



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

**THURSDAY 28 SEPTEMBER 2023 at 10.00am
VIA 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, 24 August 2023 **(pages 1-8)**
- 2. Provisional Premises Licence**
Carfrae Farm Shop, Garvald, Haddington **(pages 9-38)**
- 3. Major Variation of Premises Licence**
 - a. The Green, 70 Court Street, Haddington **(pages 39-52)**
 - b. Victoria Inn & Avenue Restaurant, 9 Court Street, Haddington **(pages 53-70)**
- 4. Occasional Licences**
 - a. Christopher Nixon – Dunglass Estate, Dunglass, Cockburnspath **(pages 71-90)**
 - b. Broxmouth Courtyard, Dunbar **(pages 91-124)**
 - c. Thomson's of Tranent, Winton Place, Church Street, Tranent **(pages 125-130)**
- 5. Extension of Provisional Licence**
Whitekirk Hill, Whitekirk, North Berwick **(pages 131-136)**
- 6. Personal Licence**
 - a. Amerjeet Singh **(pages 137-144)**
 - b. Tony Exelby **(pages 145-152)**

Carlo Grilli
Clerk of the Licensing Board
21 September 2023



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 24 AUGUST 2023
ONLINE PLATFORM MEETING**

1

Board Members Present:

Councillor L Bruce
Councillor C Cassini
Councillor G Gilbert
Councillor J McMillan

Clerk of the Licensing Board:

Mr C Grilli, Service Manager – Governance

Attending:

Ms A Rafferty, Licensing Officer
Ms K Harling, Licensing Standards Officer
PC I Anderson, Police Scotland
Sgt G Wood, Police Scotland

Committee Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor F Dugdale
Councillor G McGuire

Declarations of Interest:

Item 5a: Councillor McMillan, due to having worked with the applicant on a number of community events.

**1. MINUTES FOR APPROVAL
22 June 2023**

The minutes were approved as an accurate record of the meeting, subject to a correction to the list of attendees.

**2. MAJOR VARIATION OF A PREMISES LICENCE
East Lothian Yacht Club, 26-40 Victoria Road, North Berwick**

The application sought: to remove the seasonal operation restriction to allow the premises to operate year-round; restaurant facilities outwith core hours to open at 8am; to change the description of reception and club meetings to include the hiring of the venue to external organisations; to change the description of indoor/outdoor sports to add yoga/fitness activities to begin from 9am; to add televised sport within and outwith core hours; to delete the 'general statement'; to simplify the policy on children and young persons; and to change the capacity from 160 to 240 persons. The application had attracted no objections from the police, NHS, planning, the Licensing Standards Officer (LSO), public, or community council. The LSO had submitted a report including recommendations, noted below.

Stewart Gibbons, club secretary, spoke to the application. He noted some confusion over the capacity and believed that the change in capacity from 160 persons to 240 persons to be for the whole premises and not specifically for the bar area. He said the bar area was to reduce in capacity from 100 persons to 80 persons.

PC Iain Anderson advised that Police Scotland had no adverse comment to make on the application.

Karen Harling, LSO, had visited the premises to provide guidance, where she had spoken with David Robertson. She reported that the club had been fully compliant and well run. She had no objection to the application, but made some comments. She advised that if the general statement was the description of the premises, it would be required to remain in place. She had made some suggestions as to how the children and young persons' statement could be further simplified, and said that the change in capacity should reviewed and considered by the Board.

Responding to a question from Councillor Bruce, Mr Gibbons felt that the original capacity of 160 person had been too few when spread between the bar, café, and changing area; he noted that there could be a significant number of people within the changing areas getting ready to go out on the water.

Councillor McMillan referred to the steep staircases and asked how the club maintained the safety of people consuming alcohol and accessing these stairs. Mr Gibbons said that a health and safety policy and risk assessments were in place. If people were drinking they would not go downstairs and access the steep staircase. He noted that an additional handrail had been installed, and said the staircase from the upper ground floor to the first floor was wider. He also reported that the reduction in capacity of the bar area from 100 to 80 persons had been at the recommendation of the fire officer.

Councillor McMillan said he was minded to grant the licence, subject to the LSO's recommendations. Councillor Bruce proposed that the LSO's recommendations be adopted, and Councillor Gilbert seconded this proposal.

The Convener moved to a roll call vote, subject to the LSO's recommendations as contained within her report, and the application was granted unanimously.

Decision

The Board granted the major variation, subject to the following LSO recommendations:

- The general statement/description of the premises cannot be removed.
- 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.
- Question 6c be changed to – 0-17 years
- Question 6d be changed to 0800 – end of core hours
- Questions 6e be changed to – All public areas

3. VARIATION OF A PROVISIONAL LICENCE Whitekirk Hill, Whitekirk, North Berwick

The application sought to vary the provisional licence to include the immediate environs of the main building and to include nine new holiday lodges, thus allowing provision of alcohol at outdoor events. The application also sought to add a gym and fitness studio; swimming pool with sauna and steam room; a treatment spa; children's indoor play barn and outdoor play area; as well as bouncy castles, inflatables, funfairs, an ice rink, and fireworks. The application had attracted no objections from the police, NHS, planning, public, or community council. The LSO raised no objection but noted that the application requested terminal hour of 1.00am on a Sunday was outwith Board policy.

Jim Wilkie spoke to the application. He advised that the only physical change to the premises since the provisional licence application had been the opening of nine new holiday lodges. Having traded for some time, there were now certain activities which took place in the outdoor areas, and as such, the application sought to licence the outdoor areas.

PC Anderson highlighted that the terminal hour on a Sunday was outwith Board policy.

The LSO reported that she had visited the premises in January 2023, when she had discussed operations with Mr Wilkie and established which activities were not yet listed on the operating plan. They had also discussed inclusion of the lodges as part of the wider licensed area. She asked the premises to ensure that risk assessments had been carried out for activities such as bouncy castles. Her report detailed a change in the operating plan to vary the on sales hour to terminate at 1am, and asked the applicant to justify this request. She also noted that from 7 July to 3 August, the premises had traded without any occasional licences in place. She reported that when she had highlighted this issue to Mr Wilkie, he had said this had been an oversight and agreed to cease the sale of alcohol.

Responding to a question from the LSO, Mr Wilkie advised that entry to the play barn had originally been through the main building, but this had proved to be unworkable. Visitors to the play barn now came through the back of the premises, and this was a fenced off area. He advised that visitors could access the play barn without paying. He noted that officers had recommended that the play barn be excluded from the licensed area. Mr Wilkie said that he did not see this area as being different from a pub garden,

but was happy to agree to the play barn and play area being excluded from the licensed area.

Councillor Gilbert proposed a condition that no alcohol be taken into the play barn and play area, and Councillor Cassini seconded this proposal.

Councillor McMillan commended Whitekirk Hill on their nomination for a Thistle Award for self-catering accommodation as recognition of their investment and good management. He asked about the 1am terminal hour on a Sunday.

Discussion between Mr Wilkie, Mr Grilli, and the LSO established that there had been an error in the operating plan and the application should have stated Saturday 11am-1am and Sunday 11am-12am. Mr Wilkie also reassured Members that there was no music outside, and the only outdoor drinking at weddings was earlier in the evening when the prosecco van was in use. The LSO confirmed that the update to the requested hours were within Board policy.

The Convener asked Mr Wilkie about the period of operation without occasional licences in place. Mr Wilkie apologised to the Board for the oversight, and confirmed that recruitment was underway to increase the business' administrative forces. He hoped that the provisional licence would soon be confirmed into a full licence following a visit from building control.

The Convener moved to a roll call vote, including the condition that no alcohol be taken into the play barn and play area, and the revised hours of Saturday 11am-1am and Sunday 11am-12am. The application was granted unanimously.

Decision

The Board granted the variation of the provisional licence, subject to the following conditions:

- No alcohol may be taken into the play barn and play area

4. EXTENSION OF A PROVISIONAL LICENCE Thomson's of Tranent, Winton Place, Church Street, Tranent

George Thomson had contacted officers to request an extension to the provisional licence due to problems with building control. The provisional licence was due to expire on 29 August 2023. No more occasional licence applications had yet been made for after 24 August 2023.

Mr Thomson spoke to the request. He explained that the building warrant had not yet been completed, as originally, the shop side in the conservation area had been expected to be completed at roughly the same time as the other part of the building. Therefore, one part of the licence was within the conservation area where business had been operating for four years, but the other part in the main hall had been delayed multiple times. Within the last two months, the building warrant had been split to take away the second restaurant and bar area; with these changes, it was hoped that the building warrant could be completed within the next couple of months. An amended planning application had now been submitted which showed the restaurant and bar area as being deleted. This had been replaced with another four flats to add to the 24 flats being built for the local authority and a housing association. He would work with building control to hopefully conclude the work within the next couple of months.

PC Anderson had no objection to the extension of the provisional licence.

The LSO advised that a variation would have to be submitted for the bar and restaurant area to be removed from the provisional licence. She would discuss this with Mr Thomson offline.

The Convener was happy with the approach outlined by Mr Thomson and would welcome a premises licence application coming forward. He described the project as a high quality development which used the space well.

Councillor McMillan commended the Thomson family's work around the town and their engagement with the community. He thanked the LSO for keeping applications on track in terms of detail and accuracy, and would support the application for the extension of the provisional licence.

The Convener moved to a roll call vote, and the application was granted unanimously.

Decision

The Board granted the requested extension to the provisional licence.

Sederunt: Councillor McMillan left the meeting.

5. OCCASIONAL LICENCES

a. Mazzoli Café, 6 High Street, Haddington

The application sought occasional licences for on sales and off sales for a café, takeaway, and home deliveries for the dates 24 August to 15 November 2023. The LSO had made representation to highlight that continued occasional licences had been used to sell alcohol since January 2022. Activities occurring on the premises regularly over a period of at least 3 months would not generally be considered suitable for the grant of an occasional licence and would not be granted under delegated authority as it was largely expected that the premises in question should consider an application for a premises licence.

Paul Kinnoch, applicant, had confirmed ahead of the meeting that he would be unable to attend.

PC Anderson confirmed that Police Scotland had no comments or objections to the application.

The LSO said that the six occasional licences had been brought to the attention of the Board due to Mazzoli Café having operated under occasional licences since January 2022 with no move to make an application for a provisional or premises licence. She reported that Mr Kinnoch was working towards a provisional or premises licence and Ms Harling said she would provide guidance on this.

Responding to a question from the Convener, Ms Harling said that she would give guidance to Mr Kinnoch to apply for a premises licence since the business had been trading for some time and construction and conversion work would be required. She confirmed that Mr Kinnoch would be entitled to apply for a provisional licence; a premises licence took longer to apply for as three Section 50 certificates had to be produced. She suggested that there may need to be a change in East Lothian so that premises who had been operating on occasional licences for the best part of a year would make applications for the required certificates for a premises licence sooner.

The Convener was happy to support the applications at his stage, but felt that operation under occasional licences for 22 months was too long. He hoped to see an application for a premises licence coming forward soon.

The Convener moved to a roll call vote, and the application was granted unanimously.

Decision

The Board granted the occasional licences.

***Sederunt:** Councillor McMillan re-joined the meeting.*

b. Carfrae Farm Shop, Garvald, Haddington

The application sought occasional licences for off sales to sell a range of food produce, gifts, and alcohol, from 10am to 10pm Monday to Sunday, 24 August to 15 November 2023. The application had attracted no objections from Police Scotland or the LSO. The LSO had submitted representation to highlight that alcohol had been sold under occasional licences since 9 September 2022. A provisional licence application had been received and would be heard at the September 2023 Licensing Board meeting.

Eric Linklater and Trudi Cueto, applicants, spoke to the application. Ms Cueto advised that the new business had opened in September 2022. She said there had been some confusion over provisional and premises licences and at what stage they needed to be applied for, and thanked the LSO for guidance provided. Ms Cueto advised that a Section 50 certificate had been received from the planning service on 20 July and had now been submitted. Section 50 certificates for building standards and food hygiene had also been applied for. She acknowledged that the business had been running on occasional licences beyond the three months stated within Board policy; she apologised for this and explained this had been partly due to being unfamiliar with the process, and also due to significant caring responsibilities. She was hopeful that the Section 50 certificates would come through and allow progression to a premises licence.

PC Anderson confirmed that the provisional licence application consultation had been received on the 4 August, and Police Scotland had no objections to the provisional licence.

The LSO thanked the applicants for their communication and cooperation. She explained that there was no longer power to grant the provisional licences under delegated powers. She advised that the provisional licence was out for consultation, and she was happy to see movement towards the premises licence.

The Convener was pleased to hear that the applicants were moving through the process towards a provisional licence, and acknowledged that personal circumstances could get in the way of progress. He was happy to support the applications.

Councillor McMillan supported the Convener's comments, and noted the importance of liaising with licensing staff. He highlighted the local support of the business, and felt the operation was in line with the council's strategic goal to become the premier food and drink destination in Scotland. He wished the business well and was happy to support the applications.

The Convener moved to a roll call vote, and the application was granted unanimously.

Decision

The Board granted the occasional licences.

c. **Eagle Inn, 75 High Street, Dunbar**

The application was for two occasional licences for an outside area in front of the Eagle Inn from 25 August to 21 September 2023. The LSO recommended 4 bistro tables, but permission from roads services allowed five tables. The LSO had also submitted a report including conditions, which are noted below.

Mr Grilli advised that late representation had been made by Dunbar Community Council, and the Convener indicated he would be happy to consider the representation. The Convener read the community council's statement:

“Dunbar Community Council support there being seating outside the Eagle Inn, provided that the licence agreement is adhered to. Dunbar Community Council understands that the same people own the Bear and Bull across the road, and understands that the seating plan has not been complied with here in relation to the unimpeded passage of pedestrians, wheelchairs, etc. The community council are supportive of the plans for outside seating, as long as the plans are complied with.”

Cara Davies spoke to the application on behalf of Sandra Elliot, applicant. Ms Davies explained she had been the tenant at the Eagle Inn for five years, and also owned the Bear and Bull. She had been disappointed to receive a complaint regarding non-compliance at the external seating area at the Bear and Bull. She explained that one of the front barriers had not been in place because it had been found to be a hindrance to the passage of wheelchair-users and prams. An amended layout was now in operation and was being checked regularly. Stickers had been removed from windows to ensure the outside area could be seen, and CCTV cameras also covered this area. Ms Davies had asked for volunteers to undertake a formal assessment in relation to access, and had liaised with roads officers and the LSO on this matter. She said compliance was taken very seriously. She advised that the external seating area outside the Eagle Inn had been in operation in the previous year, and advised that she intended to apply for a major variation to operate the outside area from the following year, per the LSO's advice.

PC Anderson advised that during the period occasional licences were running in the previous year, 20 June to 7 November, only one call had been made to Police Scotland; this had been due to a theft and had nothing to do with the outdoor seating area.

The LSO advised that representation had been made due to no layout plan having been provided, but said the layout plan had since been submitted. She highlighted that the pavement outside the Eagle Inn was wider than the pavement outside the Bear and Bull. She advised that no complaints had been made in relation to access when the outside area was in use in the previous year. She highlighted six conditions contained within her report, which she recommended for all street café-style outside areas.

Responding to a question from the Convener, Ms Davies confirmed that she was happy to accept the LSO's recommended conditions. She said that she had operated under these conditions in the previous year and was comfortable with them.

The Convener acknowledged that people were often keen to sit outside a premises, and he was happy to support the application.

Councillor McMillan was pleased to hear that Dunbar Community Council were keeping an eye on operations on the High Street, but was also reassured to hear Ms Davies' response to their representation. He was happy to support the application.

The Convener proposed that the occasional licences be granted subject to the LSO's recommended conditions, and this was seconded by Councillor McMillan. The Convener then moved to a roll call vote, and the application was granted unanimously.

Decision

The Board granted the occasional licences, subject to the following conditions:

1. No public entertainment, amplified music, amplified vocals or live music played in the outdoor area to ensure the use does not cause nuisance to 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 to ensure that staff:
 - a. promptly collect all empty/unused drinking glasses and bottles from the outside area; and
 - b. regularly supervise the outside area and its patrons.
4. Alcohol only to be consumed in the licensed 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.
6. An authorised officer of the council or Police Scotland may temporarily suspend the use of the area for reasons of public safety.

Signed

Councillor L Bruce
Convener of East Lothian Licensing Board



EAST LOTHIAN LICENSING BOARD
APPLICATION FOR PREMISES LICENCE /
PROVISIONAL PREMISES LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

2

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

<p>Carfrae Farm Shop</p> <p>Carfrae Farm</p> <p>Haddington</p> <p>East Lothian</p> <p>EH41 4LP</p>

Question 2

Particulars of applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode, telephone number & email address.*

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2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

George Gibson & Sons
Carfrae Farm
Haddington
East Lothian EH41 4LP

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

n/a

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

n/a

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.**

Hamish Gibson, [REDACTED]
[REDACTED]

Dorothy Gibson, [REDACTED]
[REDACTED]

Trudi Cueto, [REDACTED]
[REDACTED]

Findlay Cueto, [REDACTED]
[REDACTED]

*** Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.**

Question 3

Previous applications

3 *Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? YES/NO**

If YES – provide full details

Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
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*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5

5 Description of premises (where application is submitted by a members' club, please also complete question 6)

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

The shop premises are located in a farm building and are constructed of solid stone and a slate roof. The premises are open plan and have shelving, refrigeration and freezer equipment to stock the retail products for sale.

Question 6

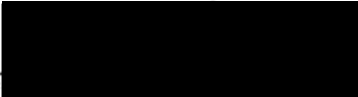
6 To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?	YES/NO*
* Delete as appropriate	

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

Signature  * (see note below)

Date 31/12/23

Capacity ... Personal Licence Holder..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory 

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
Operating plan	✓
Layout plan (highlighting the area where alcohol is sold/consumed)	✓
Planning certificate	✓
Building standards certificate	
Food hygiene certificate	

* Data Protection Act 2018



LICENSING (SCOTLAND) ACT 2005
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**SECTION 50
PLANNING CERTIFICATE**

APPLICANT:	George Gibson & Sons
NAME AND ADDRESS OF PREMISES:	Carfrae Farm Shop, Carfrae Farm, Gifford, Haddington, EH41 4LP

SECTION 50 PLANNING CERTIFICATE

I confirm that planning permission (Ref: 22/00899/P) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.


I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

I confirm that planning permission (ref:.....) or outline planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.

I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License to cover the above proposals.

Signed:		Date:	20 th July 2023
Keith Dingwall Service Manager, Planning			

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

Carfrae Farm is a mixed working farm at the foot of the Lammermuir Hills producing predominantly cereal crops with some grazing land also. Over the last 5 years we have been developing agritourism ventures which began with the renovation of 3 of the farm cottages to provide self-catering accommodation to domestic and international guests. The farm shop is part of our Agritourism diversification strategy to promote locally sourced produce shortening the supply chain where possible, to highlight the benefits of reuse and refill with a variety of food products and household cleaning products and to create an emphasis on the importance of responsible & sustainable retailing. Within the farm shop we aim to promote predominantly locally produced alcohol in line with our overall shop ethos to promote local produce.

(extend this box if you require additional space)

On/Off Consumption	
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<p>(a) Please describe the type of business you intend to operate in respect of On consumption.</p> <p>(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries</p>	<p>a) n/a</p> <p>b) We would like the farm shop to stock alcohol for Off sales and we would like to offer a home delivery service for products purchased online.</p>

Clarification is required in relation to the content of your proposed Operating Plan
 (extend the boxes below if you require additional space)

<p>To what extent do you intend to use any of the following: Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:</p> <p>n/a</p>
<p>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:</p> <p>n/a</p>
<p>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:</p> <p>n/a</p>

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:

n/a

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:

Online sales require visitors to the website to confirm their age prior to entering the shop online and delivery for products purchased would be carried out by trained staff from the premises or an age verified courier service.

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.

As we are a farm shop the period of time spent by customers in the shop is usually brief we do not have facilities on the premises for children of different age groups.

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:

CCTV is installed in the shop both internally & externally and the recordings are stored. There is an alarm system installed which includes a panic alarm, if triggered the alarm alerts other staff out with the shop. The premises are well lit internally and externally. We provide a rubbish bin outside the shop for litter. We implement 'challenge 25' into our procedures in relation to all alcohol sales. A sales refusal book is kept on the premises.

Securing Public Safety:

The premises are well lit internally and externally, and the premises & surroundings are kept clean and clear of all rubbish. We have CCTV installed internally and externally. We maintain checks on electrical and safety equipment. The Fire Risk Assessment is reviewed periodically. We are aware there is a defibrillator in the village of Garvald, 1 mile away, and staff are notified in training of its location and how to access the equipment.

Preventing Public Nuisance:

CCTV is installed both internally and externally. The shop is located in an isolated location with few neighbours. Ensuring the appropriate training of all staff is maintained.

Protecting and Improving Public Health:

We offer non-alcoholic beverages for sale and we promote free water from a dispenser in the shop which is sourced from the Lammermuir Hills. When deliveries would include alcohol being delivered to households or other premises the delivery staff will be trained to the same level as those involved in the supply of alcohol in the farm shop. We adhere to 'challenge 25' checks and delivery records will be kept in accordance with statutory regulations. No alcohol would be left at premises if the occupier is under 18 years old or a responsible adult is not present. Defibrillation equipment is available in the village of Garvald which is 1 mile away and staff training includes information on the location of the defibrillator and how to access the equipment.

Protecting Children and Young Persons From Harm:

We implement 'challenge 25' in our procedures and children are required to be supervised in the shop by a responsible adult. We comply with the law regarding alcohol pricing and irresponsible drinks promotions. Alcohol is displayed in a designated area on the premises and it is not displayed alongside confectionary and other products enjoyed by children such as soft drinks. Adoption of accredited proof of age documents when implementing 'Challenge 25'. When deliveries would

include alcohol being delivered to households or other premises the delivery staff will be trained to the same level as those involved in the supply of alcohol in the farm shop. We adhere to 'challenge 25' checks and delivery records will be kept in accordance with statutory regulations. No alcohol will be left at premises if the occupier is under 18 years old or a responsible adult is not present.

Application Supporting Comments / Any Other Additional Information

(extend the boxes below if you require additional space)

Additional Information:

Carfrae Farm Shop was opened in September 2022 and we have been operating with occasional licences since opening. We have maintained a stock of alcohol during this period and have found that alcohol is not one of the top selling products. We feel however that it is beneficial to keep stocking alcohol to offer customers the choice and opportunity to buy alcohol with other products so the shop can be a full retail experience when the occasion requires.

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

We are committed to providing an enjoyable retail experience which includes providing an aesthetically pleasing environment and a high standard of customer service. We take great pride in the products, including the alcohol, that we stock in the shop and are available to share our knowledge of the product's qualities and provenance with customers.

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

31/7/23

EAST LOTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Carfrae Farm Shop, Carfrae Farm, Haddington East Lothian EH41 4LP

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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</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>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES/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
<i>Accommodation</i>	YES	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<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>	NO	NO	NO
<i>Club or other group</i> <i>meetings etc.</i>	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
<i>Recorded music – see</i> <i>5(g)</i>	NO	NO	NO
<i>Live performances –</i> <i>see 5(g)</i>	NO	NO	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>	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.

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.

We would like to offer home delivery service for products, including alcohol, purchased online via our website. The website includes an age checker prior to purchasing and we would adopt the challenge 25 procedure when making deliveries that include alcohol and maintain a record of deliveries. The deliveries will be carried out by trained staff from the premises or an age verified courier service.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
--	----------------

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

<i>*Delete as appropriate</i>	
-------------------------------	--

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

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

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

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

Question 7

CAPACITY OF PREMISES

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

274 square metres

Question 8

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

Personal details

8(a) Name

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)

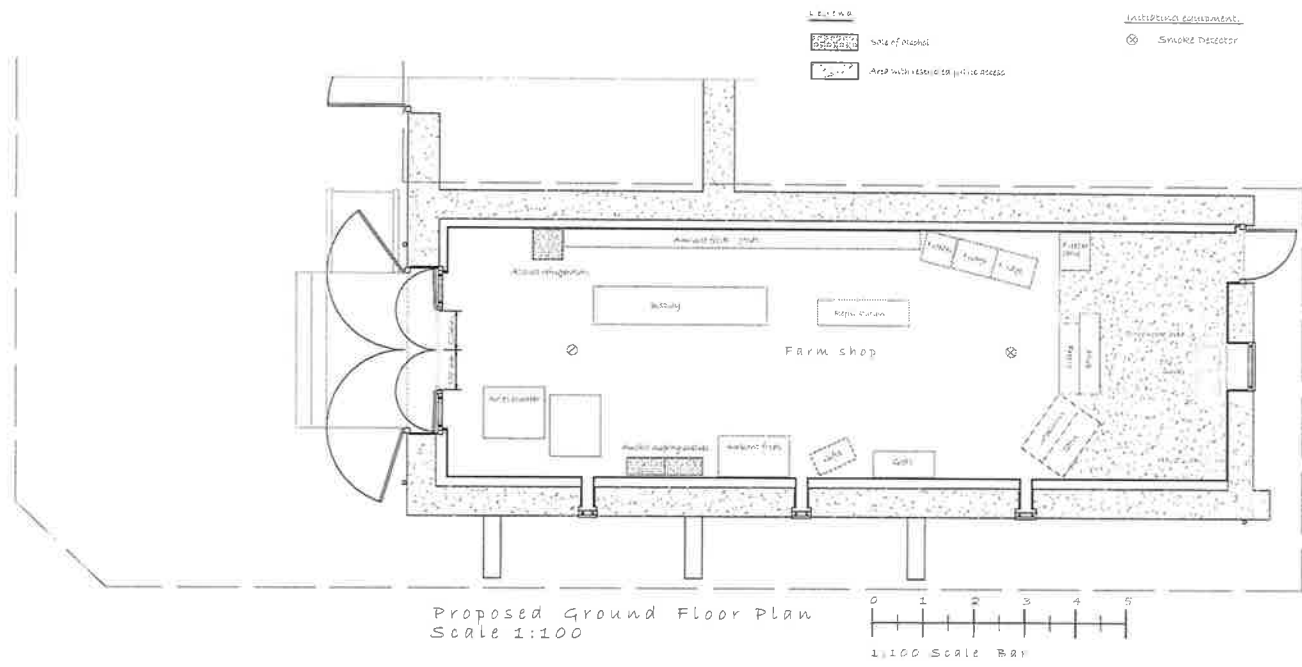
Date6 July 2023.....

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory .. [REDACTED] info@carfraefarm.com

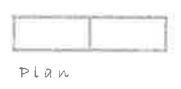
*** Data Protection Act 1998**

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



LEGEND

Sale of Alcohol
 Area with restricted public access
 Smoke Detector



Side Elevation
Alcohol display shelves.
Scale 1:50



Front Elevation
Alcohol display shelves.



Front Elevation
Refrigeration unit

COPYRIGHT OF DOUGLAS WILLIAMS - CHARTERED ARCHITECTURAL TECHNOLOGIST

Project	FARM SHOP AT CARFRAE FARM, HADDINGTON.	Douglas Williams M.C.I.A.T. Chartered Architectural Technologist
Client	G. GIBSON & SONS.	47d High Street Haddington East Lothian EH41 3EE Tel/Fax No. 01620 829845 Email: Dougwilliams47d@gmail.com
Drg No.	CFL/0623/LA-01	Date JUNE, 2023
Scale	1:50 & 1:100	Revision No.

SCHEDULE

“SCHEDULE 6

Regulation 7

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.

There is a ramp at the entrance to the shop making the shop easily accessible for people with disabilities.

There is plenty of floor space available internally for people with disabilities to move around the shop with ease.

The shop floor is on one level.

Question 3

Facilities available

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

Ramp at the entrance to the shop.

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 are welcome in the shop.
Staff are on hand to offer help with products.

04/08/2023

Your Ref: CARFRAE FARM

Our Ref: 745747

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
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith EH22 3AX

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE**

CARFRAE FARM

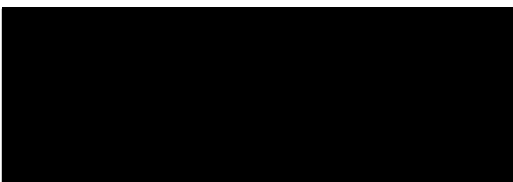
CARFRAE FARMHOUSE, GIFFORD, EAST LOTHIAN, EH41 4LP.

**PREMISES LICENCE HOLDER – GEORGE GIBSON & SONS, CARFRAE
FARMHOUSE, GIFFORD, EAST LOTHIAN, EH41 4LP**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 654 5583.

EAST LoTHIAN COUNCIL

Licensing Standards



Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 30th August 2023

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION 2022

Carfrae Farm Shop, Carfrae Farm, Haddington, East Lothian, EH41 4LP

I refer to the above subject and can confirm that the undernoted premises have been visited and were given guidance on the process of applying for a Provisional Premises Licence.

The premises has been operating on occasional licences since 9th September 2022 for off sales with a capacity of 1.9m². There are no other licensed premises within 800m.

There have been no incidents of note or complaints during this time.

The application is for off sales only at the premises within board policy licensed hours. The application also includes the activity of a delivery service.

I recommend that the Board review the layout plan in terms of the condition set out in Schedule 3, 13(1) of the Act below and considers if the submitted layout meets this condition:

(1) Subject to sub-paragraph (3), alcohol which is for sale only for consumption off the premises may be displayed only in one or both of the following–

(a) a single area of the premises agreed between the Licensing Board and the holder of the licence; or

(b) a single area of the premises which is inaccessible to the public.

In relation to deliveries, I recommend the Board consider the below condition:

- 1) 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.

With the recommendations above taken into regard, I would offer no objection to the application.

If successful in obtaining the provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.



Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 10 August 2023 13:43
To: Licensing
Subject: RE: Provisional Licence Application - Cafrae Farm Shop, Garvald, Haddington, EH41 4LP - EL0392

Hello,

Please note I have no comments or objections in relation to this provisional licence application.

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: Licensing <licensing@eastlothian.gov.uk>
Sent: 03 August 2023 16:28
To: 'Lothian Scot Borders Licensing East Mid Lothian' <LothianScotBordersLicensingEastMid@Scotland.police.uk>; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; [REDACTED] <torquil.cramer@firescotland.gov.uk> <torquil.cramer@firescotland.gov.uk>; 'licensing@nhslothian.scot.nhs.uk' <licensing@nhslothian.scot.nhs.uk>
Subject: FW: Provisional Licence Application - Cafrae Farm Shop, Garvald, Haddington, EH41 4LP - EL0392

Hi All

Please find attached Provisional licence application for the above can I please have your comments/representations by 1st September, 2023.

Kind regards

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



Licensing

From: Michelle Fathi <michelle@macdonaldlicensing.com> on behalf of
alistair@macdonaldlicensing.com
Sent: 30 August 2023 09:46
To: Grilli, Carlo
Cc: Licensing
Subject: Carfrae Farm Shop - Provisional Licence Application

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.

Morning Carlo

Carfrae Farm Shop - Provisional Licence Application

I refer to our telephone conversation yesterday afternoon, when I was on my way back to the office from my visit to the Carfrae Farm Shop.

Whilst there I discussed with the clients, in detail, about the proposed Variation. After some consideration we decided that it was probably premature to submit it at this stage, particularly in a rush! Also I think we would have had to apply for a new Section 50 Certificate from Planning which would have delayed matters.

All in all I think we agreed that we would like to see a Premises Licence in place before considering the Variation.

On that basis I would request that the Application submitted by my clients is considered at your September Board Meeting, which I assume is on 28th September. Unfortunately I just realised that I will not be able to attend, either in person or online, because I have a Training Course that day. I will however be able to assist them in resolving any issues before the Meeting.

We hold our Training Courses in a City Centre Hotel and at this time of the year it can be quite difficult to obtain the date you want. I didn't anticipate having anything at the September Board at that stage. A bit unfortunate.

I know that they already have their Section 50 Certificate from Food Hygiene, and I have told them to speak to their Architect about pressing forward as quickly as possible with Building Standards, as they have applied for the Section 50 Certificate from them. As and when the Full Licence is granted, then we will consider submitting the Variation.

Thanks for your assistance as always.

I did mention that I was taking a Training Course today so I have not seen this email before it is being sent. Any mistakes will be down to my dictation!

Kind regards

Yours sincerely

Alistair I Macdonald
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC284330)
21a Rutland Square
Edinburgh
EH1 2BB

DX ED561

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

pd online 201
Lypel. 21/7



East Lothian Council
Licensing

21 JUL 2023

Received

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

3A

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 EL0196

2(b) Name and Address of Premises The Green, 70 Court Street, Haddington

Post Code EH41 3AF Tel. No. _____

Email _____

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

Greene King Brewing & Retailing Ltd, Westgate Brewery, Bury St Edmonds, Suffolk

_____ Post Code IP33 1QT

Tel. No. _____ Email address _____

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)**

Q5 - add indoor/outdoor sports as an activity during and outwith core hours.
Q5 - add the following wording - Indoor/outdoor sports available to customers when premises is open.

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.

Addition of pool table

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)

Will follow under separate cover

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 Alison Smith - TLT Solicitors (See note 5 overleaf)

Date 20.07.23

Capacity APPLICANT / AGENT (delete as appropriate)

If agent, please provide details

Full name Alison Smith

Address TLT Solicitors, 9th Floor, 41 West Campbell Street, Glasgow

Post Code G2 6SE

Tel. No. 03330061297 Email address Alison.Smith@TLT.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.)

25/07/2023

Your Ref: THE GREEN

Our Ref: 742811

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
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE GREEN
70 COURT STREET, HADDINGTON, EAST LOTHIAN, EH41 3AF.**

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 the following –

Within the operating plan –

**Q5 - add indoor/outdoor sports as an activity during and outwith core hours.
Q5 - add the following wording - Indoor/outdoor sports available to
customers when premises is open**

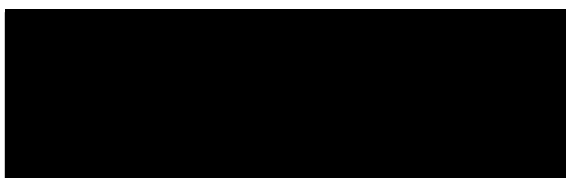
Within the layout plan of the premises licence –

Addition of a pool table.

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



OFFICIAL

Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 654 5583.

EAST LoTHIAN COUNCIL

Licensing Standards


Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 21st August 2023

**Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE MAJOR VARIATION
THE GREEN, 70 COURT STREET, HADDINGTON, EAST LoTHIAN, EH41 3AF**

I can confirm that I have spoken with Alison Smith from TLT and Colin Lawson, Greene King Area Manager in relation to this variation application. I have also conducted a visit at the premises. The premises were found to be compliant with the Act although some missing signage is to be addressed.

The premises have been in the control of the current tenant, Rebecca Fowler and premises manager, Lee Irvine from December 2022.

In June 2023, it came to my attention that a pool table was in use at the premises. I established that the operating plan did not allow indoor/outdoor sports for this activity. In order for the premises to comply with the premises licence, I contacted Greene King for the pool table to be either removed or no longer used and a major variation submitted for consideration by the Board.

In August 2023, one collective verbal complaint from neighbours was received through a local Councillor in relation to noise from the premises and rear outside drinking area, use of the outside drinking area after 10pm, the singing of sectarian songs and noise from karaoke.

Community Police responded and informed me they visited the premises. The officer requested that the rear outside area be closed at 10pm as per the condition on the premises licence and any patrons wishing to smoke were directed out the front.

I am aware that the premises is no longer part of Pub Watch in the Haddington area.

The changes applied for are:

- To add indoor/outdoor sports during and outwith core hours
- To add – Indoor/outdoor sports available to customers when premises is open

The pool table is to be situated in the raise area of the ground floor. The raised area, containing the bar/restaurant and lobby is the only area in the premises that children are permitted access to as per the operating plan:

- *“Children and young persons will be admitted to the raised area only”*

Once the pool table is in a position to allow play and access round the table the space becomes quite tight. The use of the pool table could be a potential hazard to children. It is of note that there is also a category C gaming machine at the entrance to the bar/restaurant area (not indicated on submitted layout plan).

The area that the pool table is proposed, was previously a restaurant area, however the premises is not currently providing meals. If there are functions, pre-made food is brought onto the premises, however not available on a day-to-day basis.

I refer the Board to Section 15.3 of The Statement of Licensing Policy below:

15.3 *The Board will not normally grant a premises licence in respect of children’s access where:*

- *children under the age of 12 have unsupervised access to pool tables, dart boards or areas where category C or above gaming machines are located.*
- *the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the service provided.*

I would recommend that in order to uphold the licensing objective of protecting children and young persons from harm that access to this area by children and young persons is considered.

At the moment, the supply of alcohol, unless there is a pre-arranged function, is the exclusive purpose of the service provided. Children and young persons should not be permitted in the upstairs function room as per the current operating plan, leaving the area where the pool table is and the lobby (raised area) as the only areas for them.

I am aware that the premises currently host functions such as funerals, celebrations and birthday parties in the upstairs room and it is my interpretation that this area cannot be accessed by children. This should be considered by the premises in its operations and complied with until a change of the operating plan is granted.

I have concerns that the addition of the pool table has the potential to change the atmosphere and character of the premises potentially creating an unsuitable atmosphere for children. It also concerns me that the premises has elected to withdraw from Pub Watch and may be admitting patrons that are barred from other premises due to their behaviour.

I direct the Board members to the suggested control measure below contained in the Statement of Licensing Policy:

- *exclusion of children from areas in which gambling is taking place such as casino, poker or race nights and areas where category C or above gaming machines are available for use.*

The application also request use of the pool table out with core hours. I understand this is to facilitate the use of the pool table at functions such as funerals that may occur before core on sales hours.

In relation to terms on which children and young person will be allowed on the premises, the operating plan states - *Children and young persons will be admitted up until 10pm or 24 hours if they are resident at the hotel.*

There is no term stating that children and young persons must be accompanied by a responsible adult within the premises licence.

It is my recommendation that the Board considers children and young person access in the premises given the proposed changes. Should the board be minded to grant the application I suggest the Board considers the below:

1) Either:

Children (0-11) are supervised by a responsible adult whilst in the bar/restaurant area on the ground floor where the category C gaming machine and pool table are located.

Or

Children (0-11) are excluded from the bar/restaurant area on the ground floor where the category C gaming machine and pool table are located.

- 2) Children and young persons will only be admitted and permitted to remain on the premises when accompanied by a responsible adult.
- 3) The premises manager joins and participates in the local Pub Watch group.

There has been an article in the local media detailing the name of the premises is to be changed to "The Railway". No application in respect of this change has been submitted as yet.


Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 26 July 2023 13:38
To: Licensing
Subject: RE: Major Variation Application - The Green, 70 Court Street, Haddington, East Lothian, EH41 3AF - EL0196

Hello,

Please note I have no comments or objections in relation to the major variation application at The Green.

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: Licensing <licensing@eastlothian.gov.uk>
Sent: 21 July 2023 11:11
To: 'Lothian Scot Borders Licensing East Mid Lothian' <LothianScotBordersLicensingEastMid@Scotland.police.uk>; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; licensing@nhslothian.scot.nhs.uk; torquill.cramer@firescotland.gov.uk; all@haddingtoncc.org.uk
Subject: FW: Major Variation Application - The Green, 70 Court Street, Haddington, East Lothian, EH41 3AF - EL0196

Hi

Please find attached a major variation application in respect of the above noted premises, along with an updated operating plan and layout plan for report by 22nd August, 2023.

Kind regards

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



Licensing

From: Douglas, Andrew
Sent: 24 July 2023 12:55
To: Licensing
Cc: Environmental Health/Trading Standards; Muir, Marion
Subject: FW: Major Variation Application - The Green, 70 Court Street, Haddington, East Lothian, EH41 3AF - EL0196
Attachments: major variation application.pdf; Operating plan.doc; LAYOUT PLAN LODGED WITH POOL variation.pdf

No objs, std conditions.

EHTS – can this be scanned to commercial premises ref: 23/00005/COM , as '2023 Major Variation'.

Thanks

Andrew

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 21 July 2023 11:15
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Major Variation Application - The Green, 70 Court Street, Haddington, East Lothian, EH41 3AF - EL0196

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 21 July 2023 11:11
To: 'Lothian Scot Borders Licensing East Mid Lothian' <LothianScotBordersLicensingEastMid@Scotland.police.uk>; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; licensing@nhslothian.scot.nhs.uk; torquil.cramer@firescotland.gov.uk; all@haddingtoncc.org.uk
Subject: FW: Major Variation Application - The Green, 70 Court Street, Haddington, East Lothian, EH41 3AF - EL0196

Hi

Please find attached a major variation application in respect of the above noted premises, along with an updated operating plan and layout plan for report by 22nd August, 2023.

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

East Lothian Council
Licensing

23 AUG 2023

Received

22/8/23

Dear Sir / Madam,

Licensing Hours requested by The Green Hotel EH41 3AF

I am writing to request that the Licensing Board reject the proposed extension of their opening hours on several days of the week. The later closing times sought for Thursday, Friday and Saturday are likely to increase noise pollution at a time when most of the residents in our area are seeking a restful, peaceful sleep.

There are also significant noise problems in the beer garden at the rear of the pub at most weekends. The owners don't seem to be offering any management of this area, on nights when there is some sort of function inside the pub there is constant traffic between there and outside. The outcome is usually loud shouting, swearing, screaming and most more recently singing of vile sectarian football songs. This should not be tolerated at 12 midnight or 1am.

Thank you for reading this.

Yours faithfully,
[Redacted Signature]

EAST LoTHIAN LICENSING BOARD

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

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

SECTION 1: TYPE OF VARIATION

3B

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

uncil.

SECTION 2: PREMISES LICENCE DETAILS

- 4 AUG 2023

2 Licence Number Premises

EL215

Name and Address

Victoria Inn and Avenue Restaurant
9 Court Street
Haddington

Post Code | EH41 3JD

01620 248110

2 Full Name and Address Current Licence Holder

CALEDONIAN HERITABLE LTD
4 HOPE STREET
EDINBURGH

Post Code | EH2 4DB

0131 220 5511

SECTION 3: NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought:-

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

-We propose to amend Question 5a of the operating plan for Indoor/Outdoor Sports to Yes for columns 2 and 3.

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.

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

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

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

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

Does the appropriate Premises Licence accompany this application?

YES NO

If the answer is **NO**, please provide an explanation.

I am unable to produce the Premises Licence because...

- The licence has not yet been issued by the Board
 - The licence has already been returned to the Board in respect of an earlier application for variation or transfer
 - Other (provide details)
-

SECTION 5: FEE PAYABLE

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

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

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

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

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £150 is enclosed.

Signature



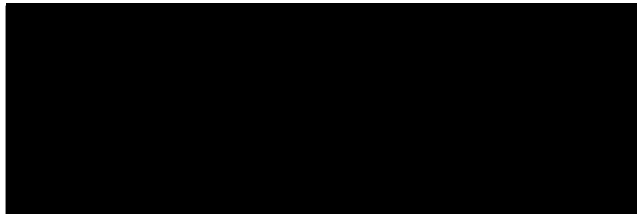
(See note 5 below)

Date

28/07/23

Capacity: APPLICANT / AGENT

If agent, please provide name, address, phone number and (if applicable) 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		
Received & Receipt No.	System Updated	Licence Issued

EAST LoTHIAN LICENSING BOARD

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>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES</i>
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10.00am	12 midnight
<i>Tuesday</i>	10.00am	12 midnight
<i>Wednesday</i>	10.00am	12 midnight
<i>Thursday</i>	10.00am	1.00am
<i>Friday</i>	10.00am	1.00am
<i>Saturday</i>	10.00am	1.00am
<i>Sunday</i>	11.00am	12 midnight

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10.00am	10.00pm
<i>Tuesday</i>	10.00am	10.00pm
<i>Wednesday</i>	10.00am	10.00pm
<i>Thursday</i>	10.00am	10.00pm
<i>Friday</i>	10.00am	10.00pm
<i>Saturday</i>	10.00am	10.00pm
<i>Sunday</i>	11.00am	10.00pm

Question 4

SEASONAL VARIATIONS

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

**If YES – provide details*

We may wish to reduce our core hours during off tourist season, and we would seek to take advantage of any extended period of trading granted by the Board for significant local/national events e.g. festive period and bank holidays.

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	N/A	N/A
<i>Conference facilities</i>	No	N/A	N/A
<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</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> <i>5(g)</i>	Yes	Yes	Yes
<i>Live performances –</i> <i>see 5(g)</i>	Yes	Yes	Yes
<i>Dance facilities</i>	No	N/A	N/A
<i>Theatre</i>	No	N/A	N/A
<i>Films</i>	No	N/A	N/A
<i>Gaming</i>	Yes	Yes	No
<i>Indoor/outdoor sports</i>	Yes	Yes	N/A
<i>Televised sport</i>	Yes	Yes	Yes

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

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

Accommodation may be available 365 days of the year. A full or continental breakfast may be served to all guests, as well as full service meals are available during normal operating hours in the lounge bar.

Bar Meals – we may offer breakfast outwith core hours commencing from 7am.

Receptions – We have the facility in our restaurant to offer a wide range of reception facility. This may include funeral pruveys that require alcohol on the premises from 10am subject to an expediently processed extended hours application being granted.

Club Meetings – We have the facility in our restaurant to host local community meetings. This may include events that require alcohol to be available on the premises from 9am e.g. golf day, subject to an extended hours application being granted.

Recorded music – accompany any private function, business or breakfast.

Live performances may be available to customers outwith core hours booking restaurant for a private party.

Televised Sport – we anticipate that certain key sporting events i.e. Olympics, football World Cup, may be televised outwith the core licensing hours and we would wish to provide alcohol for sale on the premises at these events, subject to an extended hours application being granted.

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.

We may provide a range of activities during core hours such as quiz nights, dominoes, charity nights, or similar, social activities appropriate to the target market.

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

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry*

Children and young persons will be admitted only when accompanied by an adult.

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

0-17 years

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

Children and young persons will be admitted until 10pm in the lounge bar, or until close of business if in the restaurant.

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 be admitted to all public areas, they will not be permitted to sit or stand within 1.5m of the bar counter.

Question 7

CAPACITY OF PREMISES

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

On sales - 167

Question 8

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

Personal details

8(a) Name

Craig Douglas

8(b) Date of birth

8(c) Contact address

8(d) Email address and telephone number

--

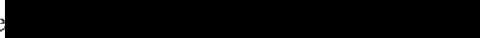
8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
Aug 18	Edinburgh	389996

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  (write below)

Date28/07/23.....

CapacityAPPLICANT

Telephone number and email address of signatory

Nyssa Barron, Caledonian Heritable Ltd

0131 220 5511

nyssa@chl.co.uk

*** 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: 07 August 2023 09:37
To: Licensing
Subject: VARIATION TO OPERATING PLAN - VICTORIA INN, HADDINGTON - ADD
INDOOR/OUTDOOR SPORTS
Attachments: HERKES_GILLIAN_QXM04806_FIREBIRD_4618_001.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 - 745839

Regards
Iain

EAST LoTHIAN COUNCIL

Licensing Standards



Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 18th August 2023

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

**THE VICTORIA INN AND AVENUE RESTUARANT, 9 COURT STREET,
HADDINGTON, EAST LoTHIAN, EH41 3JD**

I can confirm that I have spoken with Paul Hastie from Caledonian Heritable Ltd and Craig Douglas Premises Manager in relation to this variation application. I have also conducted a visit at the premises, where the site notice for the variation was displayed and visible.

The premises have been in the control of the current tenant and premises manager, Craig Douglas from February 2020.

In June 2023, during a visit to the premises it came to my attention that a pool table was in use at the premises. I established that the operating plan did not allow indoor/outdoor sports for this activity. In order for the premises to comply with the premises licence, I asked for the use of the pool table to cease and a major variation submitted for consideration by the Board.

The changes applied for are:

- To add indoor/outdoor sports during core hours
- To change accommodation to NO on the operating plan

No layout plan has been submitted with the application indicating the location of the pool table. When I visited, the pool table was situated in the restaurant area on the first floor in the middle of the floor with tables and chairs set up for dining surrounding it.

As per the operating plan

- *“Children ad young persons will be admitted to all public areas. They will not be permitted to sit*

of stand within 1.5 meters of the bar counter"

Careful management of this area will be required to avoid any contact with those sitting around the table when it is in use. The use of the pool table could be a potential hazard to children who are in the area. It is of note that there is also a category C gaming machine at the entrance to the bar on the ground floor and also on the first floor.

The area that the pool table is proposed, is used as a restaurant area, and also hosts sports clubs meeting and after match catering.

I refer the Board to Section 15.3 of The Statement of Licensing Policy below:

15.3 *The Board will not normally grant a premises licence in respect of children's access where:*

- *children under the age of 12 have unsupervised access to pool tables, dart boards or areas where category C or above gaming machines are located.*

I would recommend that in order to uphold the licensing objective of protecting children and young persons from harm that access to this area by children and young persons is considered.

The addition of the pool table has the potential to change the atmosphere and character of the premises potentially creating an unsuitable atmosphere for children. This is something that the premises licence holder and premises manager should monitor and manage carefully, considering when it is suitable for the pool table to be in use.

I direct the Board members to the suggested control measure below contained in the Board's Statement of Licensing Policy:

- *exclusion of children from areas in which gambling is taking place such as casino, poker or race nights and areas where category C or above gaming machines are available for use.*

In relation to terms on which children and young person are allowed on the premises, the operating plan states – *Children and young persons will be admitted only when accompanied by an adult.*

It is my recommendation that the Board considers children and young person access in the premises given the proposed changes. Should the board be minded to grant the application I suggest the Board considers the below:

1) Either:

Children (0-11) are supervised by a responsible adult whilst in the bar/restaurant area on the ground floor and first floor where the category C gaming machines and pool table are located.

Or

Children (0-11) are excluded from the bar/restaurant area on the first floor where the category C gaming machine and pool table are located.

The premises licence holder has also removed accommodation from the operating plan stating NO, which is not detailed on the application form. The applicant should review this, as it seems strange given the operations of the premises described during my visit.


Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 15 August 2023 08:31
To: Licensing
Subject: RE: Attached Image - Major Variation - Victoria Inn and Avenue Restaurant - EL215

Hello,

Please note I have no comments or objections in relation to this major variation application.

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
<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eastlothian.gov.uk%2F&data=05%7C01%7Clicensing%40eastlothian.gov.uk%7C149c4f9c49db4249212908db9d619971%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638276814720874130%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=TkGumnBn7iHaxf4WVrlqxMwjK8r9I6QcYDixL8Sf61c%3D&reserved=0>

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

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 04 August 2023 13:00
To: 'Lothian Scot Borders Licensing East Mid Lothian' <LothianScotBordersLicensingEastMid@Scotland.police.uk>; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; torquill.cramer@firescotland.gov.uk; licensing@nhslothian.scot.nhs.uk; all@haddingtoncc.org.uk
Subject: FW: Attached Image - Major Variation - Victoria Inn and Avenue Restaurant - EL215

Hi All

Please find attached Major Variation for Victoria Inn and Avenue Restaurant to add Indoor and Outdoors Sports to operating plan. Can I please have your comments/observations by 1st September, 2023.

Kind regards

Gillian

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

Herkes, Gillian

From: Gunning, Laura
Sent: 04 August 2023 14:33
To: Herkes, Gillian
Cc: Licensing
Subject: RE: Attached Image - Major Variation - Victoria Inn and Avenue Restaurant - EL215

Good afternoon,

No objection from EH subject to standard conditions

Thanks,
Laura

Laura Gunning
Senior Environmental Health Officer
East Lothian Council John Muir House Court Street Haddington East Lothian EH41 3HA
Tel: 01620 827296 Email lgunning@eastlothian.gov.uk

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

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 04 August 2023 14:23
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: Attached Image - Major Variation - Victoria Inn and Avenue Restaurant - EL215

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

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 04 August 2023 13:00
To: 'Lothian Scot Borders Licensing East Mid Lothian' <LothianScotBordersLicensingEastMid@Scotland.police.uk>; Harling, Karen (Licensing) <kharling1@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; torquil.cramer@firescotland.gov.uk; licensing@nhslothian.scot.nhs.uk; all@haddingtoncc.org.uk
Subject: FW: Attached Image - Major Variation - Victoria Inn and Avenue Restaurant - EL215

Hi All

Please find attached Major Variation for Victoria Inn and Avenue Restaurant to add Indoor and Outdoors Sports to operating plan. Can I please have your comments/observations by 1st September, 2023.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council

0CC625/23



LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

4A

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) _____

Personal licence number (if applicable) SC2149

Name of voluntary organisation (if applicable) _____

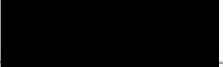
2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Nixon

Forenames Christopher

Date of birth (Day / Month / Year) 

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town [Redacted] Post code [Redacted]

Telephone Numbers

Daytime Tel. [Redacted] Evening Tel. _____

Mobile No. _____

Fax No. _____ Email info@platterandpop.co.uk

3. THE PREMISES

Description of premises

Dunglass Estate - Wedding Venue

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

Wedding Cash Bar - 60 guests

Full postal address of premises which this application refers to _____

Dunglass Estate , Dunglass, Cockburnspath, TD13 5XF

4. DURATION OF LICENCE

Date: From 4th October 2023 To 4th October 2023

Time: From 7pm To 11.45pm

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

7pm-11.45pm

Times for sale of alcohol for consumption off premises

N/A

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

2pm-12am

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 under 16

Times at which children or young persons permitted entry 2pm-12am

Parts of premises to which children or young persons permitted entry

Main Dining Hall, Ceremony Area, Bathroom, Garden

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 Chris Nixon

Date 07/08/23

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 organisation

is 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>)

**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

Wedding

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Live Music

2. Attendance

(a) Approximately how many people are expected to attend?

60

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

Couple's Guest list

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 - 30

30 - 50

over 50

2. (cont)

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

Private invitation

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

N/A

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

N/A

4. Layout Plans

Please indicate if –

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application
-
-

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December

6. Will alternatives to glass receptacles be provided?

Plastic glasses for last orders

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All bar staff have undergone mandatory training and personal licence holder will be on site.

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 objectives.

8. How will you prevent Crime and Disorder at the event?

Challenge 25 in operation, promotion of responsible drinking.

9. How will you secure Public Safety at the event?

Promotion of responsible drinking, trained staff in attendance at all times.

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

Venue is a secluded location, on private land

11. How will you promote and protect Public Health at the event?

Promote responsible drinking, wide variety of non alcoholic beverages available.

12. How will you protect Children from harm at the event?

Challenge 25

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 Chris Nixon

Date 27/07/2023

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 09 August 2023 09:33
To: Licensing
Subject: ref 625-632
Attachments: OCC625.23 4TH OCTOBER 2023M - OCCASIONAL LICENSE APPLICATION.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 applications 625-632

EAST LoTHIAN COUNCIL

LICENSING STANDARDS


Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th August 2023

**Subject: LICENSING SCOTLAND ACT 2005
REPORT - OCCASIONAL LICENCE APPLICATION OCC372/23
Christopher Nixon, Dunglass Estate, Dunglass. Cockburnspath, TD13 5XF**

The applicant is Christopher Nixon who is a personal licence holder. Application has been made for two occasional licences for weddings at Dunglass Estate.

The duration of the applications are Wednesday 4th Oct 2023 1900-2345 and Wednesday 18th November 1900-2345 for on sales only.

I refer the board to section 17.1 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

The venue is a busy wedding venue that hosts weddings on a weekly basis on a Wednesdays and Saturdays. The occasional licences are submitted by outside caterers/applicants. Over the summer period 19 applications have been received that have been in excess of the policy terminal hour by multiple caters. An email was sent to Ms Claire Weir, Dunglass Estates on 29th June 2023 to ask caterers/applicants to consider the board policy hours when applying and that further applications for hours outside of policy would require to be heard by the Board. In addition to this communication, guidance has been provided to the premises on the process of applying for a premises licence.

In line with board policy above, I refer the applications to the Licensing Board for determination if the applicant can justify their request and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licence.


Licensing Standards Officer

0CC628/23



LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

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) _____

Personal licence number (if applicable) SC2149

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Nixon

Forenames Christopher

Date of birth (Day / Month / Year) [REDACTED]

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town [Redacted] Post code [Redacted]

Telephone Numbers

Daytime Tel. [Redacted] Evening Tel. _____

Mobile No. _____

Fax No. _____ Email info@platterandpop.co.uk

3. THE PREMISES

Description of premises

Dunglass Estate - Wedding Venue

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

Wedding Cash Bar - 95 guests

Full postal address of premises which this application refers to _____

Dunglass Estate , Dunglass, Cockburnspath, TD13 5XF

4. DURATION OF LICENCE

Date: From 18th October 2023 To 18th October 2023

Time: From 7pm To 11.45pm

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

7pm-11.45pm

Times for sale of alcohol for consumption off premises

N/A

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

2pm-12am

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 under 16

Times at which children or young persons permitted entry 2pm-12am

Parts of premises to which children or young persons permitted entry

Main Dining Hall, Ceremony Area, Bathroom, Garden

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 Chris Nixon

Date 08/08/23

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 organisation

is 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>)

**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

Wedding

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Live Music

2. Attendance

(a) Approximately how many people are expected to attend?

95

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

Couple's Guest list

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 - 30

30 - 50

over 50

2. (cont)

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

Private invitation

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

N/A

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

N/A

4. Layout Plans

Please indicate if –

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application
-
-

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December

6. Will alternatives to glass receptacles be provided?

Plastic glasses for last orders

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All bar staff have undergone mandatory training and personal licence holder will be on site.

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 objectives.

8. How will you prevent Crime and Disorder at the event?

Challenge 25 in operation, promotion of responsible drinking.

9. How will you secure Public Safety at the event?

Promotion of responsible drinking, trained staff in attendance at all times.

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

Venue is a secluded location, on private land

11. How will you promote and protect Public Health at the event?

Promote responsible drinking, wide variety of non alcoholic beverages available.

12. How will you protect Children from harm at the event?

Challenge 25

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 Chris Nixon

Date 08/08/2023

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 09 August 2023 09:33
To: Licensing
Subject: ref 625-632 OCC 628/23
Attachments: OCC625.23 4TH OCTOBER 2023M - OCCASIONAL LICENSE APPLICATION.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 applications 625-632

EAST LoTHIAN COUNCIL

LICENSING STANDARDS


Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th August 2023

Subject: LICENSING SCOTLAND ACT 2005
REPORT - OCCASIONAL LICENCE APPLICATION OCC372/23
Christopher Nixon, Dunglass Estate, Dunglass. Cockburnspath, TD13 5XF

The applicant is Christopher Nixon who is a personal licence holder. Application has been made for two occasional licences for weddings at Dunglass Estate.

The duration of the applications are Wednesday 4th Oct 2023 1900-2345 and Wednesday 18th November 1900-2345 for on sales only.

I refer the board to section 17.1 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

The venue is a busy wedding venue that hosts weddings on a weekly basis on a Wednesdays and Saturdays. The occasional licences are submitted by outside caterers/applicants. Over the summer period 19 applications have been received that have been in excess of the policy terminal hour by multiple caters. An email was sent to Ms Claire Weir, Dunglass Estates on 29th June 2023 to ask caterers/applicants to consider the board policy hours when applying and that further applications for hours outside of policy would require to be heard by the Board. In addition to this communication, guidance has been provided to the premises on the process of applying for a premises licence.

In line with board policy above, I refer the applications to the Licensing Board for determination if the applicant can justify their request and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licence.


Licensing Standards Officer

Sun/Mon



11/2 Oct

0CC692/23
AW 8/9

LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

4B

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) _____

Personal licence number (if applicable) EL413 _____

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Mitchell _____

Forenames Paul Anthony _____

Date of birth (Day / Month / Year) ██████████ _____

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town [Redacted]

Post code [Redacted]

Telephone Numbers

Daytime Tel. [Redacted]

Evening Tel. [Redacted]

Mobile No. [Redacted]

Fax No. _____

Email [Redacted]

3. THE PREMISES

Description of premises

Broxmouth Courtyard - purpose built venue with dining room, bar facilities, additional reception rooms, toilet facilities and associated car parking within Broxmouth Park estate.

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

One private Wedding, to include family only, informal barbecue on the eve of the wedding (1st of October) followed by wedding breakfast and evening reception on the wedding day (2nd of October) with up to 50 attendees by invitation only.

Full postal address of premises which this application refers to _____

Broxmouth Courtyard, Broxmouth Park, Dunbar, EH42 1QW



4. DURATION OF LICENCE

From 01/10/2023 To 02/10/2023

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

6pm until 11pm on the 1st October & 11am until midnight on the 2nd October.

Times for sale of alcohol for consumption off premises

N/A

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

The premises will have wedding related activity at the venue from 3pm on the eve of the wedding (1st October) until midnight on the wedding day itself (2nd October).

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 All ages 0 -17

Times at which children or young persons permitted entry 11am until Midnight

Parts of premises to which children or young persons permitted entry

Children and young persons will be permitted and supervised access to all public areas of the venue. Children will not be permitted to areas adjacent to bar servery and kept at least 1.5m from service points

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 04/08/2023

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 organisation

is 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>)



**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

A private Wedding

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Live Music and DJ Music

2. Attendance

(a) Approximately how many people are expected to attend?

A maximum of 160 guests

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

The event is organised privately, therefore by invitation only and numbers, names and details provided to the venue and license holder by the wedding couple.

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 - 30

30 - 50

over 50

2. (cont)

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

Private invitation

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

Zero stewards

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

N/A

4. Layout Plans

Please indicate if -

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application

In reference to 4c, please see accompanying plans.



5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December -

24/02/23, 03/03/23, 10/03/23, 17/03/23, 24/03/23, 31/03/23, 04/04/23, 08/04/23, 14/04/23, 21/04/23, 26/04/23, 28/04/23, 03/05/23, 05/05/23, 10/05/23, 12/05/23, 17/05/23, 19/05/23, 25/05/23, 27/05/23, 29/05/23, 31/05/23, 02/06/23, 09/06/23, 15/06/23, 17/06/23, 21/06/23, 23/06/23, 28/06/23, 31/06/23, 05/07/23, 07/07/23, 10/07/23, 14/07/23, 16/07/23, 19/07/23, 21/07/23, 23/07/23, 26/07/23, 28/07/23, 31/07/23, 02/08/23, 06/08/23, 09/08/23, 11/08/23, 16/08/23, 18/08/23, 23/08/23, 25/08/23, 27/08/23, 01/09/23, 06/09/23, 08/09/23, 13/09/23, 16/09/23, 20/09/23, 22/09/23, 27/09/23, 29/09/23

6. Will alternatives to glass receptacles be provided?

YES, where applicable and appropriate.

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All bar and waiting staff are trained to a minimum two hour requirement including completion of Responsible Alcohol Retailing workbook prior to serving alcohol additional PL Holders present.

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 objectives.

8. How will you prevent Crime and Disorder at the event?

All guests will be privately invited, providing a register of attendees. The license holder, management and serving staff will ensure alcohol is responsibly served at all times.

9. How will you secure Public Safety at the event?

Premises will be properly maintained. All areas will be properly illuminated including with emergency lighting in the event of fire or power failure. Fire suppressant systems will be on site and staff trained in their use. Trained first aiders will be present as will a technician for any unforeseen technical issues.

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

The events will be located within a permanent, purpose built building within a private estate, at least 500 metres from the closest neighbour. Equipment is utilised to ensure music volumes are controlled.

11. How will you promote and protect Public Health at the event?

We will provide a broad range of soft and non-alcoholic drinks plus drinking water will be freely available at all times through the events.

12. How will you protect Children from harm at the event?

Children will be closely supervised at all times and excluded from proximity to bar service points by at least 1.5 meters.

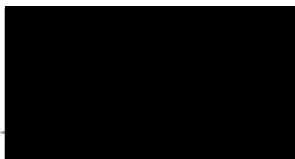
SIGNATURE AND DECLARATION BY APPLICANT

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 04/08/2023



Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 07 September 2023 10:39
To: Licensing
Subject: ref broxmouth courtyard 692-697
Attachments: OCCASIONAL_APPLICATION_FORM_OCTOBER_01_2023.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.

NPOs

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th August 2023

Subject: LICENSING SCOTLAND ACT 2005

**REPORT - OCCASIONAL LICENCE APPLICATION OCC692/23, OCC694/23 AND
OCC711/23**

Paul Mitchell, Broxmouth Courtyard, Broxmouth Park, Dunbar EH42 1QW

The applicant is Paul Mitchell who is a personal licence holder. Application has been made for three occasional licences for weddings at Broxmouth Courtyard.

The duration of the applications are:

OCC692/23 – Sunday 1st Oct 1800 – 2300 and Monday 2nd Oct 1100 – 0000

OCC694/23 – Sunday 8th Oct 1800 – 2300 and Monday 9th Oct 1100 – 0000

OCC711/23 – Sunday 5th Nov 1800 – 2300 and Monday 6th Nov 1100 – 0000

I refer the board to section 17.1 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

The venue is a busy wedding venue that hosts weddings on a weekly basis Over the summer period 8 previous applications have been received that have been in excess of the policy terminal hour. A provisional premises licence is held by Broxmouth Estates Ltd for Broxmouth Courtyard however it is not yet been confirmed. The on sales hours on the provisional premises licence are within board policy as per below with a terminal hour on Monday-Wednesday of 2300 hours:

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

An email was sent to Mr Mitchell, on 4th September 2023 highlighting that application are outwith the board policy hours when applying and that further applications for hours outside of policy would require to be heard by the Board.

In addition to this communication, guidance has been provided that should the licence holder wish to vary the on sales hours granted on the provisional licence a major variation should be submitted.

In line with board policy above, I refer the applications to the Licensing Board for determination if the applicant can justify their request and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licences.

Licensing Standards Officer

0CC694/23

Sun/Mon



8/19 Oct
Adv 8/9

LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

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) _____

Personal licence number (if applicable) EL413

Name of voluntary organisation (if applicable) _____

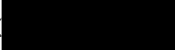
2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Mitchell

Forenames Paul Anthony

Date of birth (Day / Month / Year) 

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[REDACTED]

Post town [REDACTED] Post code [REDACTED]

Telephone Numbers

Daytime Tel. [REDACTED] Evening Tel. [REDACTED]

Mobile No. [REDACTED]

Fax No. [REDACTED] Email [REDACTED]

3. THE PREMISES

Description of premises

Broxmouth Courtyard - purpose built venue with dining room, bar facilities, additional reception rooms, toilet facilities and associated car parking within Broxmouth Park estate.

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

One private Wedding, to include family only, informal barbecue on the eve of the wedding (8th of October) followed by wedding breakfast and evening reception on the wedding day (9th of October) with up to 80 attendees by invitation only.

Full postal address of premises which this application refers to _____

Broxmouth Courtyard, Broxmouth Park, Dunbar, EH42 1QW



4. DURATION OF LICENCE

From 08/10/2023 To 09/10/2023

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

6pm until 11pm on the 8th October & 11am until midnight on the 9th October.

Times for sale of alcohol for consumption off premises

N/A

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

The premises will have wedding related activity at the venue from 3pm on the eve of the wedding (8th October) until midnight on the wedding day itself (9th October).

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 All ages 0 -17

Times at which children or young persons permitted entry 11am until Midnight

Parts of premises to which children or young persons permitted entry

Children and young persons will be permitted and supervised access to all public areas of the venue. Children will not be permitted to areas adjacent to bar servery and kept at least 1.5m from service points

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 04/08/2023

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 organisation

is 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>)

**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

A private Wedding

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Live Music and DJ Music

2. Attendance

(a) Approximately how many people are expected to attend?

A maximum of 80 guests

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

The event is organised privately, therefore by invitation only and numbers, names and details provided to the venue and license holder by the wedding couple.

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 - 30

30 - 50

over 50

2. (cont)

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

Private invitation

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

Zero stewards

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

N/A

4. Layout Plans

Please indicate if -

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application

In reference to 4c, please see accompanying plans.

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December -

24/02/23, 03/03/23, 10/03/23, 17/03/23, 24/03/23, 31/03/23, 04/04/23, 08/04/23, 14/04/23, 21/04/23, 26/04/23, 28/04/23, 03/05/23, 05/05/23, 10/05/23, 12/05/23, 17/05/23, 19/05/23, 25/05/23, 27/05/23, 29/05/23, 31/05/23, 02/06/23, 09/06/23, 15/06/23, 17/06/23, 21/06/23, 23/06/23, 28/06/23, 31/06/23, 05/07/23, 07/07/23, 10/07/23, 14/07/23, 16/07/23, 19/07/23, 21/07/23, 23/07/23, 26/07/23, 28/07/23, 31/07/23, 02/08/23, 06/08/23, 09/08/23, 11/08/23, 16/08/23, 18/08/23, 23/08/23, 25/08/23, 27/08/23, 01/09/23, 06/09/23, 08/09/23, 13/09/23, 16/09/23, 20/09/23, 22/09/23, 27/09/23, 29/09/23

6. Will alternatives to glass receptacles be provided?

YES, where applicable and appropriate.

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All bar and waiting staff are trained to a minimum two hour requirement including completion of

Responsible Alcohol Retailing workbook prior to serving alcohol additional PL Holders present.

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 objectives.

8. How will you prevent Crime and Disorder at the event?

All guests will be privately invited, providing a register of attendees. The license holder, management and serving staff will ensure alcohol is responsibly served at all times.

9. How will you secure Public Safety at the event?

Premises will be properly maintained. All areas will be properly illuminated including with emergency lighting in the event of fire or power failure. Fire suppressant systems will be on site and staff trained in their use. Trained first aiders will be present as will a technician for any unforeseen technical issues.

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

The events will be located within a permanent, purpose built building within a private estate, at least 500 metres from the closest neighbour. Equipment is utilised to ensure music volumes are controlled.

11. How will you promote and protect Public Health at the event?

We will provide a broad range of soft and non-alcoholic drinks plus drinking water will be freely available at all times through the events.

12. How will you protect Children from harm at the event?

Children will be closely supervised at all times and excluded from proximity to bar service points by at least 1.5 meters.


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 04/08/2023

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 07 September 2023 10:39
To: Licensing
Subject: ref broxmouth courtyard 692-697
Attachments: OCCASIONAL_APPLICATION_FORM_OCTOBER_01_2023.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.

NPOs

EAST LOTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th August 2023

Subject: LICENSING SCOTLAND ACT 2005

**REPORT - OCCASIONAL LICENCE APPLICATION OCC692/23, OCC694/23 AND
OCC711/23**

Paul Mitchell, Broxmouth Courtyard, Broxmouth Park, Dunbar EH42 1QW

The applicant is Paul Mitchell who is a personal licence holder. Application has been made for three occasional licences for weddings at Broxmouth Courtyard.

The duration of the applications are:

OCC692/23 – Sunday 1st Oct 1800 – 2300 and Monday 2nd Oct 1100 – 0000

OCC694/23 – Sunday 8th Oct 1800 – 2300 and Monday 9th Oct 1100 – 0000

OCC711/23 – Sunday 5th Nov 1800 – 2300 and Monday 6th Nov 1100 – 0000

I refer the board to section 17.1 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

The venue is a busy wedding venue that hosts weddings on a weekly basis Over the summer period 8 previous applications have been received that have been in excess of the policy terminal hour. A provisional premises licence is held by Broxmouth Estates Ltd for Broxmouth Courtyard however it is not yet been confirmed. The on sales hours on the provisional premises licence are within board policy as per below with a terminal hour on Monday-Wednesday of 2300 hours:

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

An email was sent to Mr Mitchell, on 4th September 2023 highlighting that application are outwith the board policy hours when applying and that further applications for hours outside of policy would require to be heard by the Board.

In addition to this communication, guidance has been provided that should the licence holder wish to vary the on sales hours granted on the provisional licence a major variation should be submitted.

In line with board policy above, I refer the applications to the Licensing Board for determination if the applicant can justify their request and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licences.

Licensing Standards Officer

Sun/Mon



0CC711/23

5/6 NOV

East Lothian Council
Licensing

LICENSING (SCOTLAND) ACT 2005, SECTION 142

08 SEP 2023

Received

OCCASIONAL LICENCE APPLICATION FORM

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) _____

Personal licence number (if applicable) EL413

Name of voluntary organisation (if applicable) _____

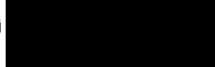
2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Mitchell

Forenames Paul Anthony

Date of birth (Day / Month / Year) 

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[REDACTED]

Post town

[REDACTED]

Post code

[REDACTED]

Telephone Numbers

Daytime Tel.

[REDACTED]

Evening Tel.

[REDACTED]

Mobile No.

[REDACTED]

Fax No.

Email

[REDACTED]

3. THE PREMISES

Description of premises

Broxmouth Courtyard - purpose built venue with dining room, bar facilities, additional reception rooms, toilet facilities and associated car parking within Broxmouth Park estate.

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

One private Wedding, to include family only, informal barbecue on the eve of the wedding (5th of November) followed by wedding breakfast & evening reception on the wedding day (6th of November) with up to 140 attendees by invitation only.

Full postal address of premises which this application refers to

Broxmouth Courtyard, Broxmouth Park, Dunbar, EH42 1QW

4. DURATION OF LICENCE

From 05/11/2023 To 06/11/2023

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

6pm until 11pm on the 5th November & 11am until midnight on the 6th November.

Times for sale of alcohol for consumption off premises

N/A

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

The premises will have wedding related activity at the venue from 3pm on the eve of the wedding (5th November) until midnight on the wedding day itself (6th November).

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 All ages 0 -17

Times at which children or young persons permitted entry 11am until Midnight

Parts of premises to which children or young persons permitted entry

Children and young persons will be permitted and supervised access to all public areas of the venue. Children will not be permitted to areas adjacent to bar servery and kept at least 1.5m from service points

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 04/08/2023

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 organisation

is 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>)

**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

A private Wedding

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Live Music and DJ Music

2. Attendance

(a) Approximately how many people are expected to attend?

A maximum of 140 guests

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

The event is organised privately, therefore by invitation only and numbers, names and details provided to the venue and license holder by the wedding couple.

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 – 30

30 – 50

over 50

2. (cont)

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

Private invitation

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

Zero stewards

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

N/A

4. Layout Plans

Please indicate if -

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
(b) the premises relate to a members club which has been issued with a premises licence; or
(c) if neither of the above, please attach a detailed layout plan of the venue with the application

In reference to 4c, please see accompanying plans.

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December -

24/02/23, 03/03/23, 10/03/23, 17/03/23, 24/03/23, 31/03/23, 04/04/23, 08/04/23, 14/04/23, 21/04/23, 26/04/23, 28/04/23, 03/05/23, 05/05/23, 10/05/23, 12/05/23, 17/05/23, 19/05/23, 25/05/23, 27/05/23, 29/05/23, 31/05/23, 02/06/23, 09/06/23, 15/06/23, 17/06/23, 21/06/23, 23/06/23, 28/06/23, 31/06/23, 05/07/23, 07/07/23, 10/07/23, 14/07/23, 16/07/23, 19/07/23, 21/07/23, 23/07/23, 26/07/23, 28/07/23, 31/07/23, 02/08/23, 06/08/23, 09/08/23, 11/08/23, 16/08/23, 18/08/23, 23/08/23, 25/08/23, 27/08/23, 01/09/23, 06/09/23, 08/09/23, 13/09/23, 16/09/23, 20/09/23, 22/09/23, 27/09/23, 29/09/23

6. Will alternatives to glass receptacles be provided?

YES, where applicable and appropriate.

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All bar and waiting staff are trained to a minimum two hour requirement including completion of Responsible Alcohol Retailing workbook prior to serving alcohol additional PL Holders present.

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 objectives.

8. How will you prevent Crime and Disorder at the event?

All guests will be privately invited, providing a register of attendees. The license holder, management and serving staff will ensure alcohol is responsibly served at all times.

9. How will you secure Public Safety at the event?

Premises will be properly maintained. All areas will be properly illuminated including with emergency lighting in the event of fire or power failure. Fire suppressant systems will be on site and staff trained in their use. Trained first aiders will be present as will a technician for any unforeseen technical issues.

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

The events will be located within a permanent, purpose built building within a private estate, at least 500 metres from the closest neighbour. Equipment is utilised to ensure music volumes are controlled.

11. How will you promote and protect Public Health at the event?

We will provide a broad range of soft and non-alcoholic drinks plus drinking water will be freely available at all times through the events.

12. How will you protect Children from harm at the event?

Children will be closely supervised at all times and excluded from proximity to bar service points by at least 1.5 meters.

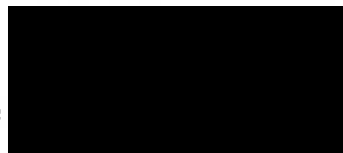
SIGNATURE AND DECLARATION BY APPLICANT

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 04/08/2023

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 11 September 2023 09:40
To: Licensing
Subject: REF 710-713
Attachments: HERKES_GILLIAN_XVF20528_FIREBIRD_2991_001.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.

NPOs REFS 710-713

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th August 2023

Subject: LICENSING SCOTLAND ACT 2005
REPORT - OCCASIONAL LICENCE APPLICATION OCC692/23, OCC694/23 AND
OCC711/23
Paul Mitchell, Broxmouth Courtyard, Broxmouth Park, Dunbar EH42 1QW

The applicant is Paul Mitchell who is a personal licence holder. Application has been made for three occasional licences for weddings at Broxmouth Courtyard.

The duration of the applications are:

OCC692/23 – Sunday 1st Oct 1800 – 2300 and Monday 2nd Oct 1100 – 0000
OCC694/23 – Sunday 8th Oct 1800 – 2300 and Monday 9th Oct 1100 – 0000
OCC711/23 – Sunday 5th Nov 1800 – 2300 and Monday 6th Nov 1100 – 0000

I refer the board to section 17.1 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*

The venue is a busy wedding venue that hosts weddings on a weekly basis Over the summer period 8 previous applications have been received that have been in excess of the policy terminal hour. A provisional premises licence is held by Broxmouth Estates Ltd for Broxmouth Courtyard however it is not yet been confirmed. The on sales hours on the provisional premises licence are within board policy as per below with a terminal hour on Monday-Wednesday of 2300 hours:

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

An email was sent to Mr Mitchell, on 4th September 2023 highlighting that application are outwith the board policy hours when applying and that further applications for hours outside of policy would require to be heard by the Board.

In addition to this communication, guidance has been provided that should the licence holder wish to vary the on sales hours granted on the provisional licence a major variation should be submitted.

In line with board policy above, I refer the applications to the Licensing Board for determination if the applicant can justify their request and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licences.

Licensing Standards Officer

22/9

0CC669/03

Adv

1/9

East Lothian Council
Licensing

25 AUG 2023

Received



Occasional Licence Application Form
EAST LOTHIAN LICENSING BOARD

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)
Personal licence number (if applicable)
Name of voluntary organisation (if applicable)

EL503

4C

2. PERSONAL DETAILS	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	THOMPSON
Forenames	SUSAN ANNE
[REDACTED]	
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED]	
Post town	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	[REDACTED]
E-MAIL ADDRESS	[REDACTED]
3. THE PREMISES	
Description of premises	
Shop, Post office, Cafe, Coffee in kitchen	
Description of activities to be carried on in the premises - (including number of persons expected to attend)	

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

Selling various goods and services
Plus alcohol for on and off
sale premises

Full postal address of premises which this application refers to

THOMSON'S OF TRANENT
22 B WINTON PLACE
TRANENT EU33 1AE

4. DURATION OF LICENCE

From: 22/09/23

To: 05/10/23

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-* delete as appropriate

Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises
MON - WED 11am - 11pm THUR - SAT 11am - 1am SUNDAY 11am - 12pm	10am - 10pm

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
0 - 17 years	5pm - 11pm 11am - 10pm

Parts of premises to which children or young persons permitted entry

ALL AREAS EXCEPT 1-5m 5m
Bar counter

7. CHECKLIST


I have - Please tick for yes

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

IT IS AN OFENCE 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 22/8/23	
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669

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 07 September 2023 09:05
To: Licensing
Subject: REF 669-676
Attachments: OCC669 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 APPLICATIONS 669 TO 676 INCLUSIVE

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 11th September

Subject: LICENSING SCOTLAND ACT 2005

REPORT - OCCASIONAL LICENCE APPLICATION OCC 664-665/23 and 669-676/23

Susan Thomson, for Thomson's of Tranent, 22B Winton Place, Tranent, EH33 1AE

The applicant is Susan Thomson who is a personal licence holder. Application has been made for ten occasional licences for a café and shop at Thomson's of Tranent.

The duration of the applications is from 25th August – 11th January 2024 for on sales and off sales. At the time of writing the first application (OCC664/23) has expired (25th August – 7th September 2023).

Currently, a provisional premises licence is held for the above premises. The licence holder is Partnership of George Thomson and Susan Thomson. Each partner has joint responsibility for the business, operations, and provisional premises licence.

On 24th August 2023, Mr and Mrs Thomson applied for an extension to the provisional premises licence which was granted by the Board. This licence is still to be confirmed.

As per section 45 (3) of the Act - *A premises licence issued in respect of any such premises does not take effect unless and until it is confirmed by the Licensing Board which issued it in accordance with section 46.*

For the premises to operate and make sales of alcohol there requires to be a valid occasional licence. The Board has previously granted occasional licences for 4 years.

On 24th August 2023, I became aware that no further occasional licence applications had been received or issued beyond this date. I emailed Mr and Mrs Thomson to make them aware of this oversight and guided them that any sales of alcohol from 25th August onwards would be unlicensed and a criminal offence. I asked they cease the sale of alcohol until such time as there was an occasional licence in place. This guidance for Mr and Mrs Thomson to prevent them from commit an offence. I detailed that the Licensing Team could see a payment from him however had not received any occasional licence applications. I asked that he get in touch with the Licensing Team to advise on what the payment was for and submit any applications.

On Friday 25th August, Mr Thomson attended at John Muir House where he delivered 10 occasional licence applications at the front desk in Susan Thomson's name. The start date for the first application was that day.

On Friday 25th August, I spoke to Mr Thomson. I explained that it was Board policy that applications should be submitted 42 days in advance of the start date of the application. If the application is submitted late it may not be possible to fully process or determine the application in time. In addition I explained the process which included that the occasional licence applications would need to be processed, advertised, and consulted on within the statutory timescales set out in the Licensing (Scotland) Act 2005. I explained to him that applications need to be advertised for 7 days and consultees have up to 21 days to report. Only after the 7 days and once all reports had been submitted could the occasional licences be determined. Again, I advised that any sale of alcohol made before an occasional licence was granted would be a criminal offence and enforcement would lie with the police.

Section 137 gives an LSO power to enter and inspect premises for the purpose of determining a pending licence application. This includes an occasional licence application.

On Monday 4th September, I attended at Thomson's of Tranent and found alcohol was on display within the shop area and witnessed a sale of alcohol. I reported the offence to police, identified myself to staff, gave my contact details and left the shop.

I then received a voicemail and text message from Mr Thomson admitting that he had not told his wife, daughter or any of the staff not to sell alcohol and that it was all his fault.

I have had no contact with Mrs Susan Thomson in relation to the premises or applications that she has made as a personal licence holder.

I submit this for the Board's information in determining the occasional licence applications.

Licensing Standards Officer

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

5

Good Morning Members,

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

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.

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
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
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
Whitekirk
Dunbar
East Lothian
EH42 1XS




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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.

07/09/2023

Your Ref: EL1907

Our Ref: 670292

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
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

FOR THE ATTENTION OF EAST LOTHIAN BOARD

6A

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE
AMERJEET SINGH.**

I refer to the above application and in terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I can confirm that the applicant has been convicted of the following relevant offence.

Date	Court	Crime/Offence	Disposal
[REDACTED]			



Details of the circumstances surrounding these incidents are detailed in the attached Appendix.

Due to these convictions, I am of the opinion that the applicant demonstrates a blatant disregard for the law and in terms of Section 73(4) of the Licensing (Scotland) Act 2005, the Chief Constable recommends, for the purposes of the Preventing Crime and Disorder and Securing Public Safety Licensing objectives, the application be refused.

I am unable to confirm the existence of any foreign offence in respect of the applicant.

Submitted for consideration.

Yours faithfully

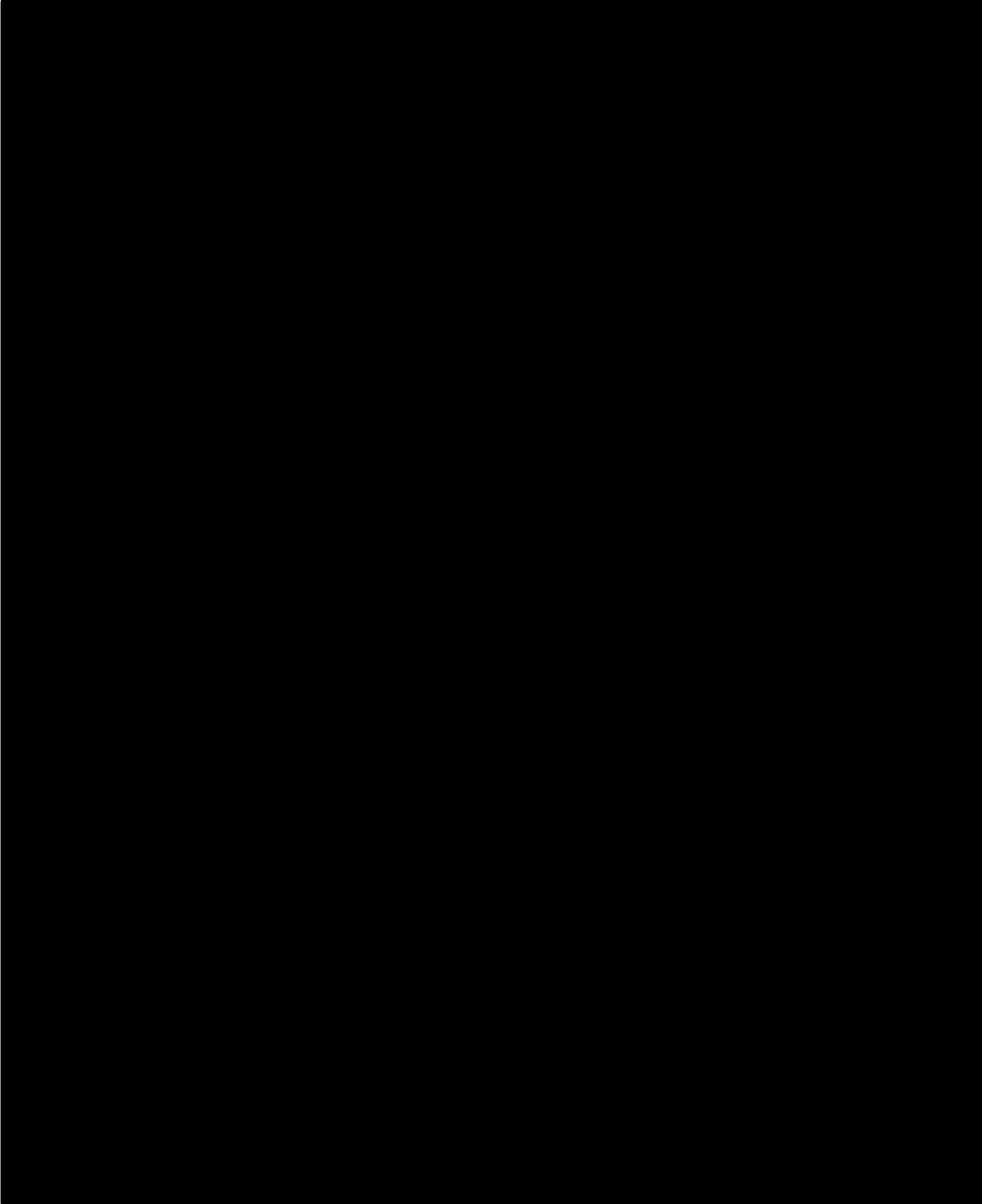


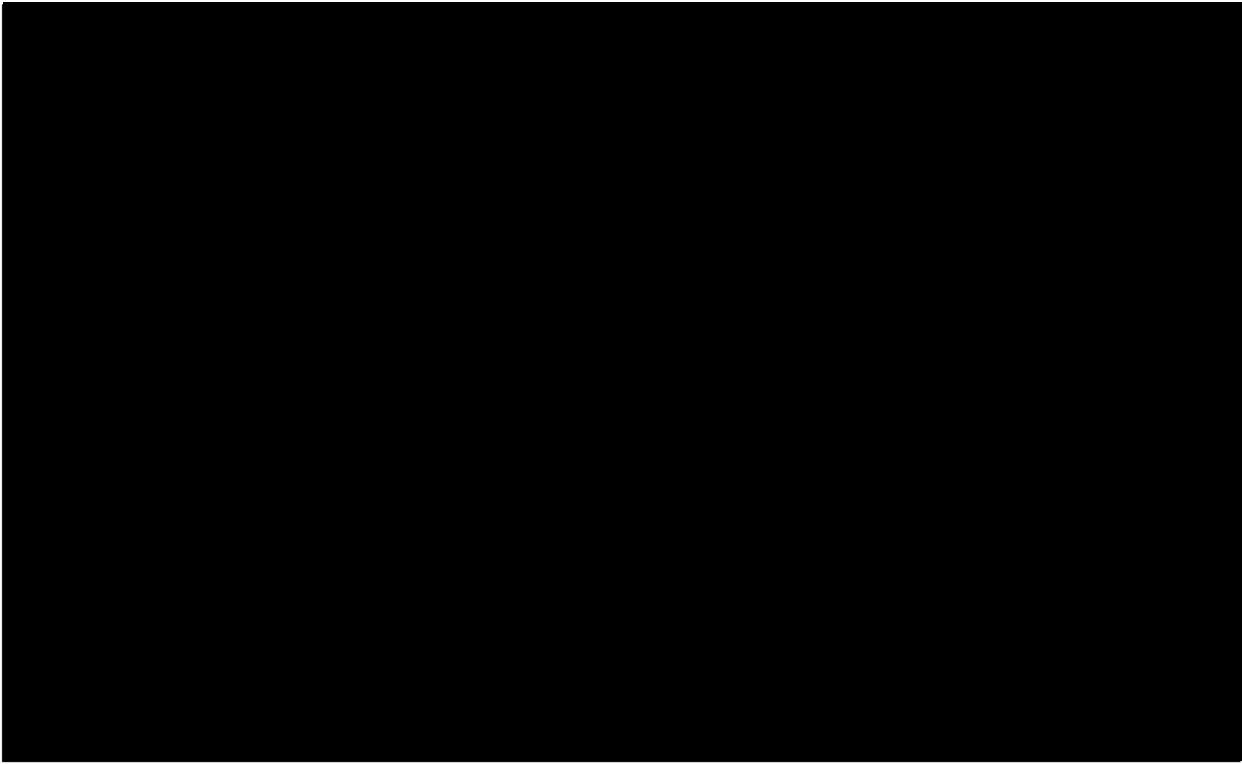
Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 654 5583.

RESTRICTED

APPENDIX





EL1907
PC/KH 11/10

SCHEDULE 2

East Lothian Licensing Board

Application for a personal licence

FIRST APPLICATION/RENEWAL APPLICATION (delete as appropriate)

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. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	SINGH
Forenames	AMERJEET
Date and Place of Birth	[REDACTED]
NI Number	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	
E-mail address (if you would prefer us to correspond with you by e-mail)	
[REDACTED]	
Address for correspondence associated with this application (if different to the address above)	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]

2. Your licensing qualification		
Read note 2		
I hold an accredited qualification	Please tick	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time		
	Please tick	
Do you currently hold a personal licence?	Yes	No <input checked="" type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	Yes	No <input checked="" type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years?	Yes	No <input checked="" type="checkbox"/>
Licensing Board	Highfield Qualifications	
Licence number	PLH6610593	
Date of issue	12/7/22	
Date of expiry		
Any further details	Qualification number R65404	


4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	

Other personal licence		
Note: You may only hold one personal licence at a time		Please tick
I confirm that I do not hold any other personal licences other than the one submitted for renewal	Yes ✓	No

5. CHECKLIST		Please tick yes
I have		
• Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3.		
• Enclosed a copy of any licensing qualification I hold		✓
• Enclosed my current personal licence (renewal only)		✓
• Made or enclosed payment of the fee for the application		✓

6. Previous Convictions
You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

Offence	Court	Date	Penalty
None			

7. Declaration			
The contents of this application are true to the best of my knowledge and belief			
SIGNATURE – read note 5 Applicant/Agent* (*Delete as appropriate)		DATE 29/9/22	

I understand that East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. East Lothian Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

NOTES

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>)

Highfield Qualifications

Certifies that
Amerjeet Singh

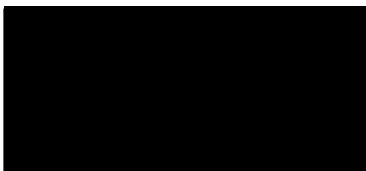
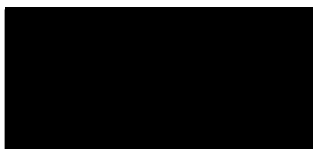
has successfully passed an assessment in
**Scottish Certificate for Personal Licence Holders at
SCQF Level 6**

Qualification number R654 04

Date of award 12 July 2022

Certificate number PLH6610593

Course Director



Jason Sprenger - Chief Executive
Highfield Qualifications



This qualification has been SCQF credit rated by SQA Accreditation.

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 01 September 2023 10:13
To: Licensing
Subject: EL1959 - P/L GRANT - TONY EXELBY - [REDACTED]
Attachments: LIC18 PERSONAL - NO RELEVANT OFFENCES TONY EXELBY.RTF

6B

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 - 689759

[REDACTED]

Regards
Iain

01/09/2023

Your Ref: EL1959

Our Ref: 689759

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
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE
TONY HARRY CHARLES EXELBY.**

I refer to the above application and in terms of Section 73(3)(a) of the Licensing (Scotland) Act 2005, I have to advise you that, based upon the information provided to Police Scotland, the applicant has not been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant.

Yours faithfully

Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 654 5583.

10/01/2023

Your Ref: EL1959

Our Ref: 689759

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
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

FOR THE ATTENTION OF EAST LOTHIAN BOARD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE**

TONY HARRY CHARLES EXELBY [REDACTED]

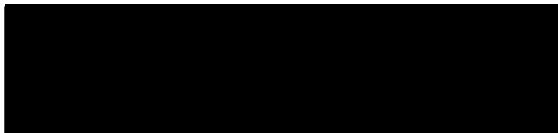
I refer to the above application and in terms of Section 73(3) (b) of the Licensing (Scotland) Act 2005, I have to advise you that, based upon the information provided to Police Scotland, the applicant has been charged of the following relevant offences that have not already been dealt with;

Date	Court	Crime/Offence	Disposal
[REDACTED]			

I am unable to confirm the existence of any foreign offence in respect of the applicant.

This representation is brought to your attention when considering this application and due to the sensitive nature of the pending charges should be treated as confidential for the information of the Board only.

Yours faithfully



Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 654 5583.

EL1959
PC/KH 5/1



EAST LOTHIAN
LICENSING
BOARD

East Lothian Council
Licensing

- 5 JAN 2023

SCHEDULE 2

Received

EAST LOTHIAN LICENSING BOARD

APPLICATION FOR A PERSONAL LICENCE

FIRST

~~FIRST/RENEWAL~~ APPLICATION (delete as appropriate)

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. Your personal details. If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1	
TITLE (delete as appropriate): Mr Ms Miss Ms Other (please state)	
Surname E E L O Y	
Forenames T O W N Henry Charles George	
Date and Place of Birth [REDACTED]	
NI Number [REDACTED]	
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[REDACTED]	
Post town [REDACTED]	Post code [REDACTED]
TELEPHONE NUMBERS	
Daytime [REDACTED]	
Evening ↓ [REDACTED]	
Mobile [REDACTED]	
FAX NUMBER [REDACTED]	
E-mail address [REDACTED]	

Address for correspondence associated with this application (if different to the address above)	
Post town	Post code
Email address	

2. Your licensing qualification		
Read note 2		Please tick
I hold an accredited qualification	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If you have ticked yes please provide a copy of your qualification with your application.		

3. FIRST APPLICATIONS ONLY		
This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below.		
Note: You may only hold one personal licence at a time		Please tick
Do you currently hold a personal licence?	Yes	No
Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board?	Yes	No
Has any personal licence held by you been forfeited in the last 5 years?	Yes	No
Licensing Board		
Licence number		
Date of issue		
Date of expiry		
Any further details		

4. RENEWAL ONLY	
This section should be completed only if you are applying for a renewal of your existing licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below	
Details of current personal licence	
Licensing Board East Lothian	
Licence number FL860	
Date of issue 31/06/12	

Date of expiry 21/06/22	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	
Other personal licence	
Note: You may only hold one personal licence at a time	
I confirm that I do not hold any other personal licences other than the one submitted for renewal	Please tick
	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

5. CHECKLIST	
I have	Please tick if yes
• Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3.	<input checked="" type="checkbox"/>
• Enclosed a copy of any licensing qualification I hold	<input checked="" type="checkbox"/>
• Enclosed my current personal licence (renewal only)	<input checked="" type="checkbox"/>
• Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>

6. Previous Convictions
You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

Offence	Court	Date	Penalty
X	X	X	X

7. Declaration	
The contents of this application are true to the best of my knowledge and belief	
SIGNATURE – read note 5 Applicant/Agent* (*Delete as appropriate)	DATE 5/01/23



This is to certify that

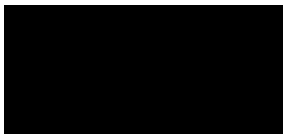
Tony Exelby

has been awarded the

Scottish Certificate for Personal Licence Holders at SCQF Level 6

Qualification No: R650 04

Date Achieved: 15 June 2022



Paul Eeles
Chief Executive
BIIAB Qualifications Limited



Accreditation



Learner Number: AB411206 | Certificate Number: 39148206-01-UISF