



EAST LoTHIAN LICENSING BOARD

2

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

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

SECTION 1: TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary-
(Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0227

2(b) Name and Address of Premises

East Lothian Yacht Club
36-40 Victoria Road
North Berwick
East Lothian

Post Code

EH39 4JL

Phone No.

01620 892698

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

East Lothian Yacht Club 36-40 Victoria Road North Berwick East Lothian			
Post Code	EH39 4JL	Phone No.	01620 892698
Email address	secretary@elyc.org.uk		

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

none

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)

<p><u>Question 4</u> Remove Seasonal Variations – applicant no longer intends to operate according to seasonal demand</p> <p><u>Question 5</u></p> <ul style="list-style-type: none">• (c) Permit Televised Sport to be provided within and outwith core licensed hours <i>see PREMISES</i>• Generally amend the Further Details of Activities (in addition to supply of alcohol)• Delete the General Statement <p><u>Question 6</u> Amend to simplify the statements of the terms of entry, ages, times and parts of the premises for Children and Young Persons</p> <p><u>Question 7</u> Upper Ground Floor capacity reduced from 100 to 80 - MAKING TOTAL 240 PERSONS</p>

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

A copy of the proposed Layout Plan **must** accompany this application. (See Note 2)

In addition please provide details below of the proposed change to the layout of the Premises.

No changes

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

Provide details below of any other variation sought to the Premises Licence

(e.g. Alteration to the description of the premises contained within the Premises Licence)

none

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 is enclosed.

Signature



Secretary

..... (See note 5 below)

Sharon Gibbons

Date 22 May 2023

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

**If agent, please provide name, address,
phone number and email address**

.....

.....

.....

Note 1:

Please note that the proposed Operating Plan must contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:

Data Protection Act 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.

**East Lothian Yacht Club
36-40 Victoria Road
North Berwick
East Lothian
EH39 4JL**

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/NO*</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>YES/NO*</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES/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>	12 noon	23:00
<i>Tuesday</i>	12 noon	23:00
<i>Wednesday</i>	12 noon	23:00
<i>Thursday</i>	12 noon	23:00
<i>Friday</i>	12 noon	12 midnight
<i>Saturday</i>	12 noon	12 midnight
<i>Sunday</i>	12 noon	23:00

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
<i>Accommodation</i>	No	No	No
<i>Conference facilities</i>	Yes	Yes	Yes
<i>Restaurant facilities</i>	Yes	Yes	Yes
<i>Bar meals</i>	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
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	Yes	Yes	Yes
<i>Club or other group</i> <i>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</i> 5(g)	Yes	Yes	No
<i>Live performances –</i> see 5(g)	Yes	Yes	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	Yes	Yes	Yes
<i>Televised sport</i>	Yes	Yes	Yes
5(d)	Please confirm	To be provided during core licensed	Where activities are also to be provided

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

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

5(a) Conferences – the premises are hired out for small-scale conferences/ training sessions. No alcohol is sold or consumed in any part of the premises during these times.
Times: 09:00 - 12 noon

5(a) Restaurant facilities – the Sail Loft Café on the First Floor is open for members and visitors providing a range of hot and cold snacks, bacon rolls, teas, coffees and soft drinks and meals as well as catering for social functions. No alcohol is sold on the First Floor.
Times: 08:00 - 12 noon

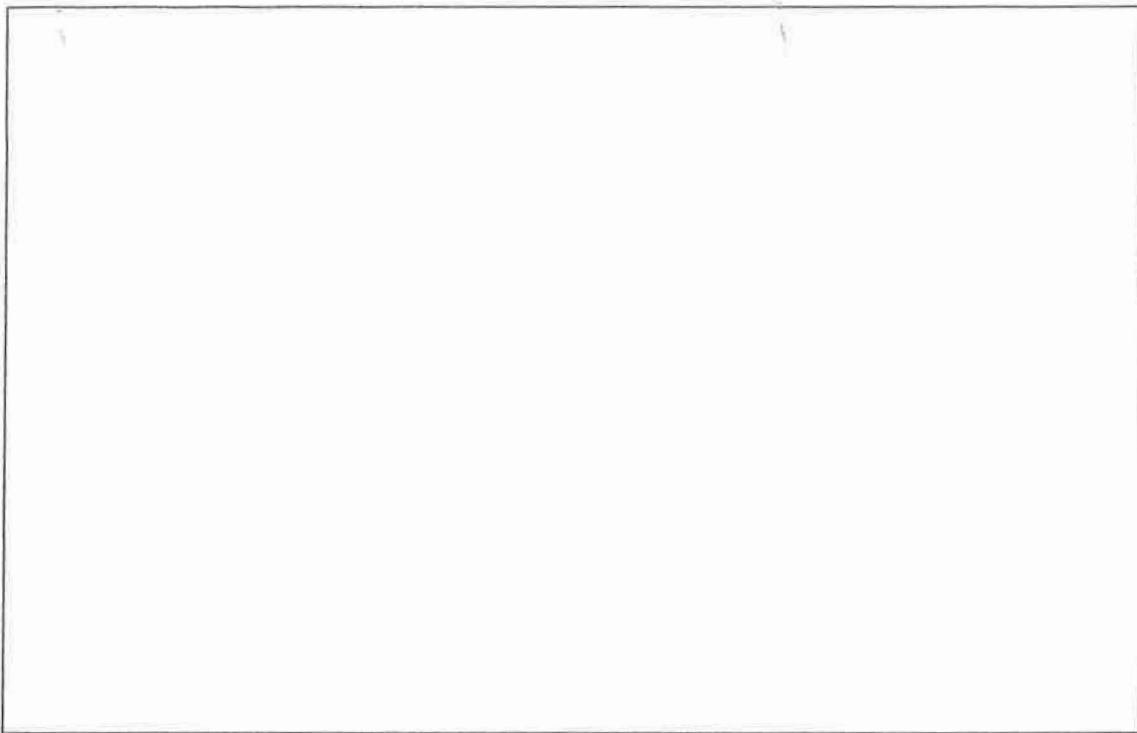
5(b) Receptions and Club meetings – the Club occasionally hosts receptions for external organisations and occasional events such as members’ birthday parties and weddings are held on the premises. Formal Committee meetings and AGMs, etc as well as informal meetings of groups (such as the Sail Training Instructors or the training of members for Bar service) are held within the Club.
Times: 09:00 - 12 noon

5(c) Indoor/Outdoor Activities – the Club’s main activity is the provision of outdoor sailing activities but instruction in sailing/racing theory is provided from time to time in the premises. The Club may consider hiring the premises for external small-scale activities such as yoga/fitness classes.
Times: 09:00 - 12 noon

5(c) Televised Sport
Times: 09:00 - 12 noon

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.



5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

The core purpose of the Club is to promote participation in the sport of sailing by all age groups. The Club devotes considerable financial and personnel resources to encouraging children and young persons to do so. It strives to provide a safe and friendly environment as part of which the premises are designed to be open and welcoming.

As part of this

- (a) the Club operates a robust Safeguarding Policy and Procedures in accordance with guidance from the Royal Yachting Association (Scotland) (RYA). All Club members working or volunteering in capacities defined as Regulated Work must hold PVG Membership with Disclosure Scotland which has been applied for/updated specifically by the Club.
- (b) Employees are required to undergo formal Safeguarding training through the RYA which is refreshed annually by the Club's Child Protection Officer (CPO).
- (c) Club members supporting events targeted at under 18s are required to complete our Volunteer Agreement, which requires them to read, understand and comply with our Safeguarding Policy and Procedures.
- (d) The CPO sits on the Management Committee of the Club and regularly advises the committee about the club's safeguarding responsibilities towards under-18 members and visitors.

Children and young persons who are members of the Club under the Cadet category are entitled to entry to the premises and are bound by the Rules of the Club.

Children under 11 who are members by reason of the Family Membership category must be accompanied by and remain under the supervision of a responsible person at all times while in the premises.

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

Children and young persons up to and including 17 years of age are permitted entry to the premises.

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

Bar on the Upper Ground Floor

Children and young persons are allowed entry to the Bar area

- (a) during the Core Times set out in Question 2 but only when at least one responsible adult - a Committee member or other member including bar-trained members or other authorised person -

is present. When no responsible adult is present, the door to the Bar area is always kept locked.

(b) outwith the Core Times (eg for a morning session of teaching in sailing/racing theory and tactics) but there will always be at least one responsible person present.

Lower Ground Floor and First Floor

During the times set out in Columns 3 and 4 under Question 5, children and young persons are permitted access to the Lower Ground Floor (Changing Rooms, Toilets and Disabled/Baby-changing facilities) and to the First Floor (Sail Loft Café).

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

Children and young persons have access to all three floors of the premises and a Notice to that effect is located at the entrance to the premises.

Lower Ground Floor

Access to the changing rooms, toilets and disabled toilet/baby-changing facility. A security gate prevents access to the stairs to the Upper Ground Floor and First Floor unless responsible persons such as Committee and other adult members, or other authorised persons are present.

Upper Ground Floor

Access to the Bar area subject to the Terms and Times previously stated.

First Floor

The Sail Loft Café facilities are open to children and young persons subject to the Terms and Times previously stated.

Question 7

CAPACITY OF PREMISES

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

Lower Ground (Changing Rooms and Toilets) - 100 persons

Upper Ground (Bar) – 80 persons

First Floor (Sail Loft Café) – 60 persons

Question 8

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

Personal details

8(a) *Name*

N/A – Members' Club

8(b) *Date of birth*

8(c) *Contact address*

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>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature  * (see note below)

Date 22 May 2023 STEWART GIBBONS

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

Telephone number and email address of signatory 01620 892679 secretary@elvc.org.uk

*** Data Protection Act 2018**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

Supplementary Application Information

This information is required in relation to all Premises Licence/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

Business Profile

The Club's primary activities comprise:

- promoting community participation in healthy recreation by providing facilities for sailing
- providing training in the sport of sailing and related activities, for all ages and in particular for young sailors.
- promoting and facilitate sailing competition at all levels.
- providing and maintain facilities including a suitable clubhouse, for the use of sailors and others.
- promoting good relations with other organizations engaged in sailing related activities in general and in the North Berwick harbour area.
- providing social and other facilities for members as from time to time may be determined.

On/Off Consumption

(a) Please describe the type of business you intend to operate in respect of On consumption.

a) The on-sale of alcohol is ancillary to the primary activity of the Club and enables members of all ages to socialize in a safe and controlled space. It is not the major source of income for the Club but operates at a profit as sales are delivered by bar-trained adult members as volunteers.

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

b) The Club does not provide any off-sales.

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 – NO

Conference Facilities – The premises are used by members for RYA Training and Competency Courses such as Short Range Radio Certificate, PowerBoat Use and First Aid. The premises are also hired occasionally by external organisations for conference/staff training events. Examples include the Scottish Seabird Centre and the North Berwick Harbour Trust Association.

Restaurant Facilities – The Sail Loft Café on the First Floor is currently operated by a third party under an agreement with the Club. (This arrangement may be undertaken in the future by Club members.) It provides hot and cold snacks, teas, coffees and soft drinks. The Café is open for visitors during Core times and outwith core times on Saturdays and Sundays. It also provides meals for competitors attending weekend and whole-week regattas and for Club social events such as Burns' Nights, Christmas Carol Evenings, etc. No alcohol is sold at any time in the Café.

The operation of the foregoing facilities provide a welcoming space for members, visitors and regatta competitors as well as local organisations, and are ancillary to the primary activity of the Club.

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:

Members are able to hire the premises for private functions such as weddings and birthday parties. On average, two such functions will occur every year.

Both the Bar and the Café would be in use. One or more trained members will be on duty behind the Bar to serve alcohol in the event of it not being provided free by the family.

Entertainment: –

Dance Facilities; Theatre; Films; Gaming - NO

Recorded Music – this is played only when the Bar is in use during the Core Times; current PRS and PPL are available.

Live Performances – these are not regular or frequent. Occasional singing and instrumental performances occur at events such as Burns' Nights, Christmas Carol Evenings, etc.

Indoor/outdoor sports - the primary activity is sailing which takes place off-shore. There are no indoor sports

Televised Sport – this would be in use particularly for International Sailing, Rugby, Football and Cricket matches.

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: NO

Adult Entertainment – NO

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:

As sailing is weather dependent, the range and scale of use of the Club premises can vary from week to week although the Club now has developed a regular programme of winter sailing.

Any Other Activities - In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events: NONE

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

Club membership includes persons of all ages from 11 years upwards. Children under 11 may be members by reason of Family Membership but require to be accompanied by and supervised by a responsible person.

- Level access is available for disabled and less-abled persons to the Lower and Upper Ground Floors.
- The Lower Ground Floor contains the male and female toilets as well as the combined disabled toilet and baby-changing facility.
- The Bar on the Upper Ground Floor has no bar stools but coffee-tables and a mix of conservatory-style chairs, armchairs and sofas.
- Persons of all ages are able to use the Sail Loft on the First Floor (whether or not the Café is operating) and which has tables of dining and “coffee-table” height and appropriate dining chairs as well as armchair seating.
- There are no pool tables, dartboards or gaming machines anywhere in the premises.
- Baby and toddler changing facilities are available in the disabled toilet on the Lower Ground Floor.

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:

- The Club appoints (1) a Bar Convener who serves on the Management Committee and also appoints (2) a Cadet Captain and Vice-Captain who represent the children and young persons using the Club facilities and who are able to attend Committee meetings which assists with communication about and resolution of any behaviour issues which might arise.
- A Club member who has held a Personal Licence (EL020) since 2009 provides instruction and refresher training to members of the Club who have chosen to undertake Bar Duty as part of their contribution. The Training Record is retained at the Bar.
- Part of the training course covers conflict management.
- The Club operates the Challenge 25 Scheme and relevant Notices are in the entrance stairway and Bar area.
- A Sales Refusals Record is kept at the Bar.
- The Club does not have a large membership which makes it easier for members to know and recognise each other and assists in fostering a positive pride in Club identity.
- Family Membership encourages a positive atmosphere in and around the Club.
- Sailing Instructors undertake PVG Certification through Disclosure Scotland and other adult members who have occasional contact with under-18s are encouraged to join the RYA-backed voluntary scheme.

Securing Public Safety:

- An appropriate occupancy level for the three floors of the premises is in place and stated on the Operating Plan.
- An annual fire risk assessment is undertaken of the premises.
- The hours of operation reflect the varied use made of the Club throughout the year.
- While disabled access is available to the Lower and Upper Ground Floors, the structure and layout of the B-Listed premises prevents access to the First Floor.
- The Club is happy to accept the usual requirement to provide plastic glasses when the marquee is in use during regattas.
- Empty glass bottles and cans are taken to North Berwick Recycling Centre.
- The premises are regularly cleaned by a professional cleaner
- There are First Aid kits on every floor and an Accident Book is kept in the Café kitchen.

Preventing Public Nuisance:

- Club officials regularly advise close neighbours when regattas are going to occur and that there will be an increase in activity at the Club.
- A Notice warning those leaving the premises about noise, smoking and littering and requesting consideration of neighbours is located at the main entrance/exit of the premises.
- The Club does not intend to operate any outdoor drinking areas.
- When busy, the Bar staff advise customers that last orders are 30 minutes before the terminal hour.

- Recorded and live music are not permitted outside Core Times or any earlier time as may be directed by the terms of an Occasional Licence.
- There is limited off-street parking around the harbor area so many Club users will walk or cycle to and from the premises.

Protecting and Improving Public Health:

- Bar-trained members are aware of the dangers of over-consumption of alcohol including disorderly and aggressive conduct.
- On offer at the Bar are alcoholic drinks with a variety of strengths and measures as well as non- and low-alcohol beers, soft drinks, free tap water and reasonably-priced snacks.
- The Club supports the Minimum Pricing Policy and the ban on Irresponsible Drinks Promotions. Although lower than some commercial licensed premises in North Berwick, the prices are high enough to discourage purely “social” membership of the Club.
- All floors have the appropriate Fire Exit signage.

Protecting Children and Young Persons From Harm:

- Risk assessments are in place for all areas to which children and young persons have access.
- Electrical sockets on all Floors are protected by safety appliances.
- Sailing Instructors and other members specifically involved in delivering or supervising sailing instruction, training and practice to children and young persons are PVG-certificated by Disclosure Scotland.
- Club members supporting events targeted at under 18s are required to complete our Volunteer Agreement, which requires them to read, understand and comply with our Safeguarding Policy and Procedures.
- As previously identified, the Club ensures that all persons who serve at the Bar have had the required training specified in the 2005 Act including the need to ensure that children and young persons do not purchase or consume alcohol on the premises.
- Bar-trained members ensure that children do not approach within 1.5metres of the Bar counter.
- The Club operates the Challenge 25 Scheme and bar-trained members are reminded from time to time that photographic proof-of-age must be asked for in the event of any doubt.
- Section 110 and Challenge 25 Notices are displayed.
- Plastic glasses for children are available on request.
- Baby and Toddler changing facilities are provided as previously stated.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

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

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	 STEPHEN GIBSON	Date	22 May 2023
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DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES / NO*
1(b)	Do you have facilities for those with a disability	YES / NO*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES / NO*
*Delete as appropriate		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

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

The B-Listed premises date from 1802 and are built over 3 floors on a steeply sloping site with the rear facing onto the Anchor Green and the front facing onto Victoria Road and the harbour. The Lower Ground Floor containing the disabled toilet/baby-changing facility has level access from Victoria Road. The door of the facility is appropriately signed.

There is a steep flight of stairs leading to the Upper Ground Floor which contains the Bar room (entered by a lockable door) with a level landing leading to the fire escape door out on to the Anchor Green. This egress route also serves as the disabled access route from the Green to the Bar.

The two disabled access points are shown on the layout plan.

Internally, there is a further flight of stairs leading from the landing to the First Floor containing the Sail Loft Café. There is no disabled access to the First Floor.

Question 3

Facilities available

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

There is a disabled toilet on the Lower Ground Floor accessed from Victoria Road.

Level access suitable for wheelchair users to the Bar on the Upper Ground Floor is available from the Anchor Green.

Question 4

Other provisions

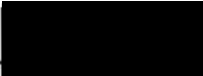
Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Assistance Dogs welcome signage has been installed.

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)

STEWART GIBBONS

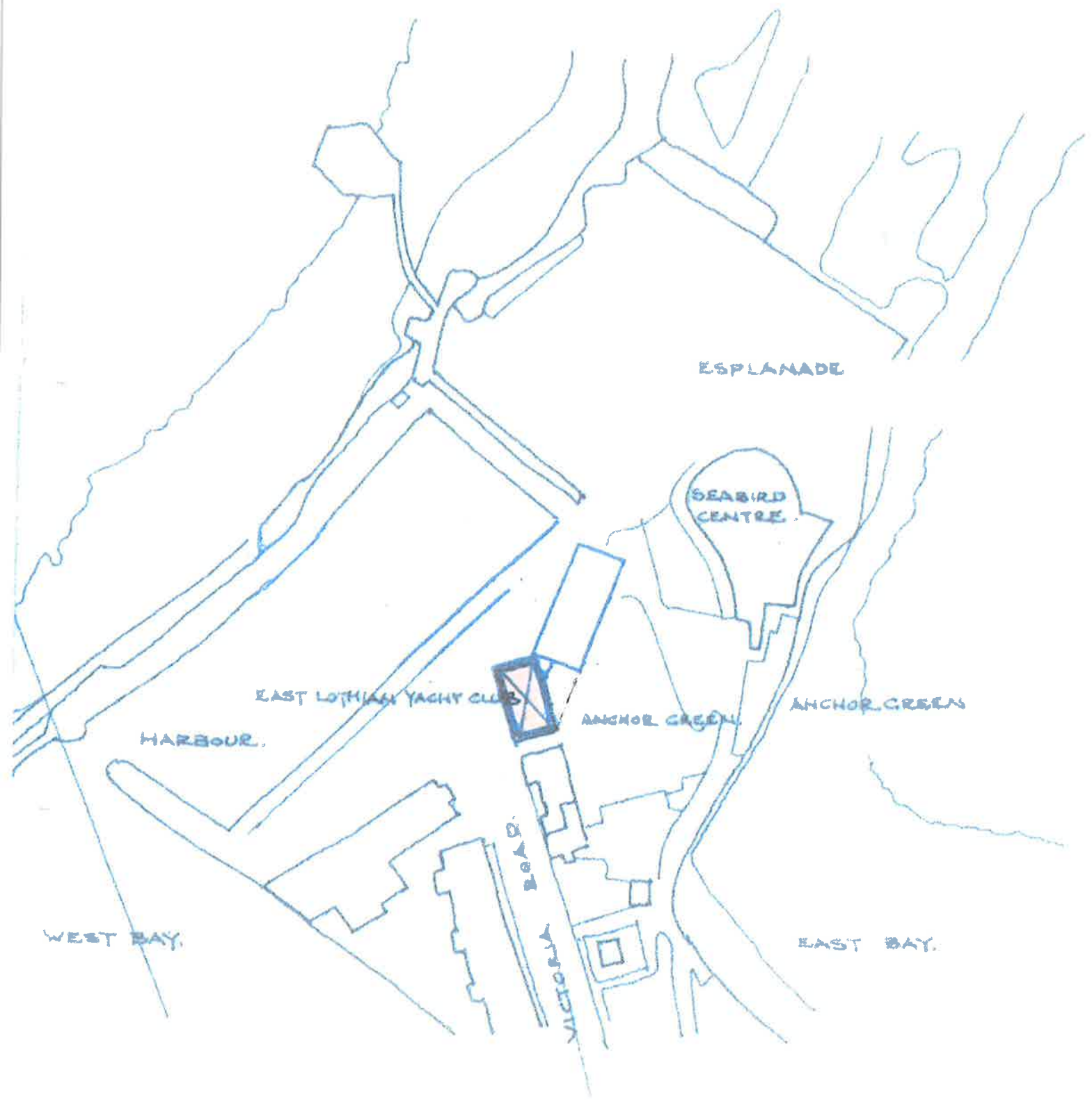
Date 22 May 2023

Capacity On behalf of Club: Secretary APPLICANT/AGENT

Telephone number and email address of signatory 01620 892679 secretary@elyc.org.uk

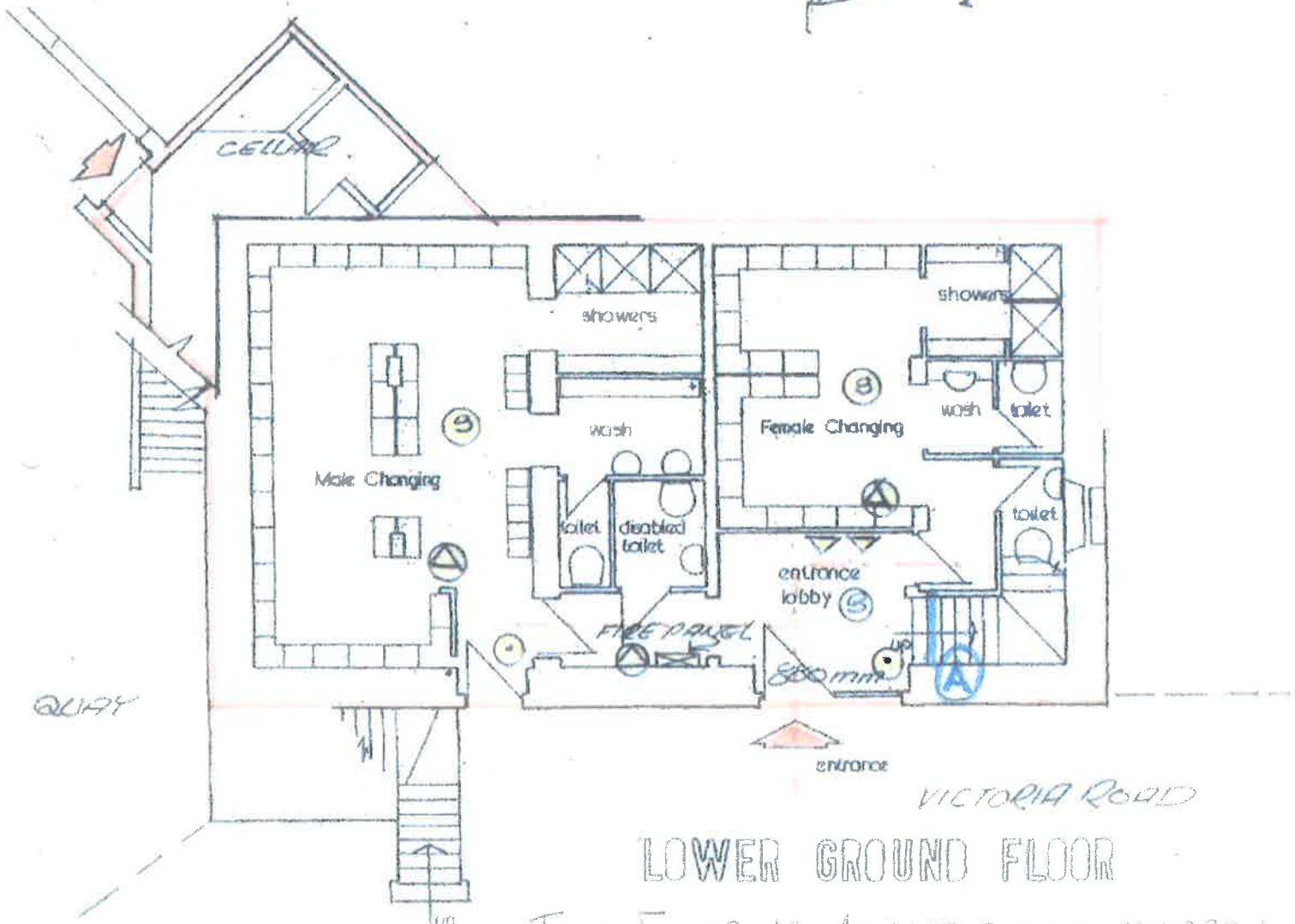
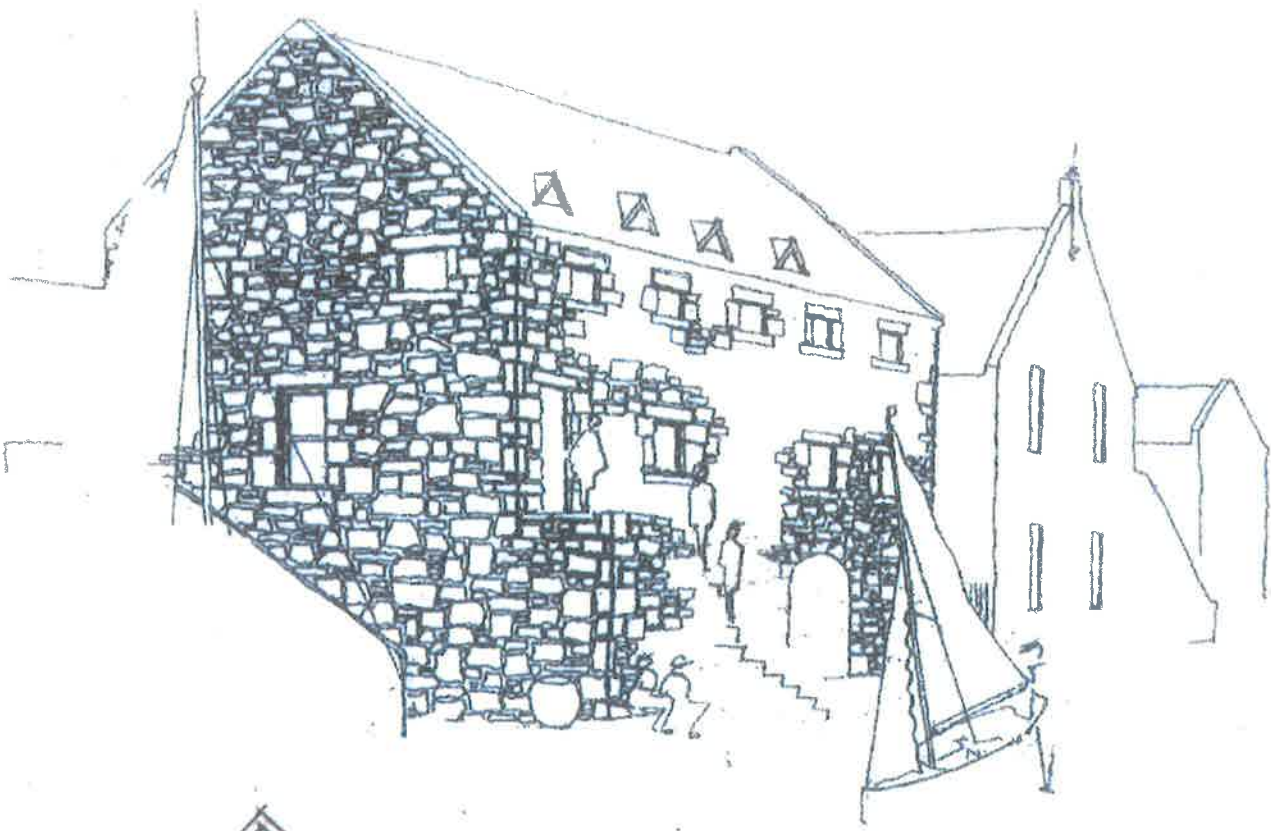
*** Data Protection Act 2018**

The information on this form may be held on an electronic public register which may be available to members of the public on request.”



site plan.

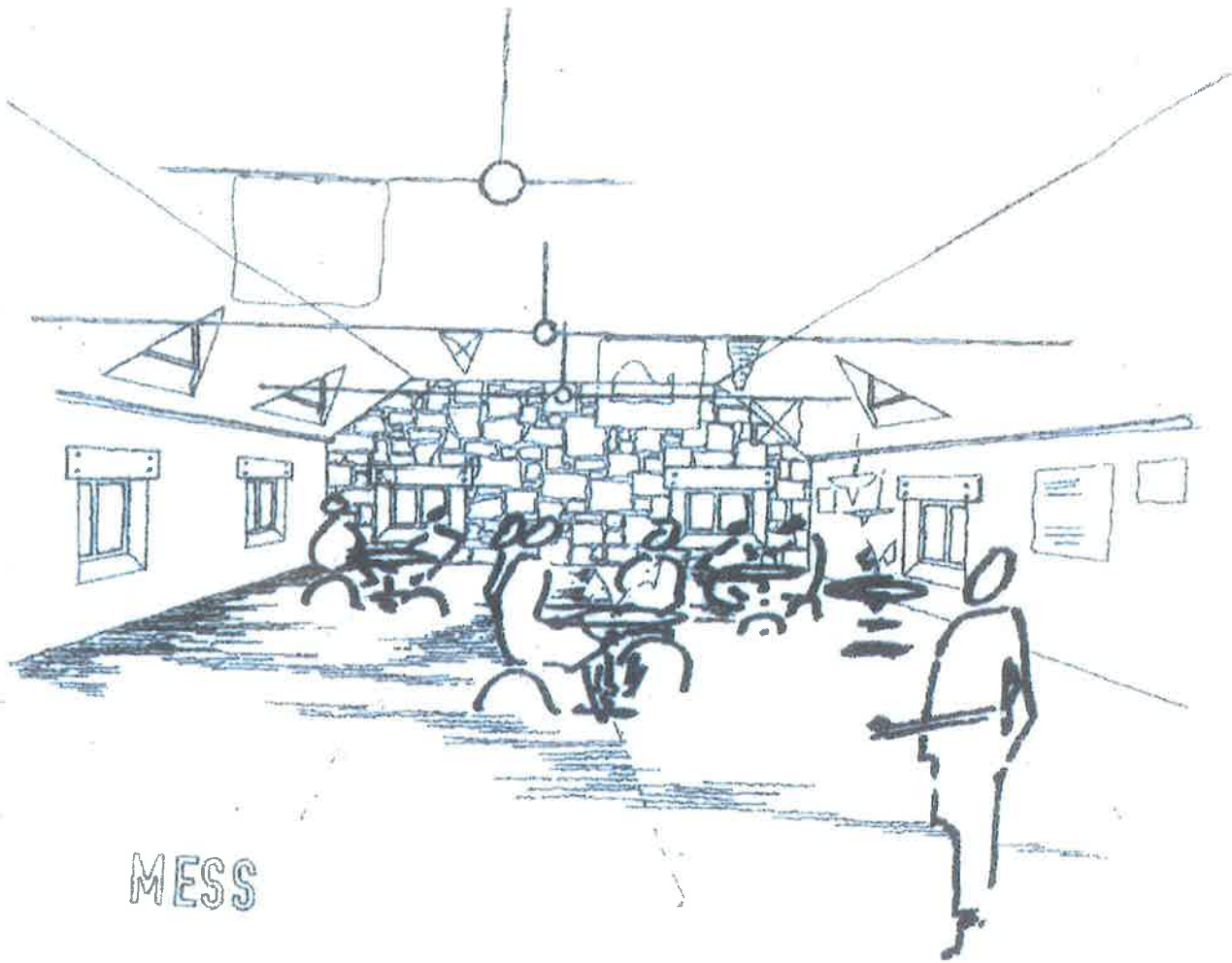
scale 1:1250.



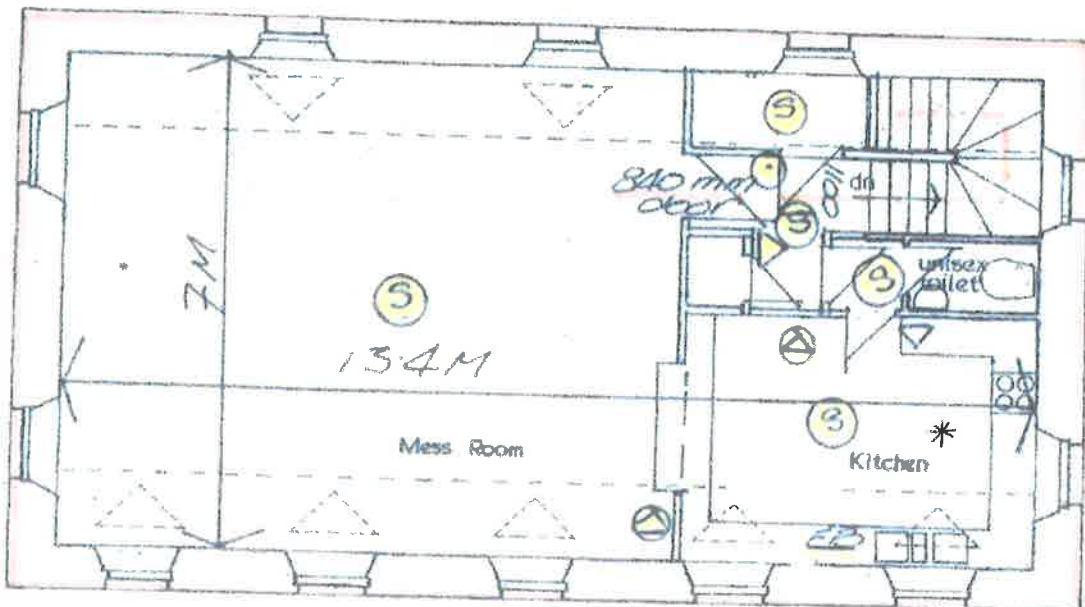
LOWER GROUND FLOOR

THIS FLOOR IS ACCESSIBLE TO CHILDREN AND YOUNG PERSONS

SCALE 1:100



MESS



* Alarm / strobe

FIRST FLOOR

THIS FLOOR IS ACCESSIBLE TO CHILDREN AND YOUNG PERSONS

* CHILDREN AND YOUNG PERSONS ARE EXCLUDED FROM THE KITCHEN

30/06/2023

Your Ref:

Our Ref: 737095

The Clerk of the Licensing
Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA



**POLICE
SCOTLAND**

Keeping people safe

Catriona Paton
Chief Superintendent

Licensing Department
Dalkeith Police Station
Newbattle Road
EH22 3AX

FOR THE ATTENTION OF EAST LOTHIAN LICENSING BOARD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
EAST LOTHIAN YACHT CLUB, 36-40 VICTORIA ROAD, NORTH BERWICK,
EAST LOTHIAN, EH39 4JL**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a variation to the operating plan (To include changing information contained within the operating plan) - All ancillary changes. In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



Catriona Paton
Divisional Commander

For enquiries please contact the Licensing Department.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Karen Harling

To: C. Grilli

Licensing Standards Officer

Clerk to the Licensing Board

Date: 17th July 2023

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

**EAST LoTHIAN YACHT CLUB, 26-40 VICTORIA ROAD, NORTH BERWICK,
EAST LoTHIAN, EH39 4JL**

I can confirm that I have spoken with David Robertson from the East Lothian Yacht Club committee in relation to this variation application. I have also conducted a visit at the premises where I met with Mr Robertson. The premises were found to be well run, fully compliant and no issues were found. The applicant is Stewart Gibbons, club secretary.

The premises is a club premises, used by members of East Lothian Yacht Club on a regular basis. It provides facilities for members including a bar area, changing facilities and a restaurant that provides teas, coffees, hot and cold snacks. No alcohol is served in the restaurant area, only the bar area.

The changes applied for are:

- Remove seasonal operation so the premises can operate all year
- Change the description of restaurant facilities outwith core hours for the restaurant to open at 0800am
- Change the description of reception and club meetings to include the hiring of the venue for external organisations
- Change the description of indoor/outdoor sports to add yoga/fitness activities to begin from 0900am
- Add televised sport within and outwith core hours
- Delete the general statement
- Changes to children and young persons section to simplify
- Change in capacity from 160 to 240 persons

In relation to the above I make the following recommendations and comments.

- 1) I have no objection in relation to the premises operating on an all year round basis
- 2) I have no objection to the change of description for restaurant facilities outwith core hours
- 3) I have no objection to the change of description for reception and club meetings outwith core hours, however I ask the applicant to be mindful that should alcohol be sold at any of these meeting to external persons/non-members then an occasional licence would be required.
- 4) I have no objection to the change of description for indoor/outdoor sports outwith core hours and the addition of fitness classes
- 5) I have no objection to the addition of televised sport within or outwith core hours
- 6) I am unclear as to what the request to delete the general statement is. If tis refers to the description of the premises this is required and cannot be removed.
- 7) I make the following comments and recommendations about the children and young person section. This is still complex and difficult to interpret.
 - a. I recommend Question 6a) be changed to – **Children and young persons who are members of the club are bound by the rules of the club. Children and young persons 11-17 years can enter the bar area and all other areas of the premises unaccompanied. Children 0-10 years must be accompanied in the bar area by a responsible adult at all times.**
 - b. I recommend Question 6c) be changed to – **0-17 years**
 - c. I recommend Questions 6d) be changed to - **0800 – end of core hours**
 - d. I recommend Question 6e) be changed to – **All public areas**

These changes make the licence easier to understand and clear. Much of the information submitted on the application can be held as club policy in a separate document for the committee and members to adhere to.

- 8) The change in capacity is an increase from the current licence of 160 persons to a total of 240 persons and this should be reviewed and considered by the Board

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

K. Harling
Licensing Standards Officer

EAST LOTHIAN COUNCIL

Internal Memorandum

From: Planning Delivery

To: Clerk to the Licensing Board

Per: Neil Millar

Per: Licensing Board

Cc:

Date: 30th June 2023

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: East Lothian Yacht Club, 36-40 Victoria Road, North Berwick

Application type: Variation other than a minor variation of premises licence

I have no objection to the variations applied for, and as detailed in the application forms, with regards to the above premise. Planning permission is not required for the sale of alcohol on the premises.