



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

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

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

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0 375

2(b) Name and Address of Premises

Wine Wednesdays North Berwick
8c Links Road
North Berwick

Post Code	EH39 4LU	Phone No.	
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2(c) Full Name and Address of Current Licence Holder

Catherine Ann Boot



Post Code	EH39 4LU	Phone No.		
Email address				

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

Addition of "deliveries and online sales of alcohol" to section 5(f) of operating plan

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)

Addition of "deliveries and online sales of alcohol" to section 5(f) of operating plan

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

A copy of the proposed Layout Plan **must** accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.

no changes to layout. Original layout plan attached

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*)

n/a

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

Information on fees can be found at

https://www.eastlothian.gov.uk/info/210571/licensing/12259/beer_and_cider_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) the appropriate fee of £ 200 is enclosed.

Signature CA Boot

..... (See note 5 below)

Date 06/09/23

.....

Capacity: APPLICANT / AGENT (delete as appropriate)

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

.....
.....
.....

Note 1:

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

Note 2:

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

Note 3:

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

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

Note 4:

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

Note 5:

Data Protection Act 1998

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:

East Lothian Licensing Board
Licensing Office
John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114
Fax: 01620 827253
Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY

<i>Received & Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

EAST LOTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Wine Wednesdays North Berwick
8C Links Road
North Berwick
East Lothian
EH39 4LU

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	n/a	
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		

<i>Sunday</i>		
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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	18.00
<i>Tuesday</i>	10	18.00
<i>Wednesday</i>	10	18.00
<i>Thursday</i>	10	18.00
<i>Friday</i>	10	18.00
<i>Saturday</i>	10	18.00
<i>Sunday</i>	10	18.00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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**If YES – provide details*

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	n/a	N/A	N/A
<i>Conference facilities</i>	n/a		
<i>Restaurant facilities</i>	n/a		
<i>Bar meals</i>	n/a		
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>	n/a		
<i>Club or other group</i> <i>meetings etc.</i>	n/a		
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> 5(g)	n/a		
<i>Live performances –</i> see 5(g)	n/a		
<i>Dance facilities</i>	n/a		
<i>Theatre</i>	n/a		
<i>Films</i>	n/a		
<i>Gaming</i>	n/a		
<i>Indoor/outdoor sports</i>	n/a		

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

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.

Deliveries and on-line sale of alcohol
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5(g) Late night premises opening after 1.00am

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

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>	N?A*
	<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?

n/a

Question 8

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

Personal details

8(a) Name

Catherine Boot

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>
04/06/2018	BIIAB	Learner no 212316

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.

SignatureC Boot..... * (see note below)

Date03/10/2023.....

Capacity APPLICANT (delete as appropriate).

Telephone number and email address of signatory

*** Data Protection Act 1998**

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

Supplementary Application Information

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

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

Business Profile

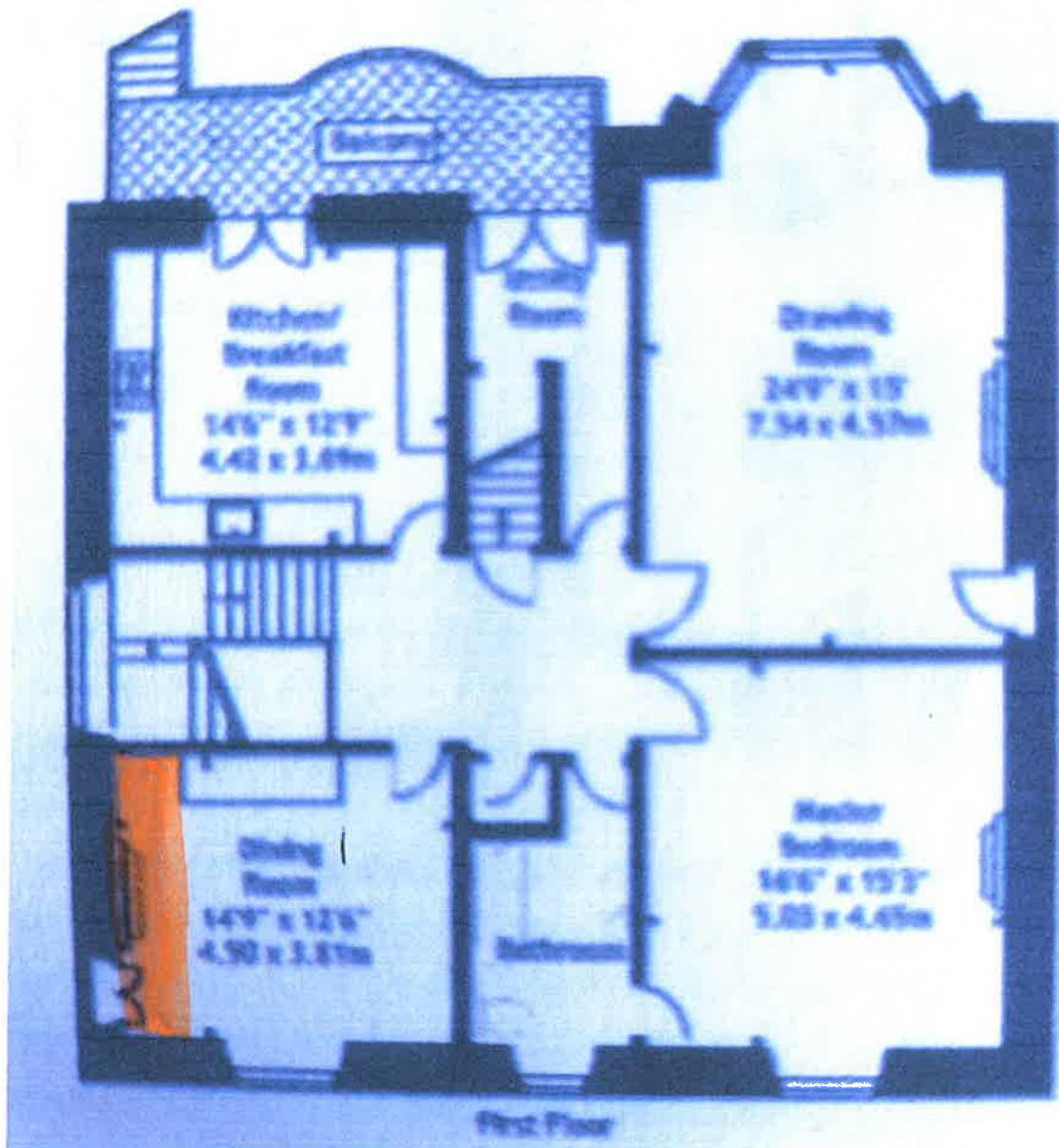
As stated on my current provisional premises license granted on 22nd May 2021, page one, my premises is my primary residence from which I run an online wine delivery business. I take orders in advance and receive a weekly delivery of wine from a wholesaler to the premises, repack it then deliver it myself to customers.

The reason for this variation application is that the licensing standards officer has drawn to my attention that deliveries and online sales are not listed in the operating plan in section 5(f). The East Lothian Licensing Board considers that online sales and deliveries should be added to this section in order for it to take place. As such I require a major variation to the licence in order for this to be added retrospectively.

Once this has been granted, I will be applying to convert my provisional license to a full license.

(extend this box if you require additional space)

LAYOUT PLAN



PLAN OF 1st FLOOR, 80 LINKS ROAD

AREA MARKED IN ORANGE IS WINE STORAGE AREA 3.8 X 1.5
WITHIN A LOCKABLE ROOM OF 3.8M X 4.5M

THERE HAVE BEEN NO PHYSICAL CHANGES MADE
TO THE BUILDING, TO ACCOMMODATE THIS STORAGE AREA

Home Delivery Process

Premises Name – Wine Wednesdays North Berwick

Policy active immediately

- All purchases for home delivery of food and alcohol will be made via {INSERT METHOD}
- It is Wine Wednesday's responsibility to service and deliver the alcohol. 3rd party delivery services are also occasionally used.
- On those occasions, it is Wine Wednesday's responsibility to arrange delivery through a 3rd party courier service, namely APC. This will be done in line with the courier requirements and using an age verification service.
- Records will be kept and maintained showing each order placed for despatch and will be held on the premises.
- A record of each transaction is carried by the person delivering the alcohol. This is via a printed delivery note.
- The record will show the quantity, description, and price of the alcohol
- The record will show the name and address of the person to whom the alcohol is being delivered to.
- Alcohol will only be delivered between the hours of 10am and 10pm daily
- Challenge 25 will be in place where any person receiving a delivery must prove they are over the age of 25 should they appear to look younger than this however over the age of 18. This is validated via myself.
- Only current acceptable proof of age ID will be accepted e.g. European Driving Licence, European Provisional Driving Licence, Passport or PASS logo's ID
- All deliveries are made by myself, Catherine Boot
- An electronic/paper refusal log will be used via spreadsheet should any delivery not be made due to either the recipient being unable to prove their age or appearing intoxicated.
- Should any product be refused, then it is credited to the customer by bank transfer
- The product will be returned to Wine Wednesdays

20/09/2023

Your Ref: Wine Wednesdays

Our Ref: 757694

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



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
WINE WEDNESDAY
8 LINKS ROAD, NORTH BERWICK, EAST LOTHIAN, EH39 4LU.**

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 an amendment to Section 5(f) of the premises operating plan to include "deliveries and online sales of alcohol".

In terms of Section 29(5) this request can be considered a variation.

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

Yours faithfully



Catriona Paton
Chief Superintendent
For enquiries please contact the Licensing Department on 0131 654 5583.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 3rd October 2023

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION 2023

WINE WEDNESDAYS, 8C EAST LINKS ROAD, NORTH BERWICK, EAST LoTHIAN EH39 4LU

I can confirm that I have liaised with the applicant in relation to this variation application.

The changes applied for are:

- To add deliveries and online sales as an activity

I recommend the following condition be considered:

- 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.

In summary, the proposed changes are supported by Licensing Standards.

Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 27 September 2023 11:43
To: Herkes, Gillian
Cc: Licensing
Subject: RE: Attached Image Variation to Provisional Licence - Wine Wednesdays, North Berwick

Hello,

Please note I have no comments or objections to this variation to the license.

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%7C640f684583534464a2b808dbbf4693a5%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638314082061296236%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=H1AGdyAkCrNG9d7HMuhxRPtGwRte3ZeKEgxDYlLxbo%3D&reserved=0>

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

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 19 September 2023 14:44
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; secretary@northberwickcommunitycouncil.org.uk
Subject: FW: Attached Image Variation to Provisional Licence - Wine Wednesdays, North Berwick

Hi

Please find attached Variation to Provisional Premises Licence for Wine Wednesdays, 8c Links Road, North Berwick for report/representation by 16th October, 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: 19 September 2023 15:25
To: Licensing
Cc: Environmental Health/Trading Standards; Muir, Marion
Subject: FW: Attached Image Variation to Provisional Licence - Wine Wednesdays, North Berwick
Attachments: Herkes_ Gillian_XVF20528_FIREBIRD_3226_001.pdf

No objs, std conditions.

EHTS - can this be scanned to commercial premises ref: 21/00028/COM , as '2023 variation to Licence'.

Thanks

Andrew

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

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 19 September 2023 14:46
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Attached Image Variation to Provisional Licence - Wine Wednesdays, North Berwick

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

From: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Sent: 19 September 2023 14:44
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; secretary@northberwickcommunitycouncil.org.uk
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Hi

Please find attached Variation to Provisional Premises Licence for Wine Wednesdays, 8c Links Road, North Berwick for report/representation by 16th October, 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: Kathryn Smith [REDACTED]
Sent: 05 October 2023 16:37
To: Herkes, Gillian
Subject: RE: Attached Image Variation to Provisional Licence - Wine Wednesdays, North Berwick

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

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Gillian

Thank you for the application for a Variation to the provisional licence for Wine Wednesdays.

I can confirm that North Berwick Community Council has no comment to make on the application.

Kind regards
Kathryn

Kathryn E Smith
Secretary NBCC

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

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]
Sent: 19 September 2023 14:44
To: 'Lothian Scot Borders Licensing East Mid Lothian'; Harling, Karen (Licensing); Environment Reception; Environmental Health/Trading Standards; torquil.cramer@firescotland.gov.uk; licensing@nhslothian.scot.nhs.uk; secretary@northberwickcommunitycouncil.org.uk
Subject: FW: Attached Image Variation to Provisional Licence - Wine Wednesdays, North Berwick

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Kind regards

Gillian

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