

Licensing

From: Grilli, Carlo
Sent: 13 September 2023 11:31
To: Bruce, Lachlan; Cassini, Cher; Dugdale, Fiona; Gilbert, Neil; McGuire, George; McMillan, John
Cc: Licensing
Subject: FW: Whitekirk Hill- conformation of provisional licence into premises license

Good Morning Members,

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We have received the below message in from Whitekirk Hill's Jim Wilkie.

You will note that he hopes to be in position to convert the provisional into a full premises license shortly although he is concerned that if this does not happen he may have issues with the Provisional as it expires days before the Board.

I am proposing that this matter is taken to the September Board although if building warrant comes in earlier it can be removed from agenda. In addition the current Provisional License actually expires a few days prior to the next board. In order to keep the license alive I am looking for the board to agree to extend the Provisional so that it would expire on 28th September allowing the board to then consider application to extend the provisional license.

I would be grateful if members would confirm they support the proposal to extend the Provisional Licence to the date of the next board.

Kind Regards

Carlo

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 12 September 2023 09:31
To: Grilli, Carlo <cgrilli@eastlothian.gov.uk>
Subject: FW: Whitekirk Hill- conformation of provisional licence into premises license

Hi Carlo

Needing a bit help with this. Are you willing to accept this letter

From: Jim Wilkie [REDACTED]
Sent: 11 September 2023 15:08
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Cc: Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Jenny Gasinska [REDACTED]; Andy Wilkie [REDACTED]
Subject: RE: Whitekirk Hill- conformation of provisional licence into premises license

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Gillian

I have been working away at this.

The good news is that we are now working positively with building control who are being very helpful.

It has been agreed that only one further piece of paper is required and then they will be in a position to issue a completion certificate and corresponding s50 certificate.

Hopefully this will be any day soon and as soon as it happens I can submit the application for confirmation.

We are paying the fee today (£1800 being £2000 less £200).

Although we hope that we are mere days away this cannot be guaranteed and it would be good to have a plan B.

Could this be a short extension to the provisional licence (if you think this is a route could you please pass this request to the clerk to the licensing board as mentioned in your e-mail).

Or could we have one more occasional license granted under delegated powers to take us beyond the licence board date and have our other occasional licence applications through to 27/11/2023 that have been submitted considered by the board at their meeting on 28th September ?- This would be our preference if doable?

Sorry to be such a pest and look forward to your advice.

Thanks

Jim

Jim Wilkie
Zest Capital Management
Whitekirk Mains Farm
Whitekirk
Dunbar
East Lothian
EH42 1XS

[REDACTED]

[REDACTED]

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>

Sent: Tuesday, August 29, 2023 3:47 PM

To: Jim Wilkie [REDACTED]

Cc: Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Jenny Gasinska [REDACTED]; Andy Wilkie [REDACTED]

Subject: RE: Whitekirk Hill- conformation of provisional licence into premises license

Hi Jim

Many thanks for your email. The link for payment is as follows:- [Pay for it | East Lothian Council](#). You are correct you deduct the £200 of the fee to be paid. You also have to fill in the Confirmation application and nominate a Designated Premises Manager (form attached).

The provisional premises licence expires on 25th September, 2023.

It is possible to request an extension to the provisional premises licence. To do this please submit a request by email to the Licensing Board. This request will then need to be heard by the Board for determination. Unfortunately, the next Board meeting is not until 28th September by which time the provisional licence will have expired. As such, your request would be submitted to the Clerk to the Licensing Board for consideration of how best to proceed.

At the moment the occasional licences are granted on delegated powers as there is a valid provisional licence. Should the provisional licence expire any occasional licence applications after this date cannot be granted on delegated powers and would need to be heard by the licensing board.

Kind regards

Gillian

Gillian Herkes
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Democratic & Licensing Services
John Muir House
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01620 820114
gherkes@eastlothian.gov.uk

Accredited
Paralegal
The Society of Scotland

From: Jim Wilkie [REDACTED]
Sent: 29 August 2023 09:37
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Cc: Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Jenny Gasinska [REDACTED]; Andy Wilkie <[REDACTED]>
Subject: RE: Whitekirk Hill- conformation of provisional licence into premises license

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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Gillian

I understand that you will likely deal with this matter.

I am pleased to say that we have made significant progress with Building Control with only two or three minor pieces of documentation being sought by us so I am hopeful we will get our completion certificate shortly and I also have an e-mail from building control saying that as soon as this happens they will be able to issue the s.50 certificate.

When these are to hand we will forward to you. I understand we also need to pay the appropriate fee.

Two questions on this:

1. How do we pay it online- can you give is a link ?
2. It appears that we will be in class 6 with a fee of £2000- is the fee we paid for the provisional licence deducted from that or do we pay the full £2k ?

I am not sure how long it takes for the process and if it needs approval at a license board ?

I am concerned that if there is any further (although now unexpected) delay with building control or the administrative process for confirmation takes us past 25th September when I think the provisional licence expires.


Can we get the provisional licence extended for a short period to cover this off – or would it be possible to continue to apply for fortnightly occasional licenses as we have been doing- I do not know if having the provisional license is crucial to getting the occasional licenses ?

Sorry about all the questions – hopefully a thing of the past when we get the confirmation process complete.

Thanks

Jim

Jim Wilkie
Zest Capital Management
Whitekirk Mains Farm
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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>

Sent: Thursday, August 24, 2023 9:39 AM

To: Jim Wilkie 

Subject: Automatic reply: Whitekirk Hill

I am out of the office until Tuesday 29 August 2023

My current working week is Tuesday to Friday. Any urgent enquires contact licensing@eastlothian.gov.uk or telephone 01620 827664. Please note my emails will not be read until my return.

