erection of shed and fencing \(Part Retrospective\) | 40 Main Street Gullane East Lothian EH31 2AL](#)

I trust that this is of assistance.

I will respond to you separately on East Fortune Farm.

Keith

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**From:** Findlay, Jeremy <jfindlay@eastlothian.gov.uk>  
**Sent:** 02 March 2023 11:35  
**To:** Dingwall, Keith <kdingwall@eastlothian.gov.uk>  
**Subject:** Fwd: Major Variation - Main Course, Main Street, Gullane

Good Morning Kieth

Wonder if you could comment on the email below.

Aldo could you confirm receipt of this email as I have sent two emails concerning East Fortune Farm and not had any response so unsure if you are getting them.

Best wishes

Jeremy

Sent from my iPhone

Begin forwarded message:

**From:** Jasmin Hepburn [REDACTED]  
**Date:** 1 March 2023 at 20:23:58 GMT  
**To:** "Findlay, Jeremy" [REDACTED]  
**Subject:** Major Variation - Main Course, Main Street, Gullane

**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.

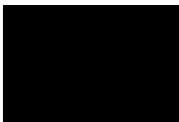
Hi Jeremy

Further to my last email, I thought it would be helpful to send this across for reference (email below to environmental health).

You will see that our concerns relate to the fact that the extension is practically an outside dining area and so we are seeking assurances on how this would be managed and whether it would be governed by “indoor” or “outdoor” rules.

Further we are mindful that Mr Crolla will need to apply for new planning for outdoor use this spring when his current permission (not used at all) ceases. We are concerned that the extension is a “loophole” of sorts allowing for 10pm use of the outdoor space but under the cover (quite literally) of an indoor area.

Kind regards  
Jasmin



Begin forwarded message:

**From:** Jasmin Hepburn [REDACTED]  
**Date:** 1 March 2023 at 20:19:50 GMT  
**To:** cclark1@eastlothian.gov.uk, Environment Reception  
<environment@eastlothian.gov.uk>, Luke Anstock  
<lanstock@eastlothian.gov.uk>  
**Subject:** Major Variation - Main Course, Main Street, Gullane

Colin and Luke

Hope this finds you both well.

I write in connection with the Main Course Restaurant. There has been a licensing application in for their extension. The sides of the extension will be bi-folding doors and so this would have implications for noise. My email below which I have sent to Licensing sets out the issues here.

This is sent mostly in recognition of the fact that Mr Crolla’s permission to use the outdoor area lapses this Spring at which point he would need to reapply. He has not used the outdoor area and so there have been no complaints.

Given the nature of the extension, I am not sure that consideration has been given to the fact that it is, for all intensive purposes, an open-air structure and therefore would have all the same concerns for the outdoor dining area. We are therefore concerned that the council have thought of this only as an indoor space and so the rules relating to that are applied.

On a separate note, you may recall the issue we have had with the fan noise which you assessed and considered a nuisance. You informed us that Mr Crolla took steps to reduce the sound however we still do not consider the fan noise to have reduced. If anything it sounds exactly the same. We contacted last year on this and believe we would follow up and a new reading taken

(can't recall who to follow up - whether you or I!). We would be grateful if this could be assessed.

Kind regards  
Jasmin

Begin forwarded message:

**From:** Jasmin Hepburn [REDACTED]  
**Date:** 1 March 2023 at 20:01:27 GMT  
**To:** mwinter@eastlothian.gov.uk,  
licensing@eastlothian.gov.uk  
**Cc:** [REDACTED]  
**Subject:** Major Variation - Main Course, Main Street,  
Gullane

Dear Maree,

We write in respect of the licensing application submitted by Mr Crolla. We received notice of this and would like to submit our comments.

We live in the property [REDACTED] to the restaurant. The extension which is being built by Mr Crolla is situated extremely close to our home. In particular, the extension sits [REDACTED] daughters' bedroom (they are 3 and 18 months old). We understandably have real concerns over any extension to the operations of this establishment.

We are aware that planning was submitted and approved by the council for the extension. At that time we expressed concerns over that application and the impact an increase in capacity and in particular the use of the garden area would have on the enjoyment of our home; in particular the peaceful enjoyment by our young family.

Our understanding is that the permission to use the garden area lapses this Spring and Mr Crolla would need to submit a new application to use the outside area. He currently has permission to use the garden until 8pm. This restriction was in place due to concerns over the negative impact which the noise emanating from the garden would have on the homes that border the property; of which there are a number. Mr

Crolla has not used the outside garden area since having this permission and so there has been no complaints as there has been no use. There has therefore not been any opportunity for neighbours to realistically assess how much of an impact the noise would have.

The licensing application appears to allow Mr Crolla to use the garden area until late into the evening, with music (both recorded and live) as well as television screens. This is very concerning and would have a seriously detrimental impact on our life here, in particular that of our young children, whose bedroom is situated [REDACTED] the extension and whose sleep would be disturbed.

It should also be added that the extension is to have bi-fold doors and ceiling windows which would, presumably, be open when the weather permits, and so the definition of “indoor” and “outdoor” dining and drinking becomes particularly pertinent. It is difficult to understand how Mr Crolla can guarantee that no noise (such as music or television) will escape from this extension when the doors open in this way. In the event that a license is granted, can the council advise how the noise will be contained and what restrictions will be put on Mr Crolla’s operation to ensure that the doors and windows of the extension are closed so that they are not open into the evening? We are concerned that the extension will in reality be used as something of a “loophole” where outside planning may not permit the use of the garden area after a certain time of day.

The extension is a marked change in terms of the type of premises that Mr Crolla operates. It is more than an extension of seating capacity. It is a glazed extension which doors to the side and the front which fold back entirely and the escape of noise and potential harm to nearby homes requires an altogether different consideration.

We are extremely concerned that this will cause harm to our children’s sleep and general well-being.

Grateful if this can be considered.



Kind regards  
Jasmin Hepburn and David Lee



NHS Coronavirus Information

**Keep using  
Covid sense**



[gov.scot/coronavirus](https://gov.scot/coronavirus)



## Herkes, Gillian

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**From:** Licensing  
**Sent:** 27 February 2023 10:06  
**To:** Aitken, Christine (Licensing); Herkes, Gillian  
**Subject:** FW: Application from Mr Crolla for variation of a premises licence at Main Course, 40 Main Street, Gullane

Hi Gillian/Christine,

Please see below – March Board

M

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**From:** [REDACTED]  
**Sent:** 27 February 2023 09:13  
**To:** Licensing <licensing@eastlothian.gov.uk>  
**Subject:** Application from Mr Crolla for variation of a premises licence at Main Course, 40 Main Street, Gullane

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Dear Mr Grilli

We are writing regarding the above application from Mr Crolla to the Licensing Board to change the Main Course restaurant premises use.

The changes he is proposing will turn this quiet garden area, which is surrounded by residential properties, into a pub, with loud music, lots of people, alcohol being consumed until late at night, television screens showing sports events which create high emotions and noise - all of which will destroy the tranquil nature of this part of Gullane.

The changes to the hours, accepted provisionally by the Council a few months ago, have not been used by Mr Crolla, so there have been no complaints. But he cannot use this as a reason to extend and change the character of the business he is running at the Main Course, which is currently just a restaurant, into an outdoor pub.

Mr Crolla seems to think it is acceptable for his business concerns to over-ride the lives of residents. And unfortunately, given past experience with the Superfry, it seems that this is the stance of some Council officials too. This is really unacceptable. We pay our rates and expect to have our voices heard and our quiet way of life here respected.

Therefore we strongly object to these changes.

Yours sincerely

Robert and Ann Hay  
NHS Coronavirus Information

**Keep using  
Covid sense**



gov.scot/coronavirus

