



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

**THURSDAY 22 JUNE 2023 at 10.00am
VIA A 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, 25 May 2023 **(pages 1-6)**
- 2. Major Variation of Premises Licence**
 - a. Carberry Tower, 1 Carberry Tower, Whitecraig, Musselburgh **(pages 7-28)**
 - b. Co-op, Main Street, Ormiston **(pages 29-60)**
 - c. Co-op, Brotherstone's Way South, Tranent **(pages 61-92)**
- 3. Occasional Licence Application**
 - a. Laurence Brunton, Castle Hotel, 163 High Street, Dunbar **(pages 93-102)**
 - b. Scott Dodds, Hickory Food, Scottish Open, Renaissance Club Golf Course, Cowden Hill Drive, North Berwick **(pages 103-120)**
- 4. Extension of Licensed Hours**
Scott Dodds, Eskmills Venue, Station Road, Musselburgh **(pages 121-127)**

**Carlo Grilli
Clerk of the Licensing Board
15 June 2023**

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 25 MAY 2023
ONLINE PLATFORM MEETING**

1

Board Members Present:

Councillor L Bruce (Convener)
Councillor C Cassini
Councillor N Gilbert
Councillor G McGuire

Clerk of the Licensing Board:

Mr C Grilli, Service Manager – Governance

Attending:

Ms M Winter, Licensing Officer
Ms K Harling, Licensing Standards Officer
Sgt R Stark, Police Scotland

Committee Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor F Dugdale
Councillor J McMillan

Declarations of Interest:

None

1. MINUTES FOR APPROVAL
East Lothian Licensing Board, 27 April 2023

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

2. MAJOR VARIATION OF PREMISES LICENCE
a. Musselburgh Racecourse, Linkfield Road, Musselburgh

The application sought a major variation to add bouncy castles, inflatables, and fairground rides to the operating and layout plans. The application had attracted no objections from planning, environmental health and safety, the community council, the LSO, or Police Scotland. One public objection had been received on the basis of noise pollution, the impact on wildlife as the site was adjacent to a bird reserve, and concerns over antisocial behaviour, pollution, and carbon emissions.

Philip Duncan, Operations Manager of the Musselburgh Racecourse, was present to speak to the application. He advised that the addition of funfairs to the premises licence followed an annual Safety Advisory Group (SAG) meeting, and said funfairs had been running for some time at the racecourse. He stated that the request was not intended to increase the number of funfairs, and there would still be four per year on the site.

Sergeant Rachel Stark confirmed that Police Scotland had no objection to the major variation.

Karen Harling, Licensing Standards Officer (LSO), said that the SAG had discussed the gap in the premises licence for funfairs as an activity on the operating plan, and that a retrospective change would be required. She said that the funfairs had not attracted any complaints to the racecourse, and the four events per year were part of the normal running of the racecourse. She had no objections to the major variation.

Responding to a question from the Convener, Mr Duncan provided information on some of the external companies who ran the funfairs on family days, and said that risk assessments were carried out for these activities. He advised that noise could be an issue, and said the racecourse proactively monitored noise throughout family days. He advised that the Honest Toun Association Day would take place on the last Saturday in July, and this event had also been through the SAG process.

The Convener felt comforted by the steps taken to monitor noise. He then moved to a roll call vote, and Members unanimously confirmed their support for the application.

Decision

The East Lothian Licensing Board agreed to grant the major variation application.

b. The Bonnie Badger, Main Street, Gullane

The application sought to vary the operating plan to change the core hours from 11am to 9am Monday to Sunday for a facility to allow non-residents to have alcohol with breakfast. There had been no objections from the public, NHS, community council, or planning. Police Scotland had no objection to the application, but as the hours requested exceed 14 hours of trading per day, recommended that the Board require the applicant to justify their request and demonstrate measures that promoted the five licensing objectives. The Licensing Standards Officer (LSO) had submitted a report to recommend conditions that alcohol served between 9am-11am must be accompanied

by a substantial plated meal with a limit of two drinks per person, and that alcohol served during this time be served only by the glass and not by the bottle.

Caroline Loudon, agent, and Philippe Nublart, from the Bonnie Badger, were present to speak to the application. Ms Loudon described the different spaces within the restaurant. She noted that the 14 hours of continuous trading recommendation by the Scottish Government was only guidance; she made the case that the Bonnie Badger was an exceptional venue which attracted international visitors who sought an alcoholic drink with breakfast. She noted that those staying in the hotel rooms could already enjoy an alcoholic drink with breakfast. She advised that her client was happy to accept the LSO's recommended conditions.

PC Iain Anderson highlighted that the Police Scotland representation noted that the service of alcohol from 9am was outwith Board policy. He also advised that the Bonnie Badger was in good order and police had received no calls in relation to the premises.

The LSO referred to report, which highlighted that on sales beginning at 9am were outwith Board policy, but as Ms Loudon had outlined the justification for the request and had accepted the suggested conditions, she had no further comment to make on the application.

Responding to a question from Councillor Gilbert, the LSO confirmed that the condition regarding the serving of alcohol by the glass was to ensure customers did not order wine by the bottle; drinks would instead be served as a standard measure for the premises.

The Convener noted the similarity of this application to a recent application from No. 12 Bar & Bistro in North Berwick. He thought that a more continental approach to drinking alcohol, associating drinking with food, was a positive step. He commented on the quality of the premises' offerings, and was happy to support the application.

The Convener moved to a roll call vote, and Members unanimously confirmed their support for the application.

Decision

The East Lothian Licensing Board agreed to grant the major variation application, subject to the following conditions:

- i) Alcohol Served between 0900-1100 hrs to be accompanied by a substantial plated meal with a limit of two drinks per person.
- ii) Alcohol served between 0900-1100 hrs to be served only by the glass and not by the bottle.

3. OCCASIONAL LICENCE APPLICATION

Craig Hodgson, Marquee and Surrounding Main Garden Area, Cockenzie House & Gardens

The application was for live music events, EH32 Live by Rambling Stage Events, running from 12pm-10pm. The application was for music between 2pm-9pm. There would be two bars in the form of converted horseboxes, and food would also be available. The event would be a public event and would not require a ticket. There had been no objections submitted by Police Scotland or the public. Environmental Health & Safety had submitted comments on the application and requested that a condition restricting the number and frequency of events be imposed to avoid disruption to

residential amenity, as numerous complaints had been received in the previous year. The LSO had recommended a number of conditions, noted below.

Craig Hodgson, applicant, was present to speak to the application. He advised that the events would run only on Saturdays and Sundays, with timings for live music from 2pm-8.30pm, with breaks. He was happy to accept the LSO's recommended conditions. He referred to complaints about noise in the previous year; he advised that a new noise reduction barrier system would be installed on the back of the tent which could reduce noise by up to 37 decibels.

PC Anderson advised that Police Scotland had not received complaints about noise from the event.

The LSO provided a description of the event, and referred to the noise complaints from local residents in relation to the duration and repeat nature of the event. She had discussed the noise level with the applicant, and Mr Hodgson had said that security would be in place to patrol and stop alcohol being brought into the event. She advised of her recommended conditions, noted below.

Councillor Gilbert asked whether there could be conditions imposed for music to cease at 8pm, bar sales to finish at 7.30pm, and to ensure that events ran only on Saturdays and Sundays. Mr Grilli said that a condition could be imposed that no alcohol would be sold Monday to Friday. Mr Hodgson said that he would accept these conditions to ensure the event could go ahead.

Responding to questions from Councillor McGuire, Mr Hodgson reiterated that the security stewards would carry out searches and would be vigilant to drug taking or alcohol being brought in. There would be up to 150 people present, with seating for 120. Stewards would monitor attendee numbers at entrances and exits using a clicker. He confirmed that entry would be free.

Councillor McGuire supported these local events. He felt the applicant had made efforts to address issues raised in the previous year and was minded to support the application.

The Convener noted that there was a good deal of residential housing nearby, and thought that the events would need to be well managed because of this. He agreed that conditions should be added to limit the days of the week the events could take place and to limit the times they could run.

Councillor Gilbert proposed that conditions be imposed to limit the days that events could take place to Saturdays and Sundays, for music to cease at 8pm, and bar sales to cease at 7.30pm. These proposals were seconded by Councillor Bruce.

The Convener moved to a roll call vote, and Members unanimously indicated their support for the application, subject to the LSO's recommended conditions and the additional conditions proposed by Councillor Gilbert and seconded by the Convener.

Decision

The East Lothian Licensing Board agreed to grant the occasional licence, subject to the following:

- i. Positive measures of entry control to be introduced to prevent uninvited persons gaining access to the event and the maintenance of order within.
- ii. All drinks to be served in approved plastic containers.

- iii. Amplified announcements/music/entertainment noise levels to be controlled so that they are non-intrusive/low level at any neighbouring residential properties.
- iv. There should be a personal licence holder present within the bar area at all times and all staff involved in the sale and/or supply of alcohol should have received the two hours' mandatory training, as required under the legislation.
- v. A written policy on how to deal with customers and any other person on the premises who may have become incapacitated or vulnerable through drink or drugs to be held on the premises and available for inspection by Police and the Licensing Standards Officer.
- vi. Children and Young Persons (0-17 years) may only gain entry to the event if accompanied by a responsible parent or guardian over the age of 25 years.
- vii. All reasonable requests made by the police or Licensing Standards Officers to be complied with.
- viii. No alcohol to be sold Monday to Friday.
- ix. Bar sales to cease at 7.30pm
- x. Music to cease at 8pm.

4. PERSONAL LICENCE (CONTINUATION) Amerjeet Singh

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 and securing public safety licensing objectives. The application had been heard at the November meeting of the Licensing Board and had been continued.

PC Anderson advised that Mr Singh's pending case would now be heard in court on 23 August 2023. Police Scotland could not comment further when a court case was pending.

The Convener proposed to continue the application for a period of six months unless any new information came forward. Board Members unanimously agreed with this proposal.

Decision

The Board agreed to continue the application for a period of six months. The application would be heard sooner if any new information came forward.

5. OCCASIONAL LICENCE APPLICATION Erin Linklater, Carfrae Farm Shop, Carfrae Farm, Haddington

The application was for off sales for Carfrae Farm Shop, selling a range of food, produce, gifts, and alcohol. Hours of sales were from 10am to 10pm Monday to Sunday, running from 1 June – 23 August 2023. The application had come before the Board because it was outwith Board policy to continue issuing occasional licences under delegated powers for activities occurring on the premises regularly over a period of at least three months.

Eric Linklater and Trudi Cueto were present to speak to the application. Ms Cueto provided background information on the business, which had opened in September 2022. The primary ethos was to support local businesses, and many local products were stocked in the shop. There had been excellent local support as well as international visitors. She said she had wrongly assumed it would be possible to continue to run for longer on occasional licences, and said the business was happy to proceed with making a provisional premises licence application. She explained that part of the delay had been personal circumstances relating to care of a family member on the farm. She was investigating how to apply for a Section 50 certificate, and awaiting an architect digitising the layout plan of the shop. She acknowledged the LSO's helpful guidance in drafting the provisional premises licence application.

PC Anderson advised that Police Scotland had no objections to the application and had received no calls in relation to the premises.

Responding to a question from the Convener, Ms Cueto advised that the provisional premises licence application was completed, but only a hand drawing of the layout plan was available. The LSO advised that the application should not be progressed without a Section 50 certificate and a layout plan that met regulations.

Councillor McGuire was pleased to see a local venture aiming to support and promote other local businesses, particularly around Gifford which was not well resourced for shops. He would support the application. The Convener echoed Councillor McGuire's sentiments. He urged the applicants to submit an application for a full premises licence, as it was not ideal to run on occasional licences, but in the meantime he was happy to support the application.

The Convener moved to a roll call vote, and Members unanimously confirmed their support for the application.

Decision

The East Lothian Licensing Board agreed to grant the occasional licence.

Signed

Councillor L Bruce
Convener of East Lothian Licensing Board

S NOTICE
NEIGHBOURS
SCOTT 10/5

EAST LoTHIAN LICENSING BOARD

2A

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
- X Any of the information contained within the Operating Plan
- X The Layout Plan
- X Any other information contained or referred to in the licence (including any addition, deletion or other modification).
(Provide Details)

Description of the Premises

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

ELO106

2(b) Name and Address of Premises

Carberry Tower
1 Carberry Tower
Whitecraig
Musselburgh
East Lothian

Post Code EH21 8PY

Phone No.

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

Kingsland Estates (Carberry Tower) Limited

| | | | |
|------------------------------|---------|-----------|------------|
| 1 Rutland Court Edinburgh | | | |
| Post Code | EH3 8EY | Phone No. | [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

N/A

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)

At Question 5(g) in the further details box, to add "and within the four estate houses and main lodge" so that it now reads:

"Films are available for patrons to view in their bedrooms and within the four estate houses and main lodge – 24 hours a day, 7 days a week, educational/commercial films are also shown within the premises but viewings will not commence before 07:00 and no later than 01:00."

At Question 5(f) to add "Community Events, such as Christmas events (Santa's Grotto)" so that it now reads:

"Corporate events, team building events, conferences, community events, such as Christmas events (Santa's Grotto) and charity events."

Question 7 - Increase in capacity from 320 to 366 to read as follows:

"On Sales – 366 persons

Capacity breakdown – main building, ceilidh hall and outside drinking area, - 320 persons
willow lodge, juniper lodge, mulberry lodge, chestnut lodge and the main lodge – 46 persons."

Question 8 - To amend premises manager's address details to read as follows:

Peter Edward Morrow



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 include the four estates houses, Willow Lodge, Juniper Lodge, Mulberry Lodge and Chestnut Lodge and Main Lodge as shown in the proposed layout plan.

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)

Change of postal address of premises as follows:

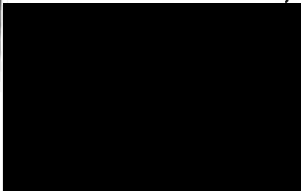
Carberry Tower Mansion House, 1 Carberry Tower, Whitecraig, Musselburgh, East Lothian, EH21 8PY.

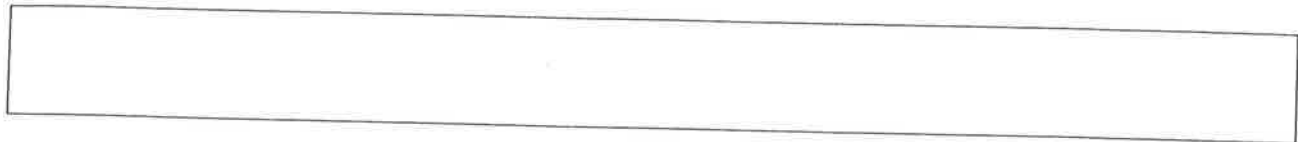
Variation to the Description of premises as follows:

"Carberry Tower is a 40-acre estate and 15th Century Castle now used principally as a Hotel, Conference and Exclusive Use Venue, as well having five lodges, comprising four estate houses and the Main Lodge. Carberry Tower has a restaurant bar, function rooms, event, hospitality and training facilities, as well as a separate Chapel and Banqueting Pavilion."

Change of premises manager's address:

Peter Edward Morrow,





SECTION 4: LICENCE TO BE AMENDED
(See note 3 below)

Does the appropriate Premises Licence accompany this application?

X 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 **£200**

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 £ 200.00 is enclosed.

Signature 

Chloe Johnstone, Solicitor for and on behalf of Anderson Strathern LLP as Agent on behalf of Kingsland Estates (Carberry Tower) Limited
(see note 5 below)

Date 18/05/2023

Capacity: AGENT (delete as appropriate)

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

Chloe Johnstone
Anderson Strathern LLP
1 Rutland Court
Edinburgh, EH3 8EY
Tel: 0131 625 7292
Email: chloe.johnstone@andersonstrathern.co.uk

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.

| |
|---|
| Carberry Tower Mansion House Whitecraig Musselburgh East Lothian, EH21 8PY |
|---|

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>YES</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>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> | 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 | 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> | N/A | N/A |
| <i>Tuesday</i> | N/A | N/A |
| <i>Wednesday</i> | N/A | N/A |
| <i>Thursday</i> | N/A | N/A |
| <i>Friday</i> | N/A | N/A |
| <i>Saturday</i> | N/A | N/A |
| <i>Sunday</i> | N/A | N/A |

Question 4

SEASONAL VARIATIONS

| | |
|--|------------|
| <i>Does the applicant intend to operate according to seasonal demand</i> | <i>YES</i> |
|--|------------|

**If YES – provide details*

Extra hours in line with East Lothian Licensing Board's Policy on additional hours over the Christmas and New Year period.

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 |
|--------------------------------|--|---|--|
| <i>5(a)</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>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> |

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

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

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

Accommodation is provided 24 hours a day, 7 days a week.

Conference, restaurant, bar meals, receptions, club or group meetings, are provided outwith core hours but not before 07:00 and not later than 01:00. Live performances, dance facilities, theatre are provided outwith core hours but will not commence before 10:00 and not later than 01:00.

Films are available for patrons to view in their bedrooms and within the four estate houses and main lodge – 24 hours a day, 7 days a week, educational/commercial films are also shown within the premises but viewings will not commence before 07:00 and no later than 01:00.

Televised sport is available to view by patrons in the bedrooms and can be shown 24 hours a day, 7 days a week.

Recorded music – background music is played when the premises are open.

The external area may be used prior to the commencement of core hours for general recreation, viewing of grounds and related activities.

No alcohol will be sold outwith core hours unless an extended hours licence is in place.

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.

Corporate events, team building events, conferences, community events, such as Christmas events (Santa's Grotto) and charity events. – CRAFT FAIRS, MARKETS

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> | N/A |
|--|-----|

| | |
|---|-----|
| <i>When fully occupied, are there likely to be more customers standing than seated?</i> | N/A |
| <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 will be allowed access to the premises at all times when accompanied by a responsible adult.

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

Children – Birth to 15
Young Persons – 16 & 17

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

Children and Young Persons will have access to the premises 24/7 when residing on the premises. Children and Young Persons can remain within the restaurant and lounge areas provided they are supervised by a parent or guardian. They may remain for the duration of any private function. Children and Young Persons must vacate bar area at 22:00

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

Children and Young Persons will have access to all public area of the premises.

Question 7

CAPACITY OF PREMISES

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

On Sales – 366 persons

Capacity breakdown – main building, ceilidh hall and outside drinking area, - 320 persons
willow lodge, juniper lodge, mulberry lodge, chestnut lodge and the main lodge – 46 persons.

Question 8

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

Personal details

8(a) Name

Peter Edward Morrow

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) *Email address and telephone number*

| | |
|--|--|
| | |
|--|--|

8(e) *Personal licence*

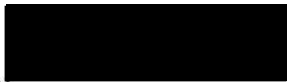
| <i>Date of issue</i> | <i>Name of Licensing Board issuing</i> | <i>Reference no. of personal licence</i> |
|----------------------|--|--|
| 24 June 2022 | East Lothian Licensing Board | EL1861 |

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



Chloe Johnstone, Solicitor for and on behalf of Anderson Strathern LLP as Agent on behalf of Kingsland Estates (Carberry Tower) Limited

* (see note below)

Date18/05/2023.....

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

Telephone number and email address of signatory

Chloe Johnstone

Anderson Strathern LLP

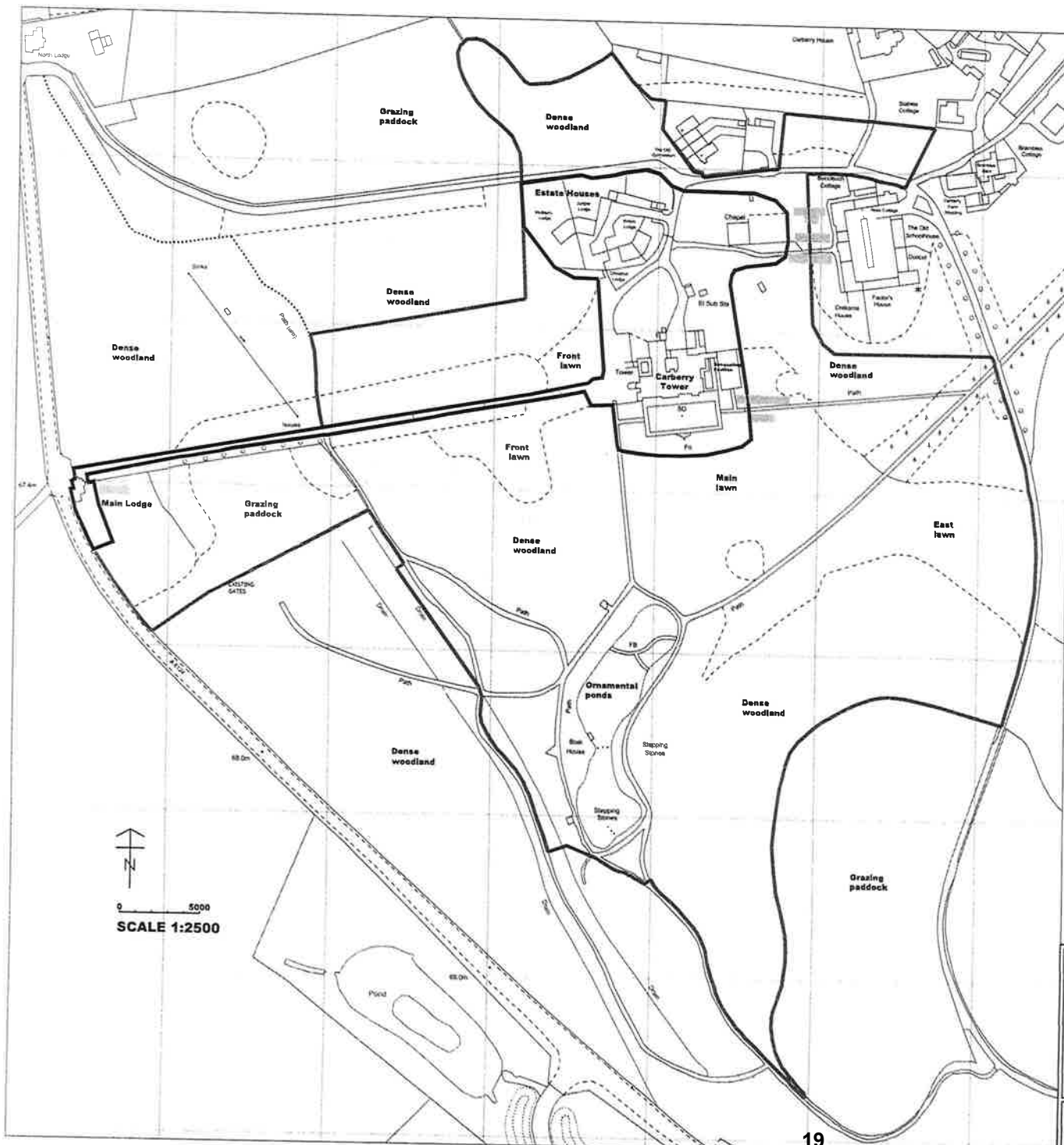
1 Rutland Court

Edinburgh, EH3 8EY

Tel: 0131 625 7292

Email: chloe.johnstone@andersonstrathern.co.uk

* Data Protection Act 1998



NOTES

OWNERSHIP BOUNDARY



LICENSED AREA



Children are permitted access to all public areas

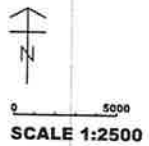
Capacity

320 in Main House/Chapel area

10 in each Estate House

6 in Main Lodge

366 overall total



| | | | | |
|--|----------------------------------|------------------|--------------------------|------|
| David Hewitt Architects 71 Whitehill Street, Newcraighall EDINBURGH EH21 8QZ Tel 0131 657 1169 Mobile 07747740381 | Project Carberry Tower | | | |
| | Title LOCATION PLAN | | | |
| CAD Ref: Carberry Location | Date 2023 | | | |
| Drawn DWH | Scale 1:2500 | | | |
| Client Kingsland Estates (Carberry Tower) Ltd | Job Number 210 | Code 6 | Drawing No. 01 | Rev. |

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 18 May 2023 12:39
To: Licensing
Subject: CARBERRY TOWER - VARIATION TO OPERATING PLAN
Attachments: MAJOR VARIATION APPLICATION - ESTATE HOUSES(33388489.1).DOCX

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 - 724913

Regards
Iain

Licensing

From: victoria bailie [REDACTED]
Sent: 30 May 2023 11:43
To: Licensing
Subject: Request for conditions on licensing application

You don't often get email from vjlomax@hotmail.com. [Learn why this is important](#)

Hello,

Thank you for sharing the latest application made by Carberry Tower Hotel (ref: CG/mjw/EN/L/L1) for an extension to their license.

Overall we have no objections to the additional four self catering properties (named as the lodges) being included within the licence or indoor films being shown for guests of those self catering properties.

We would, however, please ask that conditions are included for the chapel/ceilidh hall and for the four self catering lodges in line with those already in place for the hotel marquee to safeguard noise for close neighbours within the community.

I attach the existing conditions with regards to the marquee to ensure that doors and windows are closed at all times when events are taking place and there is no amplified noise or music at all. Also available at this link: https://pa.eastlothian.gov.uk/online-applications/files/162BF601E7DA0CA58769129110E8D6CB/pdf/18_00984_P-OFFICER-2679096.pdf

This is particularly pertinent to the chapel (named ceilidh hall in this application). This is where wedding ceremonies take place and it has not, in the past ten years at least, been used for evening events. The chapel/ceilidh hall and its garden back onto several residential properties and we would like to ensure that any licence changes do not lead to noise disturbances within the neighbourhood.

Many thanks in advance for taking this into consideration.

Best regards

Victoria Bailie

Potential noise impacts from the use of the marquee proposed in the previous planning applications 12/00211/P and 13/00206/P were the subject of detailed consultation with the Council's Environmental Protection service. The Council's Environmental Protection Manager has again been consulted on this application for the marquee. The Council's Environmental Protection Manager has advised that in the past, complaints have been received regarding noise

generated by activities taking place within the marquee. The Council's Environmental Protection Manager has advised that this particular marquee by its very nature in terms of construction offers poor sound insulation properties and is located to the rear of the main building which is in relatively close proximity to neighbouring residential properties. Given this The Council's Environmental Protection Manager advises that in order to protect the amenity of those living nearby, it is recommended that the following conditions be attached to any approval given:

- a) There shall be no music, amplified or otherwise in the marquee;
- b) There shall be no amplified speech in the marquee;
- c) The design and construction of the marquee and of any associated plant or equipment shall be such that any noise emanating therefrom does not exceed noise rating curve NR15 at any Octave Band Frequency when measured in any neighbouring property assuming windows open at least 50 mm;
- d) All access openings of the marquee shall be kept closed with the exception of allowing persons access or egress.

Subject to these conditions being attached to a grant of planning permission The Council's Environmental Protection Manager raises no objection to the application being satisfied that the operational use of the marquee should not have any harmful noise impact on the nearest residential properties. These matters can be controlled through conditions of a grant of planning permission.

Winter, Maree

From: Licensing
Sent: 01 June 2023 16:15
To: Winter, Maree
Subject: FW: Your ref CG/mjw/EN/L/L1 Premises: Carberry Tower Mansion House

Follow Up Flag: Follow up
Flag Status: Flagged

For you an Objection

Gillian

-----Original Message-----

From: CAROLINE CUTHBERTSON [REDACTED]
Sent: 01 June 2023 16:13
To: Licensing <licensing@eastlothian.gov.uk>
Subject: Your ref CG/mjw/EN/L/L1 Premises: Carberry Tower Mansion House

[You don't often get email from carolinecuthbertson@btinternet.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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.

I refer to the following notification we received:

Application for Variation (major)

Premises- Carberry Tower Mansion House, 1 Carberry Tower, Whitecraig Type - on sales

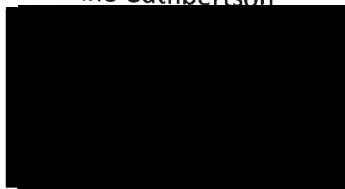
We would like to raise the following objections / matters that should be considered and reflected in any variation granted:

- it is concerning and not clear from the application process that there is a request to serve alcohol on the premises, but the definition of premises appears to incorporate premises quite considerable metres away from the main house, this therefore has a high risk of creating significant outdoor noise pollution of people moving around outside between premises to access alcohol until 1am.
- the licence is extended to four estate houses (Willow Lodge, Juniper Lodge, Mulberry Lodge and Chestnut Lodge) which are residential houses in close (less than 50 metres) proximity to privately owned residential homes, further the licence application suggests capacity for 46 persons, these individual premises are clearly not designed to host that number in one premise, therefore there is an increased risk of spill out to recreational grounds and front gardens
- referring to the same premises again, as these are designed as residential homes, it is not clear why a license to serve alcohol to them up to 1am in the morning is considered appropriate, the bar area they would be served by is within the main house, therefore again, there is an increased risk of this activity being undertaken in open outdoor areas i.e. people coming and going between the main house and the residential houses carrying drinks and also drinking in these open areas, which is likely to lead to further noise pollution in a very quiet residential area.
- it should be made clear that the license for the house to serve alcohol until 1am should be strictly within the confines of the main house in order to mitigate risk of increased noise pollution
- the license should also be clear that it does not include the temporary marquee and that previous noise pollution mitigation should remain in place for this particular event space

We therefore ask that greater clarity and controls are included within the licensing variation to avoid the risk of alcohol becoming the reason for disruption to this quite residential neighbourhood which I must stress is in the countryside and is in close proximity to farm animals as well as residents.

Regards

Caroline Cuthbertson



NHS Coronavirus Information

[https://intranet.eastlothian.gov.uk/multimedia/1624/1624_250x83.jpg]

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 5th June 2023

Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE MAJOR VARIATION
CARBERRY TOWER, 1 CARBERRY TOWER, WHITECRAIG,
MUSSELBURGH, EAST LoTHIAN EH21 8PY

I conducted a visit at the premises where I met with the owner Mrs Jill Mitchell, Manager Mr Douglas McCreadie and Premises Manager Mr Peter Morrow. The premises were found to be well run, fully compliant and no issues identified. Events that occur at the premises were discussed and operations explained.

The premises is a hotel which consists of 30 guest rooms, a restaurant and bar areas and extensive garden areas. The premises offers a wide range of facilities including use as a wedding venue, for corporate events, conferences and general stays. There is also a restaurant with daily food offerings. I viewed the lodges which this application relates to. The addition of the lodges into the licensed area is to allow room service from the main hotel building and in the future bespoke private dining/events may be provided in the lodges. There is no intentions to run markets at this time on a regular basis but more on a seasonal or one off demand.

The change applied for are:

- An increase in the licensed area to include the lodges
- Provision of films outwith core hours for patrons
- Addition of Santa's Grotto, fairs and markets as activities
- Increase in capacity to 366 to incorporate the lodges (increase of 46 people)

- A variation of the premises description

I have no objections or recommendations in relation to this application.

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

K. Harling
Licensing Standards Officer

Licensing

From: Douglas, Andrew
Sent: 19 May 2023 10:16
To: Licensing
Subject: FW: Major Variation Application - Carberry Tower [IMAN-MATTERS.FID2564213]
Attachments: Proposed operating plan(33392276.1).doc

No objs, std conditions

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 19 May 2023 09:42
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Major Variation Application - Carberry Tower [IMAN-MATTERS.FID2564213]

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 19 May 2023 09:11
To: Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Police Scotland (LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk) <LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Subject: FW: Major Variation Application - Carberry Tower [IMAN-MATTERS.FID2564213]

Hi,

Please find attached amended operating plan to include fairs and markets to the major variation application

Kind regards
Maree.

From: Gillian Smith <Gillian.Smith@andersonstrathern.co.uk>
Sent: 18 May 2023 14:50
To: Winter, Maree <mwinter@eastlothian.gov.uk>
Subject: RE: Major Variation Application - Carberry Tower [IMAN-MATTERS.FID2564213]

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.

Maree,

Good afternoon. The client has confirmed that they indeed would wish to add in craft fairs/markets to their activities. I therefore attach an updated operating plan.

Kind regards,

Gillian.

Gillian Smith
Accredited Senior Paralegal

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)

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)

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 £ 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

| 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> |
|--|-----------|

**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 |
| | | | |
| 5(d) <i>Activity</i> | <i>Please confirm</i> 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>Outdoor drinking facilities</i> | NO | NO | NO |
| | | | |
| 5(e) <i>Activity</i> | <i>Please confirm</i> 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> | 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 |
|---|-----|

| | |
|--|-----|
| 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 |
|-----|

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 (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 ...9th May 2023.....

CapacityAGENT

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.

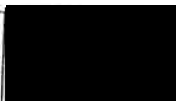
Although it is not a legislative requirement, all delivery drivers employed directly by Co-op receive 2 hours’ mandatory training in the same way as shop floor staff. Any third party drivers have received training via their courier companies to a level which Co-op are entirely satisfied with. We hope 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 |
|-----------|---|------|------------|

“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.

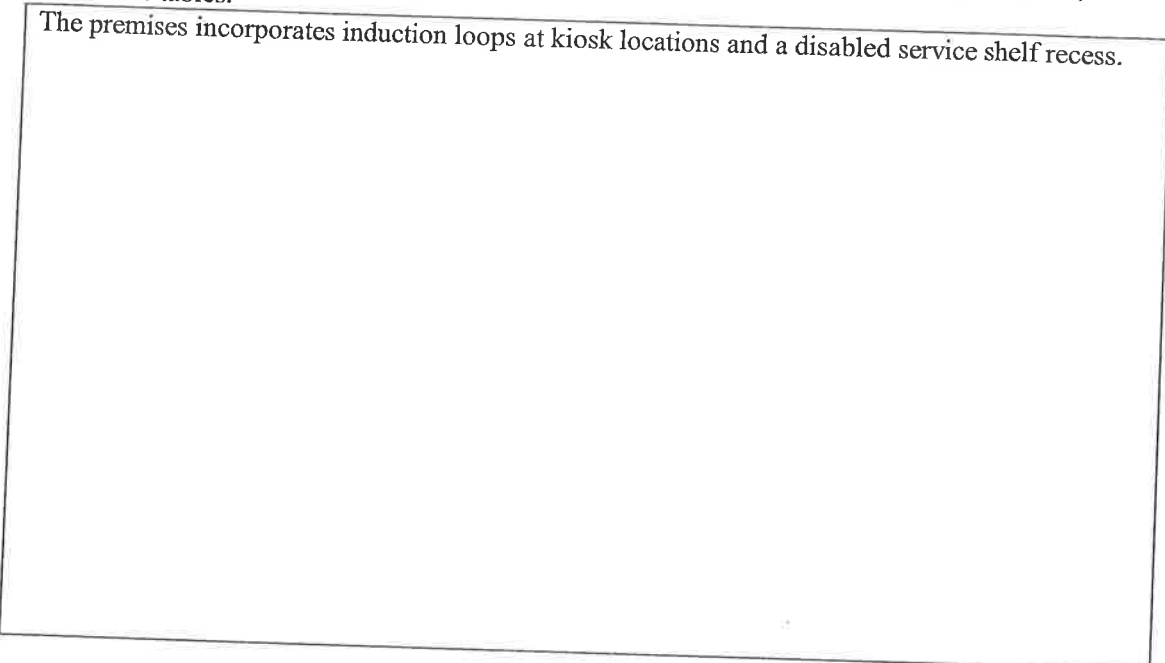
Level access to the store is available via the main entrance doors adjacent to the car parking area. The internal space within the unit is located on one level. Access doors for the main entrance are automatic and measure 1200mm across.

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.

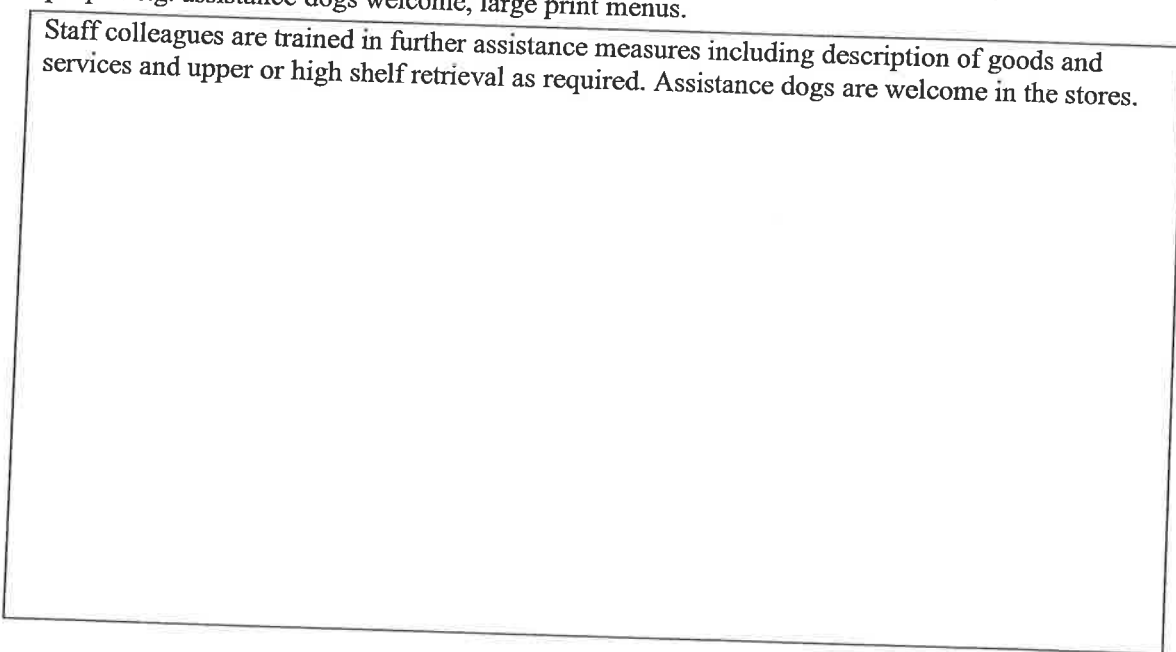


Question 4

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.

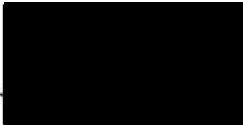
Staff colleagues are trained in further assistance measures including description of goods and services and upper or high shelf retrieval as required. Assistance dogs are welcome in the stores.



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 ...15th May 2023.....

CapacityAGENT

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.”

Licensing

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

Date: 5th 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

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

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 15 May 2023 11:47
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>; Slight, Lynn <lsight@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

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 9th 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

Winter, Maree

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

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]
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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

Winter, Maree

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

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





APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION **2C**

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)

East Lothian Council
Licensing

10 MAY 2023

Received

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL045

2(b) Name and Address of Premises Co-op, Brotherstone's Way South, Tranent, East Lothian

Post Code EH33 2QF 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

East Lothian Council
Licensing Board
11th Floor
11th Floor

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 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.

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)

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)

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 £ 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.)

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> | N/A | N/A |
| <i>Tuesday</i> | N/A | N/A |
| <i>Wednesday</i> | N/A | N/A |
| <i>Thursday</i> | N/A | N/A |
| <i>Friday</i> | N/A | N/A |
| <i>Saturday</i> | N/A | N/A |
| <i>Sunday</i> | N/A | N/A |

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> |
|--|-----------|

**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 |
| | | | |
| 5(d) 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>Outdoor drinking facilities</i> | NO | NO | NO |
| | | | |
| 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> | 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 |
|---|-----|

| | |
|--|-----|
| 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 |
|-----|

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 – 34.2m2

Question 8

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

Personal details

8(a) Name

Diane Riley

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address

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 | EL586 |

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 ...9th May 2023.....

CapacityAGENT

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 |
|-----------|---|------|------------|

“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 |
| <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.

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 ...15th May 2023.....

CapacityAGENT

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.”

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 15 May 2023 13:35
To: Licensing
Subject: MAJOR VARIATION - CO-OP, TRANENT, EAST LoTHIAN
Attachments: LIC38 PREMISES VARIATION - NO ADVERSE COMMENT CO-OP 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 - 723507

Regards
Iain

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling

To: C. Grilli

Licensing Standards Officer

Clerk to the Licensing Board

Date: 5th May 2023

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION 2023

**CO-OP, BROTHERSTONE'S WAY SOUTH, TRANENT, EAST LoTHIAN EH33
2QF**

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

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.

Winter, Maree

From: Robertson, Scott
Sent: 16 May 2023 08:29
To: Winter, Maree
Cc: Licensing
Subject: RE: Major Variation application - Tranent Co-op

Hello,

Please note I have no comments or objections in relation to the major variation application at the Co-op, Brotherstone Way, Tranent.

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

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 15 May 2023 11:20
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>; tecc.secretary@aol.co.uk
Subject: RE: Major Variation application - Tranent Co-op
Importance: High

Dear all,

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

Licensing

From: Douglas, Andrew
Sent: 15 May 2023 15:08
To: Licensing
Cc: Environmental Health/Trading Standards
Subject: FW: Major Variation application - Tranent Co-op
Attachments: C0-op - Tranent - major variation application.pdf

Importance: High

No objs, std conditions.

EHTS – can you please scan this to commercial premises ref: 07/00029/COM , as ‘2023 Major variation’.

Thanks

Andrew

From: Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>
Sent: 15 May 2023 11:47
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>; Slight, Lynn <lsight@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 - Tranent Co-op
Importance: High

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 15 May 2023 11:20
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 <ehs@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>; tecc.secretary@aol.co.uk
Subject: RE: Major Variation application - Tranent Co-op
Importance: High

Dear all,

Please find attached major variation application from Co-op, Brotherstone Way, Tranent for to add deliveries of alcohol and food to their premises operating plan. Could I please have any representations/objections to this application by 9th June 2023.

Kind regards
Maree

Winter, Maree

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

Hi Maree

No objections from TS.

Thanks
Alex

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 15 May 2023 11:20
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>; tecc.secretary@aol.co.uk
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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



Licensing

From: Robertson, Scott
Sent: 16 May 2023 08:29
To: Winter, Maree
Cc: Licensing
Subject: RE: Major Variation application - Tranent Co-op

Hello,

Please note I have no comments or objections in relation to the major variation application at the Co-op, Brotherstone Way, Tranent.

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

From: Winter, Maree <mwinter@eastlothian.gov.uk>
Sent: 15 May 2023 11:20
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>; tecc.secretary@aol.co.uk
Subject: RE: Major Variation application - Tranent Co-op
Importance: High

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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

1st July

PC, LSO 315

f 30 00.



Adv 2/6.

East Lothian Council
Licensing

31 MAY 2023

LICENSING (SCOTLAND) ACT 2005, SECTION 104 Received

OCCASIONAL LICENCE APPLICATION FORM

3A

Before completing this form please read the guidance notes.

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. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) EL0107

Personal licence number (if applicable) F20070

Name of voluntary organisation (if applicable) _____


2. PERSONAL DETAILS

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) MR

Surname BRUNTON

Forenames LAURENCE

Date of birth (Day / Month / Year) 

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[REDACTED]

[REDACTED]

Post town [REDACTED] Post code [REDACTED]

Telephone Numbers

Daytime Tel. [REDACTED] Evening Tel. _____

Mobile No. [REDACTED]

Fax No. _____ Email [REDACTED]

3. THE PREMISES

Description of premises

PUB & HOTEL - 6 ROOMS

Description of activities to be carried on in the premises – (including number of persons expected to attend)

APPLICATION IS FOR 3 TABLES & 9 CHAIRS TO BE LICENSED ON STREET DIRECTLY OUTSIDE THE MAIN DOOR (AS PER PLAN) - A MIN PASSING DISTANCE FOR PUBLIC OF 150CM WILL BE MAINTAINED & THE AREA WILL BE BARRIRED OFF.

Full postal address of premises which this application refers to _____

CASTLE HOTEL, 103 HIGH ST, DUNBAR

EH42 1ES

4. DURATION OF LICENCE

Date: From 01 July 2023 To 14 July 2023.

Time: From 11AM To 8PM.

5. Is alcohol to be sold on & off the premises

YES NO

Provide relevant details as to hours requested when alcohol will be sold on/off the premises.

Times for sale of alcohol for consumption on premises

NORMAL LICENSING HOURS

Times for sale of alcohol for consumption off premises

11AM TO 8PM

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A.

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry?

YES NO

(If answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry _____

Times at which children or young persons permitted entry _____

Parts of premises to which children or young persons permitted entry _____



7. CHECKLIST

I have (please tick for yes) made or enclosed payment of the fee for the application

YES

8. Signature and declaration by applicant (see note 3)

DECLARATION

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

Signature _____

Date _____

27/05/23

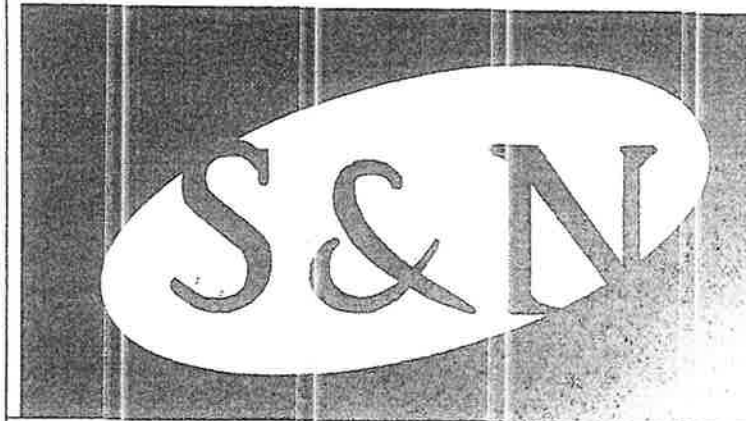
NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: –
 - The holder of a premises licence;
 - The holder of a personal licence; or
 - A representative of any voluntary organisationis eligible to apply for an occasional licence
2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry
3. Data Protection Act 2018
The information on this form may be held on an electronic register which may be available to members of the public on request.
4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)



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 any unauthorised person, either wholly or in part without the cons
 in writing of PlansandDrawings.com.

N.B. any variations between stated dimensions and site dimensions
 should be reported to the surveyor prior to work being executed.



PURPOSE OF ISSUE

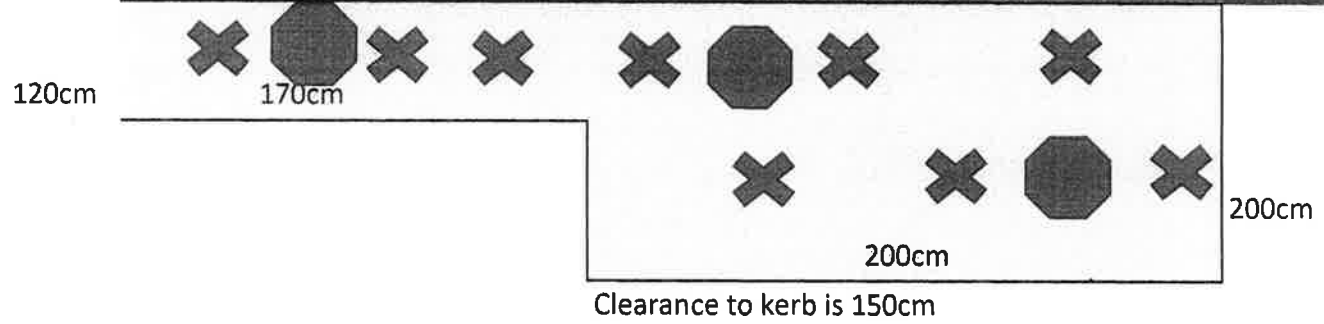
The Licensing (Scotland) Act

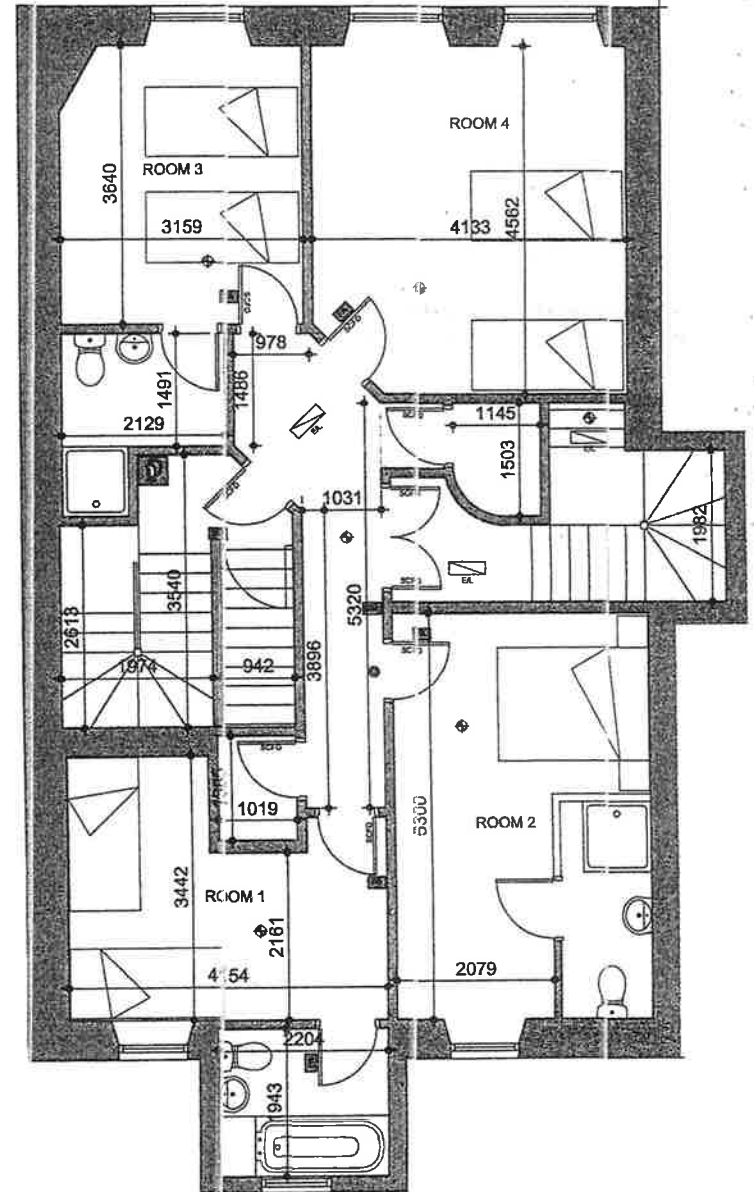
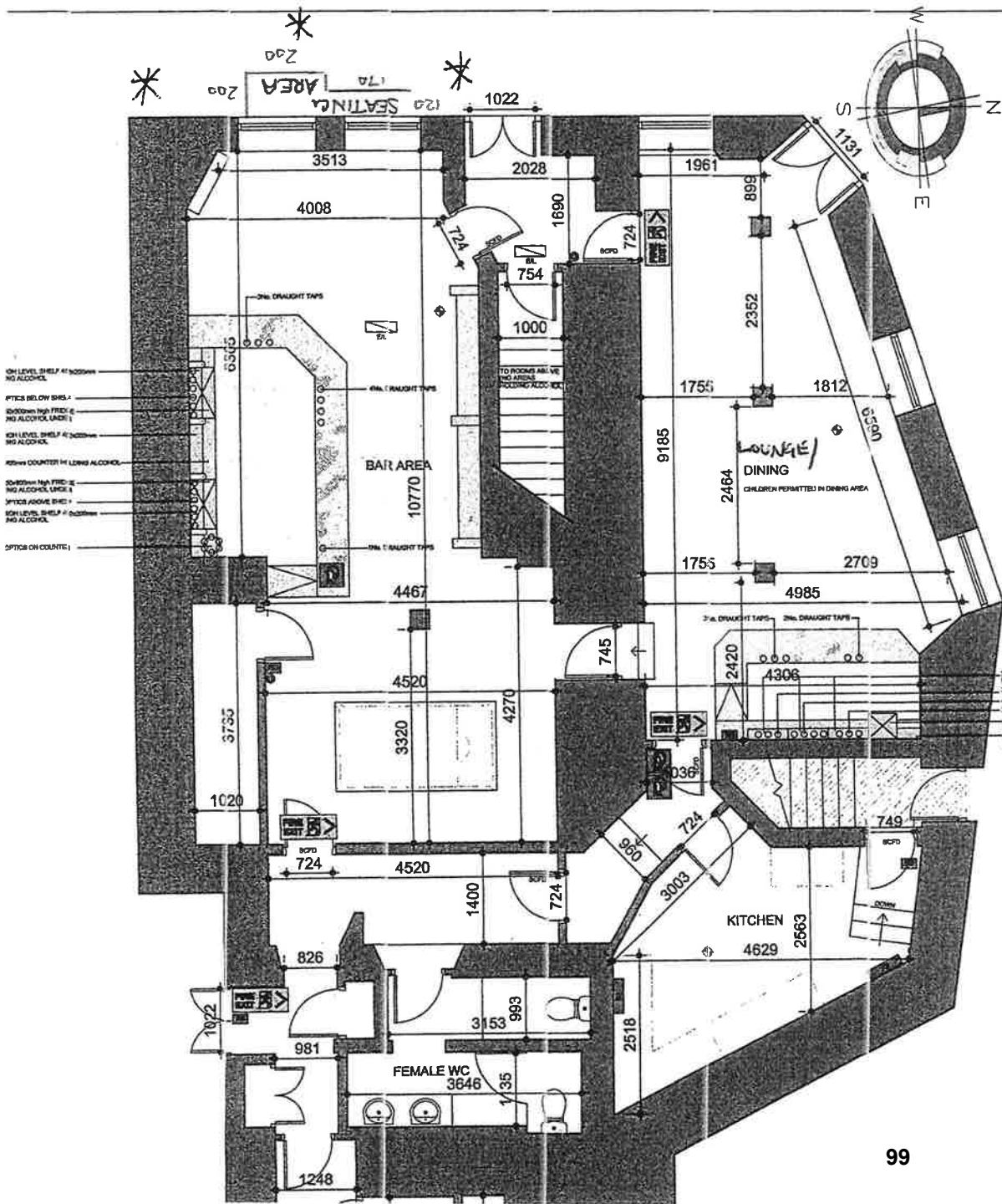
| | | |
|--|--|--|
| | | |
|--|--|--|

Restaurant

Pub Door

Outside Bar Wall - Length 390cm





First floor accommodation scale 1:100

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 31 May 2023 13:59
To: Licensing
Subject: REF 461
Attachments: OCC461.23 - APP.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.

NPO

OCC 461/23
OCC 462/23
OCC 463/23

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Karen Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 6th June 2023

Subject: LICENSING SCOTLAND ACT 2005
REPORT - OCCASIONAL LICENCE APPLICATION OCC461-463 /23
Laurence Brunton for outside area at Castle Hotel, 163 High Street, Dunbar, East Lothian, EH42 1ES

The applicant for the occasional licences is Laurence Brunton who is a personal licence holder. His personal licence has been issued by Falkirk Licensing Board who have confirmed that the licence is currently valid.

Application has been made for 3 occasional licences for an outside areas in front of the Castle Hotel, 163 High Street, as per the submitted plan.

The requested hours are 1100-2000 for consumption of alcohol on the premises.

Should the board wish to grant the 3 occasional licences I recommend the following conditions are added:

- 1) 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.
- 2) The outdoor area should be clearly delineated with removable barriers and all seating and barriers should be removed between 2000-1100 hours.
- 3) The Occasional Licence Holder shall ensure that staff:-
 - (a) promptly collect all empty/unused drinking glasses and bottles from the outside area;
 - (b) regularly supervise the outside area and its patrons;
- 4) Alcohol shall only be consumed in the licenced area(s) whilst being seated and a notice should be placed in a suitable place in the outside area informing all patrons

of such.

- 5) If the outside area is on council land or a road/pavement then a valid permit/authorisation issued from the East Lothian Council Roads Department must be in place in order to use the occasional licence.

I refer the application to the Licensing Board for consideration of the above conditions and determination of the grant of the occasional licences.

K. Harling
Licensing Standards Officer

Occasional Licence and Supplementary Information Form
EAST LoTHIAN LICENSING BOARD

3B

APPLICATION FOR OCCASIONAL LICENCE

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. LICENCE DETAILS (see note 1) | |
| Premises licence number (if applicable) N/A | |
| Personal licence number (if applicable) EL1563 | |
| Name of voluntary organisation (if applicable) N/A | |

| | |
|--|------------|
| 2. PERSONAL DETAILS | |
| TITLE (delete as appropriate): Mr | |
| Surname | Dodds |
| Forenames | Scott |
| DATE OF BIRTH | [REDACTED] |
| ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES | |
| [REDACTED] | |
| Post town: | [REDACTED] |
| Post code: | [REDACTED] |
| TELEPHONE NUMBERS | |

| | |
|---------|------------|
| Daytime | [REDACTED] |
| Evening | |
| Mobile | |

FAX NUMBER N/A

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)
 [REDACTED]

3. THE PREMISES

Description of premises

The Scottish Open 2023 is being hosted at the Renaissance golf course in East Lothian. The competition is being hosted by the European Tour. Hickory have been contracted to run the public bar requirements. There will be 6 public bars across the site.

1. Public Village Bar – a 20m wooden fronted bar contained within a marquee
2. Grandstand Bar – a 20m wooden fronted bar contained within a marquee
3. Grandstand Bar 2 – a 9x3m purpose build wooden bar with fold down service hatches
4. On Course Bar 1 – a 9x3m purpose build wooden bar with fold down service hatches
5. On Course Bar 2 – a 3x3m purpose build wooden cabin bar with fold down service hatches
6. On Course Bar 3 – a 3x3m purpose build wooden cabin bar with fold down service hatches

Buildings

Full Site Map Area except 26, 27 + 28

Description of activities to be carried on in the premises – (including number of persons expected to attend)

Scottish Open 2023 golf competition. Hickory are supplying the public bars for spectators.

The bars will offer a selection of alcoholic and non-alcoholic drinks.

Drinking water will be available at all times.

The bars will not offer any high energy drinks, shots or alcopops. Spirits will be served in 25ml measures, with the maximum measure being 50ml served in any one drink.

The European Tour is anticipating footfall of up to 60,000 people over the whole week. The busiest day is anticipated to be Saturday, with an estimated 15,000 spectators on this day.

The audience profile will be predominantly over the age of 40. Tickets can be purchased in advance or on the day at the gate.

The European Tour will have adequate SLA stewards across the course and public village area in line with the anticipated daily footfall.

No glass will be handed across the bar – all drinks will be emptied into a plastic receptacle.

Full postal address of premises which this application refers to

Renaissance Club Golf Course, Cowden Hill Dr, North Berwick EH39 5HS

4. DURATION OF LICENCE

From 12/07/2023 to 16/07/2023

5. Is alcohol to be sold on & off the premises NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises: 1000-2100

Times for sale of alcohol for consumption off premises: N/A

| | |
|---|--|
| | |
| <p>Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises</p> <p>Course will be open from 0700 to spectators.</p> <p>Hickory will accept deliveries on site from 0430</p> | |

| 6. CHILDREN (see note 2) | |
|--|---|
| This section must be completed where alcohol is for sale for consumption on the premises | |
| <p>Are children or young persons permitted entry? YES (if answered yes the remainder of this section must be completed)</p> | |
| <p>Ages of children or young persons permitted entry</p> <p>0-18 year of age</p> | <p>Times at which children or young persons permitted entry</p> <p>Event Timings</p> |
| <p>Parts of premises to which children or young persons permitted entry</p> <p>Children and young persons will not be permitted within 3m of the bar area.</p> <ul style="list-style-type: none"> • Children will not be permitted in the bar areas unaccompanied by an appropriate adult • Children will not be permitted within 3m of the bar • A wide range of non-alcoholic drinks will be available • Challenge 25 will be operated at all times • Anyone who is underage found trying to purchase alcohol for themselves or others will be refused service and reported to the police on duty at the event • Anyone who found trying to purchase alcohol for anyone underage will be refused service and reported to the police on duty at the event | |

| 7. CHECKLIST | |
|---|--|
| I have - Please tick for yes | |
| <ul style="list-style-type: none"> • Made or enclosed payment of the fee for the application | |

| 8. Signature and declaration by applicant (see note 3) | |
|---|-------------------------|
| DECLARATION | |
| The contents of this Application are true to the best of my knowledge and belief. | |
| <p>SIGNATURE: <i>SCOTT DODDS</i></p> | <p>DATE: 24/04/2023</p> |

NOTES

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

| | |
|--|---|
| <p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p> | <p>(a) The Scottish Open 2023 is being hosting at the Renaissance golf course in East Lothian. The competition is being hosted by the European Tour. Hickory have been contracted to run the public bar requirements. There will be 6 public bars across the site.</p> <p>(b) Within the spectator village there will be live TV coverage of the event</p> |
| <p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> | <p>60,000 over the week. Busiest day will be Saturday – estimated 12,000-15,000 spectators attending</p> <p><input checked="" type="checkbox"/> Previous events – the Scottish Open is an annual event and was hosted in East Lothian in 2018 - 2022</p> <p><input type="checkbox"/></p> <p style="text-align: right;">Under 18</p> <p style="text-align: right;">18 - 30</p> <p style="text-align: right;">30 – 50</p> <p style="text-align: right;">over 50</p> |

(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)

Tickets can be purchased in advance and on the day at the gate.

| | |
|--|--|
| <p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p> | |
| <p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p> | <p>(a) European Tour will coordinate the SIA security providers – based on similar events there will be at least 60 SIA stewards and 100+ event volunteer marshals</p> <p>(b) 60 SIA</p> |
| <p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p> | <p>(a)</p> <p>(b)</p> <p>(b) See attached event layout plan</p> |
| <p><u>5. Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p> | <p>N/A</p> |

| | |
|--|--|
| 6. Will alternatives to glass receptacles be provided? | Yes – no glass will be handed across the bars. All drinks will be served/decanted into plastic receptacles |
| 7. To what standard those serving alcohol be trained? Please provide details of any training certificate held | All managers will have personal licences. All staff engaged in the serving/sale of alcohol will have undergone the 2 hour Scottish Licencing training. Hickory also train all staff to high standards, adding to the training from the 2 hours and covering in depth knowledge of the 5 licencing objectives |

LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

| | |
|--|--|
| 8. How will you prevent Crime and Disorder at the event? | <ul style="list-style-type: none"> • Hickory will liaise with the SIA security provider in advance, along with Police Scotland. Hickory's event managers will make daily contact with the SIA site manager and the Police Scotland representative. • Any crime or disorder will immediately be communicated to the SIA and Police • Hickory will remain in communication with SIA/Event Management via vhf radio • Hickory teams will be trained on how to spot potential crime/disorder and the stages in how to react/report • Anyone who appears to be 'drunk' will be refused service and offered soft drinks instead • All incidents will be reported in the 'Incident Book' for the event • All incidents will be communicated to the other bars so they are aware • Our team are trained in accordance with the 2005 Act and trained to handle refusals of service when required • We will have free drinking water available at all times • Anyone found to be disorderly will be refused service and reported to the on-duty police • No glass receptacles will be handed out – all glass will be decanted into a plastic receptacle |
| 9. How will you secure Public Safety at the event? | <ul style="list-style-type: none"> • Liaison with event appointed stewards • Liaison with police on duty at event • All staff engaged in the sale/service of alcohol will be appropriately trained in accordance with the 2005 Act • We will operate a challenge 25 policy at all times • Anyone who is aggressive will be refused service and reported to the on-duty police • A refusals book will be kept throughout the event |

10. How will you prevent Public Nuisance at the event?

- Our drinks menu will not have any promotions, shots or alco-pops
- Our drinks menu will not be designed to be attractive to those who are under age
- We will not supply high energy drinks
- We will abide by all regulations placed on us by East Lothian council, the police and the European Tour
- We will have pre-event meetings with the European Tour committee to understand what (if any) previous issues there have been and develop a plan to combat these
- We will develop a site specific alcohol management plan and ensure this is briefed to our team

| | |
|--|--|
| <p>11. How will you promote and protect Public Health at the Event?</p> | <ul style="list-style-type: none"> • Free drinking water will be available at all times • No energy drinks will be served • No 'shots' will be served • Spirits will be served in 25ml measures, with a maximum 50ml measure allowed per drink • Staff will be trained and briefed to be vigilant to the signs of alcohol related issues and will refuse service where appropriate • A wide range of quality soft drinks will be available |
| <p>12. How will you protect Children from Harm at the Event?</p> | <ul style="list-style-type: none"> • Children will not be permitted in the bars unaccompanied by an appropriate adult • Children will not be permitted within 3m of the bar counter • A wide range of non-alcoholic drinks will be available • Challenge 25 will be operated at all times • Anyone who is underage found trying to purchase alcohol for themselves or others will be refused service and reported to the police on duty at the event • Anyone who found trying to purchase alcohol for anyone underage will be refused service and reported to the police on duty at the event |

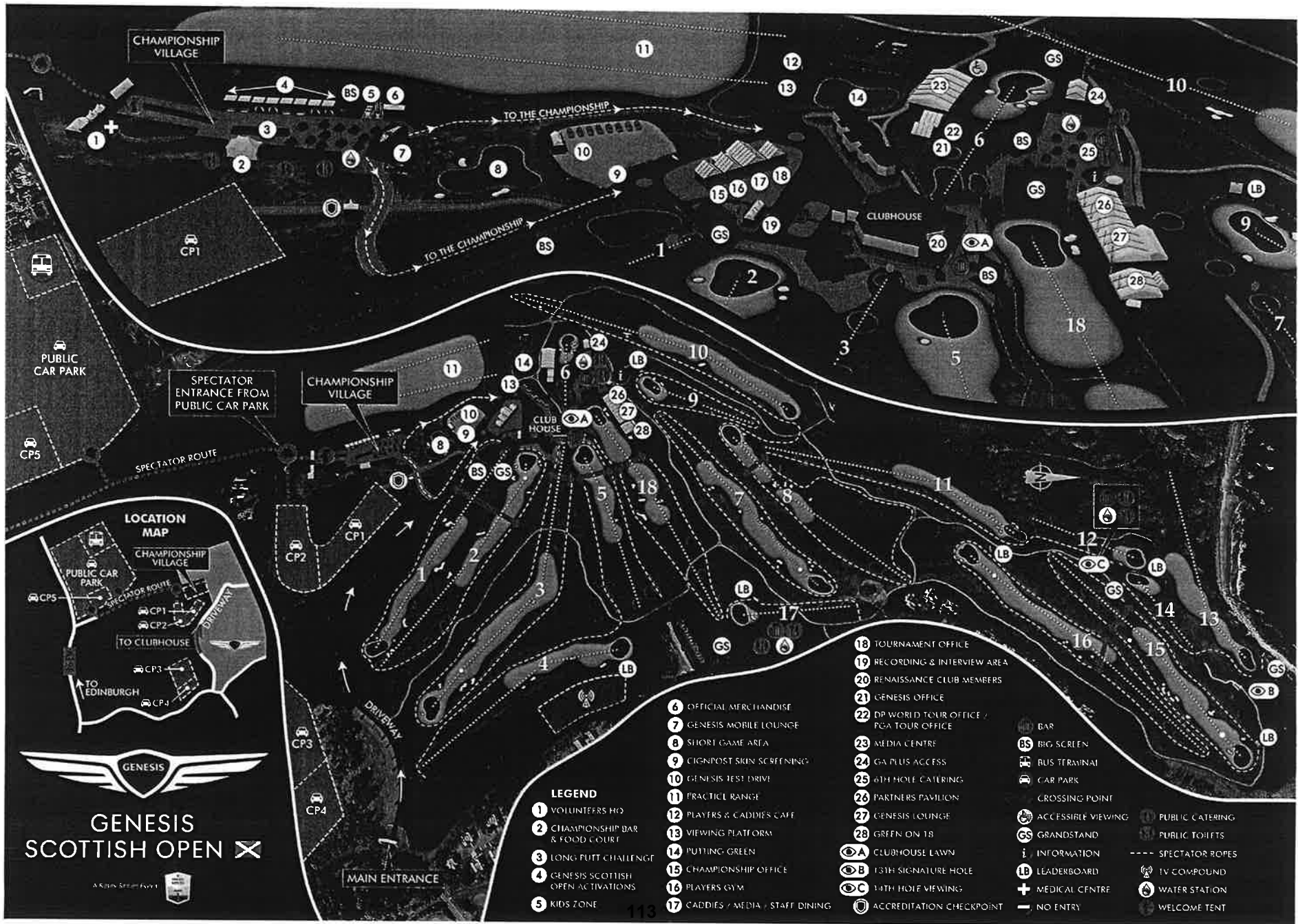
SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

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 | <i>SCOTT DODDS</i> | Date | 24/04/2023 |
|-----------|--------------------|------|------------|



GENESIS

GENESIS SCOTTISH OPEN

A RISP SPONSOR

LEGEND

- | | | | |
|-------------------------------------|-----------------------------------|---|-----------------------|
| 1 VOLUNTEERS HQ | 6 OFFICIAL MERCHANDISE | 18 TOURNAMENT OFFICE | BAR |
| 2 CHAMPIONSHIP BAR & FOOD COURT | 7 GENESIS MOBILE LOUNGE | 19 RECORDING & INTERVIEW AREA | BS BIG SCREEN |
| 3 LONG PUTT CHALLENGE | 8 SHORT GAME AREA | 20 RENAISSANCE CLUB MEMBERS | BT BUS TERMINAL |
| 4 GENESIS SCOTTISH OPEN ACTIVATIONS | 9 SIGNPOST SIGN SCREENING | 21 GENESIS OFFICE | CP CAR PARK |
| 5 KIDS ZONE | 10 GENESIS TEST DRIVE | 22 DP WORLD TOUR OFFICE / PGA TOUR OFFICE | CP CROSSING POINT |
| | 11 PRACTICE RANGE | 23 MEDIA CENTRE | AV ACCESSIBLE VIEWING |
| | 12 PLAYERS & CADDIES CAFE | 24 GA PLUS ACCESS | GS GRANDSTAND |
| | 13 VIEWING PLATFORM | 25 6TH HOLE CATERING | I INFORMATION |
| | 14 PUTTING GREEN | 26 PARTNERS PAVILION | LB LEADERBOARD |
| | 15 CHAMPIONSHIP OFFICE | 27 GENESIS LOUNGE | TV TV COMPOUND |
| | 16 PLAYERS GYM | 28 GREEN ON 18 | W WATER STATION |
| | 17 CADDIES / MEDIA / STAFF DINING | A CLUBHOUSE LAWN | WELCOME TENT |
| | | B 13TH SIGNATURE HOLE | |
| | | C 14TH HOLE VIEWING | |
| | | CC ACCREDITATION CHECKPOINT | |
| | | NO ENTRY | |

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 25 April 2023 14:51
To: Licensing
Subject: ref 324/23
Attachments: HERKES_ GILLIAN_QXM04806_FIREBIRD_2821_001.PDF

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npo

EAST LOTHIAN COUNCIL

LICENSING STANDARDS

From: Karen Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 12th May 2023

Subject: LICENSING SCOTLAND ACT 2005
REPORT - OCCASIONAL LICENCE APPLICATION OCC323/23
Scott Dodds, The Scottish Open, On course public bars, Renaissance Golf Course,
Cowden Hill Drive, North Berwick, East Lothian, EH39 5HS.

I have not spoken with the applicant for this occasional licence. A phone call was made and answer machine message was left.

The applicant is Scott Dodds who is a personal licence holder. Application has been made for an occasional licence for the on course public bars at the Scottish Open, Renaissance Golf Course, East Lothian.

Six public bars are proposed to be situated in various locations around the course as detailed on the plan submitted. The applicant has proposed that the full area is to be licensed to allow consumption of alcohol throughout the course. It is anticipated by the applicant that 60,000 people will visit the event over the whole week with an estimated 15,000 spectators a day.

SIA stewards will be provided by the European Tour across the course and in the public village area. No glass will be used and all drinks will be decanted into plastic receptacles.

The duration of the licence requested is 12th July 2023 – 16th July 2023. The requested hours are 1000-2100 for on and off sales of alcohol. No off sales hours have been requested.

I refer the board to section 17.1 and 17.4 of the East Lothian Licensing Board's Statement of Licensing Policy:-

17.1 For applications relating to premises licences and occasional licences, the Board's general policy on the licensed hours for the sale of alcohol for consumption on the premises is: -

11.00 am to 11.00 pm Monday to Wednesday (inclusive)

11.00 am to 1.00 am Thursday to Saturday (inclusive)

11.00 am to 12.00 midnight on Sunday

17.4 Should an application be received in respect of opening earlier than 11am, the Board will expect the applicant to justify their request and demonstrate measures that promote the five licensing objectives.

Suitable measures have been provided by the applicant and event organisers in relation to the five licensing objectives which can be seen in the application submitted.

The application details that all managers will hold a personal licence. The Licensing Standards Officer Supports the measures to be implemented.

Following a visit to the event in 2022, by the LSO and police some issues were found in relation to lack of signage at all bars, poorly trained staff and members of the public stepping in to assist bar staff to change barrels at a bar. Signage was given to all bars when visited with a request to display it. It was a condition of the occasional licence for the event last year that the following signage was displayed:

Appropriate signage must be clearly displayed within the bar area, relative to age restrictions and the relevant conditions of the licence. Signage should clearly identify

- a) No under 18's served alcohol
- b) Challenge 25 policy must be used.
- c) The specific opening and closing times of the bar
- d) Responsible drinking message
- e) No smoking signs

In light of this I would like the applicant to improve on these areas.

I would also like to recommend the following condition:

- There should be a personal licence holder allocated to each of the six bar areas at all times and all staff involved in the sale and/or supply of alcohol should have received the two hours mandatory training, as required under the legislation.

In line with board policy above, I refer the application to the Licensing Board for determination if reasons detailed by the applicant are sufficient to justify their request for on sales before 11am (10am) and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licence.

K. Harling
Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 02 May 2023 15:24
To: Herkes, Gillian
Cc: Licensing
Subject: RE: Attached Image OCC324/23

Hello,

Please note I have no comments or objections in relation to the occasional license for the Scottish Open.

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

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 25 April 2023 10:00
To: Lothian Scot Borders Licensing East Mid Lothian <LothianScotBordersLicensingEastMid@Scotland.police.uk>;
Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Events <events@eastlothian.gov.uk>; Environment
Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards
<ehts@eastlothian.gov.uk>
Subject: FW: Attached Image OCC324/23

Hi

Please find attached Occasional Licence application for On course bars at Scottish Open, Renaissance Golf Club,
Dirleton, North Berwick for report.

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk



From: Jill Dunn <jill@macdonaldlicensing.com>
Sent: 09 June 2023 10:32
To: 'kharling1@eastlothian.gov.uk'
Subject: Occasional Licence for Scottish Open
Attachments: A2 Compliance Sign (2).pdf; Hickory RHS Signs - Section 110.pdf; Site plan Scottish Open - Hickory Bars.pdf

Morning Karen

I have been asked by Hickory Foods, who are operating the bars at this event, and the named Applicant, Scott Dodds, to provide you with a response to your representation regarding this Application, which is due to be considered by the Licensing Board at their Meeting on 22nd June.

Whilst accepting that precedent is not particularly relevant, our clients have operated the bars at this event in 2019, 2021 and 2022 without serious issues. They are experienced operators of events of this type, but I note that you have some concerns, and of course there is the matter of the hour of 10am to 11am being outwith policy.

If I could address the areas of concern that you have raised first:-

- **Signage** – Your comments on this are noted, and attached are the Notices that will be used, to cover the five requirements. I have utilised the Section 110 Notice which I assume satisfies the requirements under (a). These will be placed at each bar, where customers can see them, and at least one spare set will also be behind each bar, in case any should be damaged, removed, or fall down. Our clients apologise for any shortcomings in this respect last year.
- **Staff Training** – I note your concerns regarding Staff Training last year. There are some mitigating factors, if I can explain. Last year was very difficult for recruiting staff, and there was generally a lack of hospitality staff all over Scotland. Our clients therefore had to employ agency staff, which they prefer not to do normally. This year they are hopeful that it will be completely their own staff. The problem with using agency staff is that whilst they have received the mandatory training, it is generalised, as opposed to being specifically aimed at this type of event. Because of the nature of our client's business, their staff are trained in that way and, if by any chance, agency staff are required this year, which as I have said will hopefully not be necessary, then notwithstanding that they have received the two hours training, there will be specific training given by our clients prior to the event starting explaining the issues that may come up in an event of this type. The first training event that our clients are holding, for this event, is next week and therefore will have taken place prior to the Board Meeting.
- **Member of the public helping out** – Our clients were puzzled about this comment, but having racked their brains there may have been an incident where someone known to them, who is actually from a microbrewery voluntarily and with no request by our clients, have assisted at one of the bars, which they think would be the small bar at hole 17. All other seller units are fenced in/ secure areas. Our clients have indicated that they will liaise with European Tour to ensure the small back of house marquee at hole 17 is fenced/ secured in a more satisfactory fashion so that this cannot happen. They will also make sure that there is always someone at each bar that can change kegs!
- **Personal Licences** – Noting your comments regarding this. I have attached a plan showing the location of the bars. There are actually five rather than six this year as you will see. There were six in previous years. Two of them are close together and we had hoped that one Personal Licence Holder could cover that. They share a back of house area (being separated by a marquee and some toilets). For the bar at the fourteenth hole there would be a Personal Licence Holder. The bar at the seventeenth is a very small bar and we would request that it be covered by the Site Manager, who is a Personal Licence Holder, but will not be in the bar continuously due to its small size. All management and bar areas have radios for communication anyway.

The other issue of course is the early morning hour. I would suggest that this is a special case, as presumably was accepted in previous years. The event starts at 7am and what normally happens is that many of the spectators will have a drink and then find or follow their favourite players around the course. Obviously the better/ well known players tee off later and therefore it provides an opportunity to have a quick drink before setting off with them. Following them around the course there is not another bar until the fourteenth hole. It is not a case of people then remaining within the bar and having an extra hour drinking.

Courses like Muirfield have enjoyed these hours before and it does seem to be the traditional time for major golfing events to open their bars for the sale of alcohol. The operation of this without problems in previous years would indicate that none of the Licensing Objectives will be infringed. In their Application our clients submitted a Supporting Statement

covering the Licensing Objectives but if there are any particular issues under any of the Objectives that you have concerns about please let me know.

Kind regards

Yours sincerely

Alistair Macdonald
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC388451)
21a Rutland Square
Edinburgh
EH1 2BB

Tel: 0131 229 6181
Fax: 0131 221 1282
www.macdonaldlicensing.com

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OCCEXT011/23.
PC, LSO

EAST LoTHIAN LICENSING BOARD

+ OCCEXT012/23

Licensing (Scotland) Act 2005

4

Application for Extension of Licensed Hours

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. Application must be lodged 14 days prior to the event.

You may wish to keep a copy of the completed form for your records.

| 1. LICENCE DETAILS (see note 1) | |
|--|---------------------------|
| Premises licence number | EL0368 |
| Premises name and full postal address (including post code, which this application refers to) | Eskmills Venue |
| | Station Road, Musselburgh |
| | East Lothian |
| | EH21 7PQ |

| 2. APPLICANTS DETAILS | |
|--|---------------------------|
| Name of individual | Scott Alan Campbell Dodds |
| Company/Partnership | Eskmills Venue (Hickory) |
| TELEPHONE NUMBERS | |
| Daytime | |
| Evening | |
| Mobile | |
| FAX NUMBER | n/a |
| EMAIL ADDRESS (if you would prefer us to correspond you by e-mail) – | |

| 5. PROVIDE EXTENDED HOURS APPLIED FOR (see notes 2 and 3) | | |
|---|-------------------|---------------|
| Day | Commencement Time | Terminal Hour |
| Monday | | 01:00 |
| Tuesday | | |
| Wednesday | | |
| Thursday | | |
| Friday | | |
| Saturday | | |
| Sunday | 24.00 | |

4. DURATION OF LICENCE

From: 08.10.23
To: 09.10.23

3. THE EVENT OR OCCASION

Specify the type of event or occasion to be catered for on the premises and the organiser

Wedding – ceremony, drinks reception, meal, reception party with entertainment – approx. 140 guests

7. CHECKLIST (Please tick yes/no)

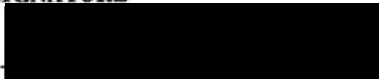
| | |
|---|----|
| <input type="checkbox"/> I have Made or enclosed payment of the fee for the application | NO |
|---|----|

8. SIGNATURE AND DECLARATION BY APPLICANT (see note 4)

DECLARATION

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

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

| | |
|--|------------------|
| SIGNATURE  | DATE 04/05/23 |
|--|------------------|

NOTES

- Section 68 of the Licensing (Scotland) Act 2005 provides that the holder of a premises licence is eligible to apply for an extension of licensed hours in connection with:-
 - a special event or occasion to be catered for on the premises, or
 - a special event of local or national significance.
- This application must be lodged at least 28 working days before the event. This excludes the day of the event and the day of lodging. Delivering on a Saturday, Sunday, after 5pm or on public holidays is not lodging.
- The extension of licensed hours may be for such period as is specified in the application or such other period as the Board considers appropriated, but it must not exceed one month.
- Data Protection Act 1998
 - The information on this form may be held on an electronic register which may be available to members of the public on request
- 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>)

6. East Lothian Licensing Board may extend the licensed hours as per Section 68 of the Act. It should be noted that, as per the Statement of Licensing Policy 2018 -2023, the following considerations will be applied to each application:

Each extended hours' application will be assessed on its own merits. When the extended hours sought, in respect of on sales premises, fall outwith the on sales policy hours as appropriate to the premises, the applicant will require to demonstrate to the Board that there are good reasons for the hours sought and that the hours are appropriate in the circumstances.

The Board will not grant an extended hours application where the applicant fails to satisfy the Board that a genuine special event is taking place and the application merely relates to extra drinking time. Where the applicant is seeking extended hours they must clearly demonstrate to the Board in their application the nature of the special event taking place.

The Board considers that this approach is consistent with the objective of protecting and improving public health.

The applicant will require to provide the Board with sufficient information to enable a decision to be made. This information will include: -

- the hours sought
- a detailed description of the special event or occasion
- the proposed activities to take place during these hours
- when each activity will take place
- why the event or occasion is considered to be special
- why the event or occasion cannot take place within the on sales policy hours appropriate to the premises.

The Board will not normally grant applications for early drinking prior to travelling to sporting events.

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 17 May 2023 09:23
To: Licensing
Subject: OCCEXTT011.23 - EXT HOURS APP - ESKMILLS WEDDING - FROM 0000 TO 0100 ON 09/10/2023
Attachments: OCCEXT011.23.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 - 724041

Regards
Iain

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Karen Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 26th May 2023

Subject: LICENSING SCOTLAND ACT 2005
REPORT – EXTENDED HOURS APPLICATIONS EXTOCC011/23 &
EXTOCC012/23
Scott Dodds for EL0368 - Eskmills Venue (Event Space), Station Road,
Musselburgh, East Lothian, EH21 7PQ

The applicant is Scott Dodds who a personal licence holder and the premises manager for Event Space (Eskmills Venue). Application for extended hours as per the Licensing Scotland Act 2005 should be made by the premises licence holder and not the premises manager. A letter of authorisation has previously been submitted by the premises licence holder to authorise Mr Dodds to act on their behalf for these applications (see below). I would however, recommend that the premises licence holder represents themselves in response to this report rather than delegating authority to Mr Dodds.

Application has been made for 2 extended hours licences for the premises as follows:

- 1) Sunday 8th October – Monday 9th October 2023 from 0000-0100am
- 2) Sunday 15th October - Monday 16th October 2023 from 0000-0100am

The requested hours are for two weddings which include the ceremony, drinks reception, meal and reception party for approximately 140 guest on 8th October and 125 guests on 15th October.

In relation to the two applications I refer the board to the Statement of Licensing Policy section 18.2 below:

18.2 *Each extended hours' application will be assessed on its own merits. When the extended hours sought, in respect of on sales premises, fall outwith the on sales policy hours as appropriate to the premises, the applicant will require to demonstrate to the Board that there are good reasons for the hours sought and that the hours are appropriate in the circumstances.*

The Board will not grant an extended hours application where the applicant fails to satisfy the Board that a genuine special event is taking place and the application merely relates to extra drinking time. Where the applicant is seeking extended hours they must clearly demonstrate to the Board in their application the nature of the special event taking place.

The Board considers that this approach is consistent with the objective of protecting and improving public health.

The applicant will require to provide the Board with sufficient information to enable a decision to be made. This information will include: -

- ✦ the hours sought*
- ✦ a description of the special event or occasion*
- ✦ the proposed activities to take place during these hours*
- ✦ when each activity will take place*
- ✦ why the event or occasion is considered to be special*
- ✦ why the event or occasion cannot take place within the on sales policy hours appropriate to the premises.*

In reference to the policy above I make the following comments:

- There is no dispute that a wedding is a special event for the couple, their families and friends involved. However, I recommend the Board considers if these events are special events for the premises to hold as the premises provides facilities for weddings every week and that weddings and functions are part of their business model.
- This also raises the question why the event or occasion cannot take place within the on sales policy hours appropriate to the premises? The premises takes full advantage of the maximum board hours as detailed in the statement of licensing policy below:
 - 11.00 am to 11.00 pm Monday to Wednesday (inclusive)
 - 11.00 am to 1.00 am Thursday to Saturday (inclusive)
 - 11.00 am to 12.00 midnight on Sunday

I recommend the board considers if the hours sought by way of the extended hours applications of 0000-0100am Sunday into Monday on both dates could be

achieved by having the event on a day where the hours are already permissible and appropriate to the premises such as Thursday to Saturday.

- As stated above the Board will not grant an extended hours application where “the application merely relates to extra drinking time”. The refusal of this application will not affect the event nor prevent it from happening. It is my recommendation that the extra hour applied for relates to extra drinking time at the end of the events and not to any significant part of the wedding ceremony or celebrations.

Prior to this application 4 applications for extended hours have been granted since Jan 2023 as follows:

| Date from | Date to | Extended times |
|------------|------------|----------------------------|
| 06/08/2023 | 07/08/2023 | 0000-0100 Sunday – Monday |
| 15/05/2023 | 16/05/2023 | 1100-0000 Monday - Tuesday |
| 12/04/2023 | 12/04/2023 | 2300-0000 Wednesday |
| 28/05/2023 | 29/05/2023 | 0000-0100 Sunday - Monday |

In 2022, 6 applications for extended hours were granted and in 2021, 9 applications for extended hours were granted. All were for weddings with the exception of 2 occasions for a Boxing event and the Riding of the Marches Annual Dance and Presentation.

I recommend the Board consider if the premises would like to continue with these operations that a major variation application would be more appropriate to change the on sales hours rather than repeat extended hours applications that once granted cannot be altered or revoked. The major variation could be assessed by the board for determination.

I refer the above applications to the Licensing Board for consideration along with my report for determination.

K. Harling
Licensing Standards Officer