

**APPLICATION FOR VARIATION**  
**OTHER THAN MINOR VARIATION**

**2B**

LICENSING (SCOTLAND) ACT 2005, SECTION 29

**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)

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## 2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL066

2(b) Name and Address of Premises Co-op, Main Street, Ormiston, Tranent

Post Code EH35 5HS Tel. No. 0141 333 0636 (AGENT)

Email info@mshblicensing.com (AGENT)

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

The Co-operative Group Food Limited

1 Angel Square

Manchester

Post Code M60 0AG

Tel. No. 0141 333 0636 (AGENT)

Email address info@mshblicensing.com (AGENT)

## 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 detail below the proposed changes. **(See Note 1)**

On the Operating Plan, amend the box underneath Activities to read: Recorded background music may be played within and outwith core hours.

On the Operating Plan, amend the box at Q5(f) to read: The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

**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.

[Empty box for providing details of the proposed change to the layout of the Premises.]

**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)

[Empty box for providing details of any other variation sought to the Premises Licence.]

**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)

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**5. FEE PAYABLE**

Information on fees can be found at [https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol\\_licences/2](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

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## 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 £ 200 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 9th May 2023

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

### If agent, please provide details

Full name Audrey Junner

Address Hill Brown Licensing, The Forsyth Building, 5 Renfield Street

Glasgow

Post Code G2 5EZ

Tel. No. 0141 333 0636

Email address info@mshblicensing.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 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](mailto:licensing@eastlothian.gov.uk)

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

## OPERATING PLAN

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

### 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>NO</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>N/A</i>	<i>N/A</i>
<i>Tuesday</i>	<i>N/A</i>	<i>N/A</i>
<i>Wednesday</i>	<i>N/A</i>	<i>N/A</i>
<i>Thursday</i>	<i>N/A</i>	<i>N/A</i>
<i>Friday</i>	<i>N/A</i>	<i>N/A</i>
<i>Saturday</i>	<i>N/A</i>	<i>N/A</i>
<i>Sunday</i>	<i>N/A</i>	<i>N/A</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>	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>NO</i>
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*\*If YES – provide details*



**Question 5**

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

COL. 1 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	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO
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.	NO	NO	NO
Club or other group meetings etc.	NO	NO	NO
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)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	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>	NO	NO	NO
<b>5(d)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<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.*

Recorded background music may be played within and outwith core 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.*

The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

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?	N/A
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When fully occupied, are there likely to be more customers standing than seated?	N/A
*Delete as appropriate	

**Question 6 (On-sales only)**

*CHILDREN AND YOUNG PERSONS*

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	N/A
	*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

N/A
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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

**Question 7**

*CAPACITY OF PREMISES*

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

Off Sales – 14.5m2

**Question 8**

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

*Personal details*

8(a) *Name*

Steven Duckett

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[info@mshblicensing.com](mailto:info@mshblicensing.com) (AGENT)

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
01/09/2019	East Lothian Licensing Board	EL378

**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)

Audrey Junner, Hill Brown Licensing  
The Forsyth Building, 5 Renfield Street  
Glasgow G2 5EZ

Date ...9<sup>th</sup> May 2023.....

Capacity .....AGENT

Telephone number and email address of signatory ...0141 333 0636 / info@mshblicensing.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.

Existing convenience store, part of a national chain, selling a broad range of products for consumption off the premises.

(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) Licensed convenience store

**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:

N/A

**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:

N/A

**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 background music may be played throughout store opening hours, in accordance with the applicant's PPL licence.



**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:

N/A

**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:

N/A

**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:

Recorded background music may be played within and outwith core hours.

**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 only other activities to be undertaken on the premises will be the sale of food, non-food and other household goods, with the provision of ancillary consumer services within and outwith core hours. Home deliveries may also be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

**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.

Children and young persons will be permitted on the premises, but alcohol will not be sold for consumption on the premises.

**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:**

- There will be full CCTV coverage at the store (internal and external).
- Company Policy is to refuse alcohol sales if it is considered necessary and the staff are not comfortable making the sale whether that is because the customer is aggressive, intoxicated or questionable.
- There will be several personal licence holders, with 1 on shift at all times.
- The proposed location of alcohol area at each store (beside the tills) allows for careful monitoring.

**Securing Public Safety:**

- There will be full CCTV coverage at the store.
- All staff are trained as part of the CITRUS programme on Health and Safety legislation including training on how to recognise dangers and the correct procedures for dealing with them.

### **Preventing Public Nuisance:**

- There will be full CCTV coverage at the store and several personal licence holders, with 1 on shift at all times.
- Music will be low level background only.
- External doors will be kept closed.
- Delivery times are always scheduled to ensure that disturbance to local residents is kept to a minimum.

### **Protecting and Improving Public Health:**

- A large proportion of the lines stocked within the store will be fresh foods.
- The availability of employment opportunities will have a direct positive impact on the health of the community.
- Low alcohol beer will form part of the product range and all alcohol will be clearly labelled with unit information.
- The Co-operative Group are members of the Wine and Spirits Trade Association and the British Retail Consortium as well as being signatories to the Portman Group Code of Practice.
- Marketing material for the Co-operative Group always includes an instruction to drink responsibly and the Drink Aware web address.

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

- No alcohol lines appealing to children or young persons will be available.
- There will be full CCTV coverage at the store and several personal licence holders, with 1 on shift at all times.
- Extensive CITRUS Training programme will be in place for all staff which includes thorough training on Age Verification Policy on age restricted products at the commencement of and at regular intervals throughout employment.
- Challenge 25 will be in operation.
- An electronic register of all age challenges will be recorded in the store back office systems and reviewed on a weekly basis by management.

## Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

### Additional Information:

- The Co-op have never been convicted of selling alcohol to a person under 18 or indeed any licensing offence under the 2005 Act.
- The Co-op operate a comprehensive training system called CITRUS for all employees which involves extensive training on age restricted sales, agency sales, sale of alcohol to intoxicated persons. This training is delivered at the start of employment and then on a 6 monthly refresher basis plus at peak times of the year additional training is delivered.
- The Co-op has an audit system in place both internally and externally which ensures that at all levels within the store the correct procedures are being followed.
- The Co-op have fully age restricted automated tills which require operators to actively engage with customers to assess their age and weekly reports on each employee are checked by the management.
- The Co-op strive to recruit locally which they see as a huge strength in tackling underage attempted purchases as staff tend to know the local residents.

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

The applicant, Co-operative Group Food Limited, will be well known to the Board and have an excellent reputation not only in this area but across the UK. They are experienced and, importantly, see the value in keeping shopping local and giving back to the community. They have established procedures and processes in operation across their estate which will be put in place at this store including comprehensive training programmes, full CCTV coverage, an independent auditing system and fully automated age restricted tills.

These are Major Variation applications, essentially to add Home Deliveries at Q5(f) of the Operating Plan. Home Deliveries are something that Co-op have been rolling out for some time now and the previous situation with COVID has only heightened the need and general public appetite for this service. They already operate deliveries successfully from many stores across Scotland, and the rest of the UK, and these applications simply seeks to allow them to also do this from Ormiston and Windygoul, in line with your statement of Licensing Policy.

You will be familiar with our client, as they have several stores in your Board area. As an experienced operator, Co-op have robust procedures in place in respect of home deliveries. It goes without saying that they are compliant with the relevant provisions of the 2005 Act and that Challenge 25 is implemented at the point of delivery. Alcohol is only ever delivered directly to a person – meaning that it would never be left in a “safe place,” for example, or unattended in any way.

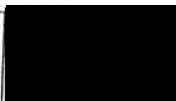
Although it is not a legislative requirement, all delivery drivers employed directly by Co-op receive 2 hours’ mandatory training in the same way as shop floor staff. Any third party drivers have received training via their courier companies to a level which Co-op are entirely satisfied with. We hope that gives the Board a feel for how the applicant manages deliveries as a responsible and well regarded operator.

**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	15/05/2023
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“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
1(b)	Do you have facilities for those with a disability	YES
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.

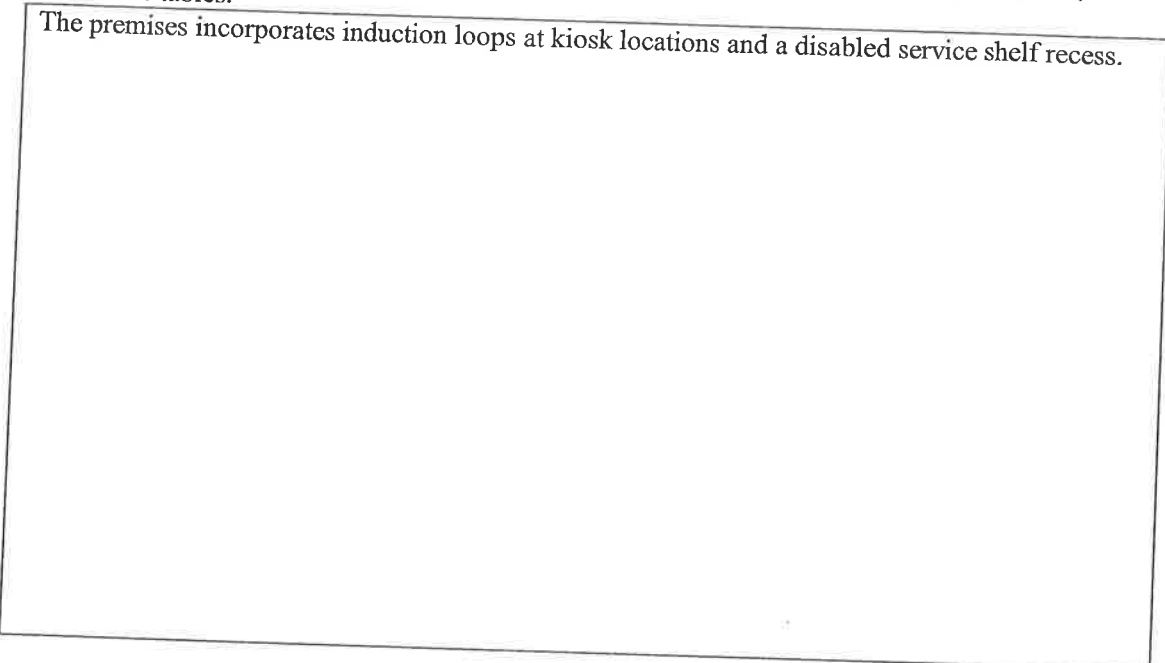
Level access to the store is available via the main entrance doors adjacent to the car parking area. The internal space within the unit is located on one level. Access doors for the main entrance are automatic and measure 1200mm across.

**Question 3**

**Facilities available**

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

The premises incorporates induction loops at kiosk locations and a disabled service shelf recess.

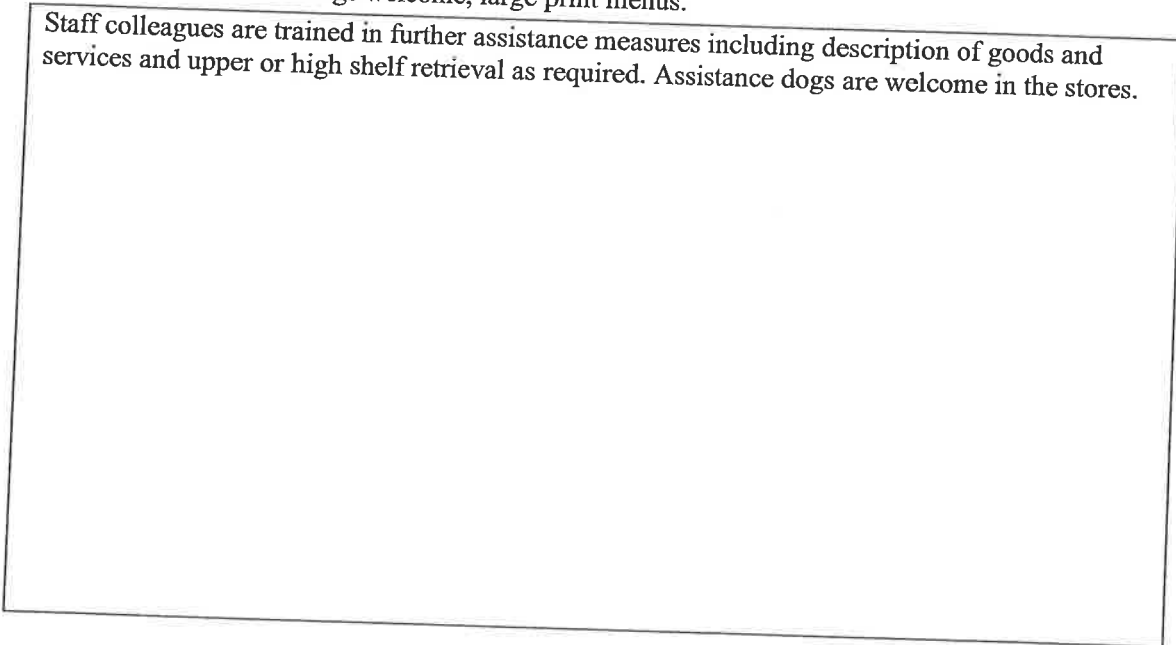


**Question 4**

**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.

Staff colleagues are trained in further assistance measures including description of goods and services and upper or high shelf retrieval as required. Assistance dogs are welcome in the stores.



**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 ..  ..... \* (see note below)

Date ...15<sup>th</sup> May 2023.....

Capacity .....AGENT

Telephone number and email address of signatory...0141 333 0636 / [info@mshblicensing.com](mailto:info@mshblicensing.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.”



## Licensing

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**From:** Iain Anderson <Iain.Anderson3@scotland.police.uk>  
**Sent:** 15 May 2023 13:26  
**To:** Licensing  
**Subject:** MAJOR VARIATION - CO-OP, ORMISTON  
**Attachments:** LIC38 PREMISES VARIATION - NO ADVERSE COMMENT CO-OP ORMISTON.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 - 723495

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: 5<sup>th</sup> May 2023

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION 2023

CO-OP, MAIN STREET, ORMISTON, TRANENT, EAST LoTHIAN EH35 5HS

I can confirm that the applicant's solicitor has liaised with me in relation to this variation application.

The change applied for is:

- Home deliveries alcohol
- Recorded Music to be played within and outwith core hours

Information was provided in relation Co-op home deliveries attached below and how the deliveries are carried out.

In summary, I have no objections and I am content with the information provided on how deliveries take place and the measures implemented in relation to age verification and courier/driver training. I recommend the following condition be considered:

- Should a service of delivery of alcohol to customers be conducted, 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

**Co-op Home Deliveries**  
**Supplementary Information**

**Premises:** Co-op, Main Street, Ormiston and Co-op, Brotherstone's Way South, Tranent

**Board:** East Lothian

**Application:** Major Variation

This application seeks to add the following wording at Question 5(f) of the Operating Plan: *'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and compliance with the relevant provisions of the Licensing (Scotland) Act 2005.'*

Home deliveries are something that Co-op have been rolling out across their business for some time and the current situation (COVID-19) has only heightened the need for this service as part of their business. Co-op already operate deliveries successfully from many stores across Scotland, and the rest of the UK, and this application simply seeks to allow them to do so from the above mentioned premises, in line with your Statement of Licensing Policy.

As an experienced operator, Co-op have robust procedures in place in respect of home deliveries. They are, of course, compliant with the relevant provisions of the Licensing (Scotland) Act 2005 and Challenge 25 is implemented at the point of delivery. Their procedure dictates that alcohol is only ever delivered to a person and is never left unattended in any way (for example, delivered to a 'safe place'). Although it is not a legislative requirement, all delivery drivers employed direct by Co-op receive 2 hours' mandatory licensing training and any third-party drivers receive training via their courier companies to a standard that Co-op are entirely satisfied with.

Co-op operate three types of delivery, as follows -

**In-store**

- The customer visits the store and swipes their home delivery card at in-store home delivery terminal
- The customer selects delivery slot on home delivery terminal – these are normally between 10am and 6pm Monday – Saturday, but some stores offer smaller delivery windows
- Home delivery terminal produces a slip for the customer to scan at the till
- Customer then completes their shopping as normal and goes to the till to make payment
- Colleague scans the slip which alerts the till that this is a delivery purchase
- Colleague will serve customer and take payment as normal, carrying out Challenge 25 check at the till where appropriate
- Customer leaves and the shopping is stored awaiting delivery
- Delivery is added to driver's 'Home Delivery Round signoff' document which includes a further Challenge 25 prompt for the driver
- Delivery is made to customer at the allotted time by colleague using Co-op home delivery van
- Alcohol is only ever delivered to a person and is never left unattended in any way – for example delivered to a 'safe place'
- At point of delivery, if a person is deemed to be under aged 25 then the driver will request compliant photographic identification
- If proof of age ID is not suitable or no other person deemed over age 25 is available then the order will not be delivered and taken back to the store

- Alternatively the age-restricted products will be retained by the delivery driver and the rest of the order is delivered to the customer. A refund would be issued for the age-restricted products not delivered or the customer is contacted for re-delivery if appropriate
- At the end of the day the 'Home Delivery Round signoff' document is filed with the store's age related paperwork for 12 months
- All of this information is available to store colleagues on HDI ('How Do I?') system and in the home delivery drivers' handbook
- If drivers feel unsafe or threatened by someone while out on delivery, this is reported immediately to Co-op. Full training and guidance is also provided to the driver should any incidents need to be reported to the Police.

### Deliveroo

- 'Opening' hours on the Deliveroo website/app match the licensed hours of the store and customers can only place an order when the service is open
- The customer enters their postcode into the Deliveroo website/app and is shown the store or stores that deliver to their address
- There is a clear warning on the website/app that customers must be over 18 to purchase alcohol and that Challenge 25 is in operation on delivery
- They place an order online and this is sent to the store
- The store can accept or reject the order depending on whether they have the products ordered in stock. If the order is accepted, payment is taken from the customer.
- The order is picked in store by colleagues
- Once picked, the order is collected by a Deliveroo rider who delivers the goods to the customer's home
- If the order contains an age restricted item, this is flagged to the Deliveroo rider and they carry out a Challenge 25 check. This is recorded on their device and is auditable. These records are held electronically but not passed directly back to the store. They are held in Head Office and can be accessed at any point if and when required
- All customers, regardless of their age and the Challenge 25 Policy, must verify their age to the Deliveroo Rider using a valid form of Photo ID. If a customer fails an ID check or is intoxicated and the alcohol cannot be delivered then the Deliveroo Rider is asked to dispose of the product in a responsible way and not return the item(s) to store.
- If riders feel unsafe or threatened by someone while out on delivery, this can be reported immediately to Deliveroo within the Rider App. Full training and guidance is also provided to the rider should any incidents need to be reported to the Police.

### E-Commerce

- Customers enter their postcode into the shop.coop website and can select their preferred store
- Customers select the items they would like to purchase and place their order. This is sent to the chosen store and payment pre-authorised at this point.
- Before orders are placed, customers must agree to terms and conditions which state that you must be over 18 to use the service
- It also states before placing the order that the customer may be asked for photographic identification due to the operation of their Challenge 25 policy

- Challenge 25" age verification policy is in operation and at the time of delivery the drivers ask customers who do not look 25 or over, to verify that they are over 18 by producing a valid photographic ID.
- The store is not able to reject the order – all orders must be fulfilled. If an item is out of stock, it can be substituted for another or removed from the order.
- The order is then picked by store colleagues before the order is confirmed and payment taken (this will always be during licensed hours)
- The order is collected and delivered by a third party courier.
- Orders are only ever delivered to an individual and would never be left in a 'safe place', for example.
- The delivery drivers are provided training on the delivery of Age Restricted Goods prior to them carrying out delivery of age restricted goods. A record of this training can be provided to Co-op upon request.
- If the order contains an age restricted item, this is flagged to the courier and they carry out a Challenge 25 check. This is recorded on their devices and is auditable. Co-op can request a copy of all deliveries of age restricted goods and all refusals of age restricted goods and the record must be passed to Co-op within three days
- The delivery driver must not deliver any age restricted goods to a person who cannot, upon request, verify their age by producing valid photographic identification. They also must not deliver any age restricted goods to a person who they know to be intoxicated.
- If drivers feel unsafe or threatened by someone while out on delivery, this is reported immediately to Co-op. Full training and guidance is also provided to the driver should any incidents need to be reported to the Police.

**Relevant sections of the Act:**

- **S.108** – Delivery to/by children or young persons - It is an offence to deliver alcohol to children or young persons. The usual age verification system are in place. Challenge 25 is instigated at the point of delivery. Purchasers must confirm that they are 18+ to purchase online.
- **S.119** – Delivery from vehicles etc. – Day and delivery book requirements. Day book will be kept on the dispatching premises, and delivery book with the driver. Both will contain a record of the quantity of alcohol, description, price and name of person to be delivered to. Electronic receipts are kept for 12 months.
- **S.120** – Prohibition on late night deliveries – Alcohol cannot be delivered between midnight and 6am. Electronic systems are in place which do not allow for this. This covers all sales i.e. orders are placed and payment made within licensed hours of 10am – 10pm. Heads of Terms, tills, Deliveroo, website etc. are all set up as such.

## Licensing

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**From:** Douglas, Andrew  
**Sent:** 15 May 2023 15:05  
**To:** Licensing  
**Cc:** Environmental Health/Trading Standards  
**Subject:** FW: Major Variation application - Ormiston Co-op  
**Attachments:** Co-op - Ormiston - Major Variation.pdf

No objs, std conditions.

EHTs – can you please scan this to commercial premises ref : 06730/2016/2/000 , as ‘2023 Major Variation’.

Thanks

Andrew

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**From:** Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
**Sent:** 15 May 2023 11:47  
**To:** Douglas, Andrew <adouglas@eastlothian.gov.uk>; Slight, Lynn <lslight@eastlothian.gov.uk>; Gunning, Laura <lgunning@eastlothian.gov.uk>; Clark, Colin - EHO <cclark1@eastlothian.gov.uk>; Callow, Scott <scallow@eastlothian.gov.uk>  
**Subject:** FW: Major Variation application - Ormiston Co-op

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**From:** Winter, Maree <mwinter@eastlothian.gov.uk>  
**Sent:** 15 May 2023 10:47  
**To:** Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; 'Licensing@nhslothian.scot.nhs.uk'; Fire officer (torquil.cramer@firescotland.gov.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>; Trading Standards <tradingstandards@eastlothian.gov.uk>; [REDACTED]  
**Subject:** Major Variation application - Ormiston Co-op

Dear all,

Please find attached major variation application from Co-op, Ormiston for to add deliveries of alcohol and food to their premises operating plan. Could I please have any representations/objections to this application by 9<sup>th</sup> June 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)

## Winter, Maree

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**From:** Robertson, Scott  
**Sent:** 16 May 2023 08:27  
**To:** Winter, Maree  
**Cc:** Licensing  
**Subject:** RE: Major Variation application - Ormiston Co-op

Hello,

Please note I have no comments or objections regarding this major variation application at the Co-op, Ormiston.

Kind Regards  
Scott

Scott Robertson | Assistant Planner – Development Control | East Lothian Council | John Muir House | Haddington  
EH41 3HA  
T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

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**From:** Winter, Maree <[mwinter@eastlothian.gov.uk](mailto:mwinter@eastlothian.gov.uk)>  
**Sent:** 15 May 2023 10:47  
**To:** Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <[LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk](mailto:LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk)>; 'Licensing@nhslothian.scot.nhs.uk'; Fire officer (torquil.cramer@firescotland.gov.uk) <[torquil.cramer@firescotland.gov.uk](mailto:torquil.cramer@firescotland.gov.uk)>; Harling, Karen (Licensing) <[kharling1@eastlothian.gov.uk](mailto:kharling1@eastlothian.gov.uk)>; Environmental Health/Trading Standards <[ehts@eastlothian.gov.uk](mailto:ehts@eastlothian.gov.uk)>; Environment Reception <[environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk)>; Grant, Shona <[sgrant@eastlothian.gov.uk](mailto:sgrant@eastlothian.gov.uk)>; Trading Standards <[tradingstandards@eastlothian.gov.uk](mailto:tradingstandards@eastlothian.gov.uk)>; [REDACTED]  
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Maree

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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)

## Winter, Maree

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**From:** Trading Standards  
**Sent:** 16 May 2023 16:29  
**To:** Winter, Maree  
**Subject:** RE: Major Variation application - Ormiston Co-op

Hi

Again, no objections from TS perspective

Thanks  
Alex

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**From:** Winter, Maree <mwinter@eastlothian.gov.uk>  
**Sent:** 15 May 2023 10:47  
**To:** Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; 'Licensing@nhslothian.scot.nhs.uk'; Fire officer (torquil.cramer@firescotland.gov.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 <serant@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk> [REDACTED]  
**Subject:** Major Variation application - Ormiston Co-op

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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)**

