

EL395  
Reports 26/9



East Lothian Council  
Licensing  
25 SEP 2023  
Received

# APPLICATION FOR ~~PREMISES LICENCE~~ / PROVISIONAL PREMISES LICENCE\*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

\*Delete as appropriate

# 2B

**Question 1** - Name, address and postcode of premises to be licensed

Garden City, 16 Kitchener Crescent, Longniddry, East Lothian, EH32 0LR

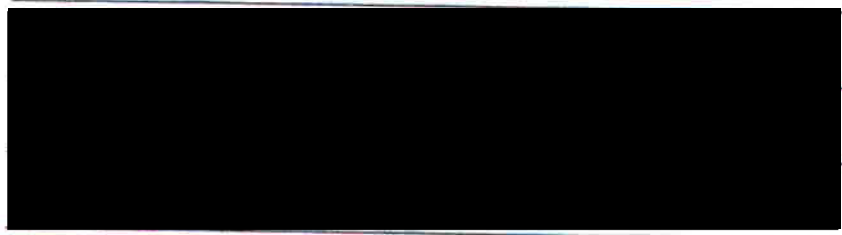
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**Question 2** - Particulars of applicant

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

Navtaj Singh Shetra



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

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

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

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**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.\*

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

**Question 3** – Previous applications

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

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)

YES  NO

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	DATE	COURT	OFFENCE	SENTENCE

(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.

**DESCRIPTION OF PREMISES**

**Licensing (Scotland) Act 2005, section 20(2)(a)**

**Question 5** - Description of premises

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

Retail premises located on Kitchener Crescent, at the corner with

Main Street, Longniddry.

**Question 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

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

Signature \_\_\_\_\_ \* (see note below)

Date 25/1/05

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

Macdonald Licensing

21a Rutland Square

Edinburgh, EH1 2BB

Telephone number and email address of signatory

0131 229 6181

alistair@macdonaldlicensing.com

I have enclosed the relevant documents with this application – please tick the relevant boxes

- Operating plan
- Layout plan (highlighting the area where alcohol is sold/consumed)
- Planning certificate
- Building standards certificate
- Food hygiene certificate

\* Data Protection Act 2018

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

<b>For use by the Licensing Board only Application checklist</b>	
Date received	
Fee amount	
Receipt number	
Received by (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<b>For use by the Licensing Board only If application is for a Premises Licence - Documents required</b>	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<b>For use by the Licensing Board only If application is for a Provisional Premises Licence Documents required</b>	
Provisional planning certificate	
Operating plan	
Layout plan	

# EAST LOTHIAN LICENSING BOARD

## OPERATING PLAN

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

*Name, address and postcode of premises to be licensed.*

Garden City 16 Kitchener Crescent Longniddry EH32 0LR
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### Question 1

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

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

### Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>		
<i>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>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

<b>COL. 1</b> <b>5(a)</b> <b>Activity</b>	<b>COL. 2</b> <b>Please confirm</b> <b>YES/NO</b>	<b>COL. 3</b> <b>To be provided</b> <b>during core licensed</b> <b>hours - please</b> <b>confirm</b> <b>YES/NO</b>	<b>COL. 4</b> <b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<i>Accommodation</i>	No	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
<b>5(b) Activity</b> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours - please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<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
<b>5(c)</b> <b>Activity</b> <b>Entertainment</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core licensed</b> <b>hours - please</b> <b>confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core licensed</b> <b>hours please confirm</b> <b>YES/NO</b>
<i>Recorded music - see</i> <i>5(g)</i>	Yes	Yes	Yes
<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

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

This is a convenience store and therefore will open prior to licensed hours. In fact as the shop provides newspapers, rolls and hot snacks, it may open from 5am. Activities answered "yes" in column 4 may take place during that period.

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.

This is a convenience store providing a range of goods and services, including newspapers and magazines, hot and cold food to take away, general foodstuffs, confectionary, cigarettes and vapes, toiletries, pet food, household items and in general items that a local convenience store would sell, including specific requests from customers

Deliveries which may include alcohol.

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?	YES/NO*
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When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
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\*Delete as appropriate

**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?

12.9 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

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

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

Signature ..... \* (see note below)

Date ..... 2/7/03

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

Telephone number and email address of signatory .....

Macdonald Licensing  
21a Rutland Square  
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com

**\* Data Protection Act 1998**

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

## Supplementary Application Information

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

### Business Profile

These are retail premises which have been taken over by our clients last year. The shop is located on the ground floor of premises at the corner of Kitchener Crescent and Main Street, Longniddry.

It sells a variety of goods and services as would be expected of a typical convenience store, including food stuffs, confectionary, stationery, pet foods, toiletries and general household goods. They also do some hot food, which is popular with passing trade.

Whilst the address is Kitchener Crescent, the shop does have a frontage onto the Main Road, and does attract business from passing trade. For instance there is a lot of building work going on at the area at the moment and a lot of the builders will stop here for their morning rolls etc. This is particularly the case because the shop opens at 5 am for newspapers, rolls etc.

It also has a local clientele which they would like to expand

(extend this box if you require additional space)

### On/Off Consumption

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

a) N/A

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

b) The premises would sell a range of beers, wines, spirits etc. for off sale consumption. Appropriate Staff Training. The Applicant has a Personal Licence and other staff will also attend a

	Training Course and apply for one.

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

**To what extent do you intend to use any of the following:** Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

Not Applicable

**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:

Not Applicable

**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:

May play background music, but at a level that would be expected in a shop.

**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:

Not Applicable

**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:

Not Applicable

**Activities Outwith Licensed Core Hours** - In your Operating Plan, directly below question 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

As explained the premises may open from 5am when the sale of hot and cold snacks plus the sale of goods and services other than the sale of alcohol may take place. Background music may be played during this period

**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:

Deliveries, which may include alcohol. Deliveries will be carried out according to the legislation and Conditions added to the Licence by the Board.

**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.

There is of course no restriction for Children and Young Persons in retail premises but Children, especially in groups, are monitored. Our clients will operate a strict Age Verification Policy, which will include training, concentrating on Challenge 25. They will display a Challenge 25 Notice. Staff will be trained in the type of ID they can accept, how to challenge and how to refuse. Also what might indicate that an adult customer is involved in an agency purchase, which would be refused and the adult barred from the shop.

Also the need to re-examine ID even if it has been exhibited before. Staff cannot take the word of a suspected under-ager that they have shown the ID before, perhaps to another member of staff



**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:**

Since our clients took over they have had no issues in this respect. A lot of their business is passing trade, who are travelling to work for instance or from work, back home. Their visit to the shop tends to be fairly quick, to pick up whatever it is they want and then to continue on their way.

The local business is growing and it is hoped will continue to do so but there have been no issues of any kind. If there was, and of course there are frequent references in the media to the abuse that shop keepers have to put up with, they would not hesitate to notify the Police and, if possible, provide CCTV footage.

There is CCTV throughout the shop, for the protection of staff and customers.

**Securing Public Safety:**

The safety of our clients' customers and staff is paramount. In relation to the previous section, in any incidents of aggression, staff will be told not to put themselves at risk and their first priority must be their safety, and the safety of other customers.

The premises are set out in a way that they hope will be safe to customers, although a refitting of the premises would be envisaged in the next year or so.

**Preventing Public Nuisance:**

It may be that background music will be played in the premises but this would be at a very low level.

This is a main road, and a lot of the trade is from passing motorists who will park on the road. It is hoped that they will do so in a responsible manner – they certainly seem to do so at the moment. It is not anticipated that the grant of a Licence would increase this, as the busiest time is actually first thing in the morning, before the Licence would be in effect. Nevertheless our clients are opened to comments or suggestions by neighbours as to how any issues could be minimised.

**Protecting and Improving Public Health:**

Again our clients as responsible operators, are aware of concerns expressed by the Government, and Licensing Boards and other organisations about the irresponsible and over consumption of alcohol in Scotland. This could also apply to drugs for instance as well, to which our clients will have a zero tolerance policy. They will not hesitate to refuse any customers who they consider it is inappropriate to sell alcohol to. This will be done in a polite and friendly manner, but once a decision is made they will firmly stick to that.

Going forward our clients wish to increase the local business, and that is why they would like to offer deliveries for instance, but if they are to become a greater part of the local community, it is essential that they are seen to be responsible retailers, whose priority is the health and welfare of their customers.

**Protecting Children and Young Persons From Harm:**

As explained there is no restriction on Children and Young Persons but a strict Age Verification Policy/Challenge 25 will be enforced. A Refusal Book will be introduced.

This Policy will apply not only to alcohol but to other age related products such as cigarettes, vapes etc.

**Application Supporting Comments / Any Other Additional Information**

(extend the boxes below if you require additional space)

**Additional Information:**

Our client and his family are enthusiastic entrepreneurs who have taken over this business and hope to expand into other businesses as well.

Whilst the business is successful, many of the items that they sell, such as newspapers etc., have a very low profit margin. They are losing a lot of business particularly local business, from customers who come in and ask if they are licensed. When they advise that they are not then the customer leaves and goes to a nearby supermarket for instance, so they lose the whole order. That is the reason they are requesting this.

They are aware of their responsibilities and will be at pains to ensure to the Board that they will not let them down, should the Licence be granted.

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

As explained, our clients are enthusiastic about operating a businesses in East Lothian, of which this one was the first. They want to provide a high standard operation and to have a good relationship with the Police, your Licensing Standards Officers and the Board. And indeed the local community Any concerns expressed by neighbours or customers would be addressed immediately.

They would ask the Board to support this Application and to allow them to operate with a Licence on the assurance that they will do so in compliance with the law, the Licence and any Conditions added to the Licence by the Board

**SIGNATURE AND DECLARATION BY APPLICANT**

**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	
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# East Lothian Council

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

## SECTION 50 PLANNING CERTIFICATE

<b>APPLICANT:</b>	Navtaj Singh Shetra
<b>NAME AND ADDRESS OF PREMISES:</b>	16 Kitchener Crescent, Longniddry, East Lothian, EH32 0LR

**SECTION 50 PLANNING CERTIFICATE**

I confirm that planning permission (ref:.....) 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**

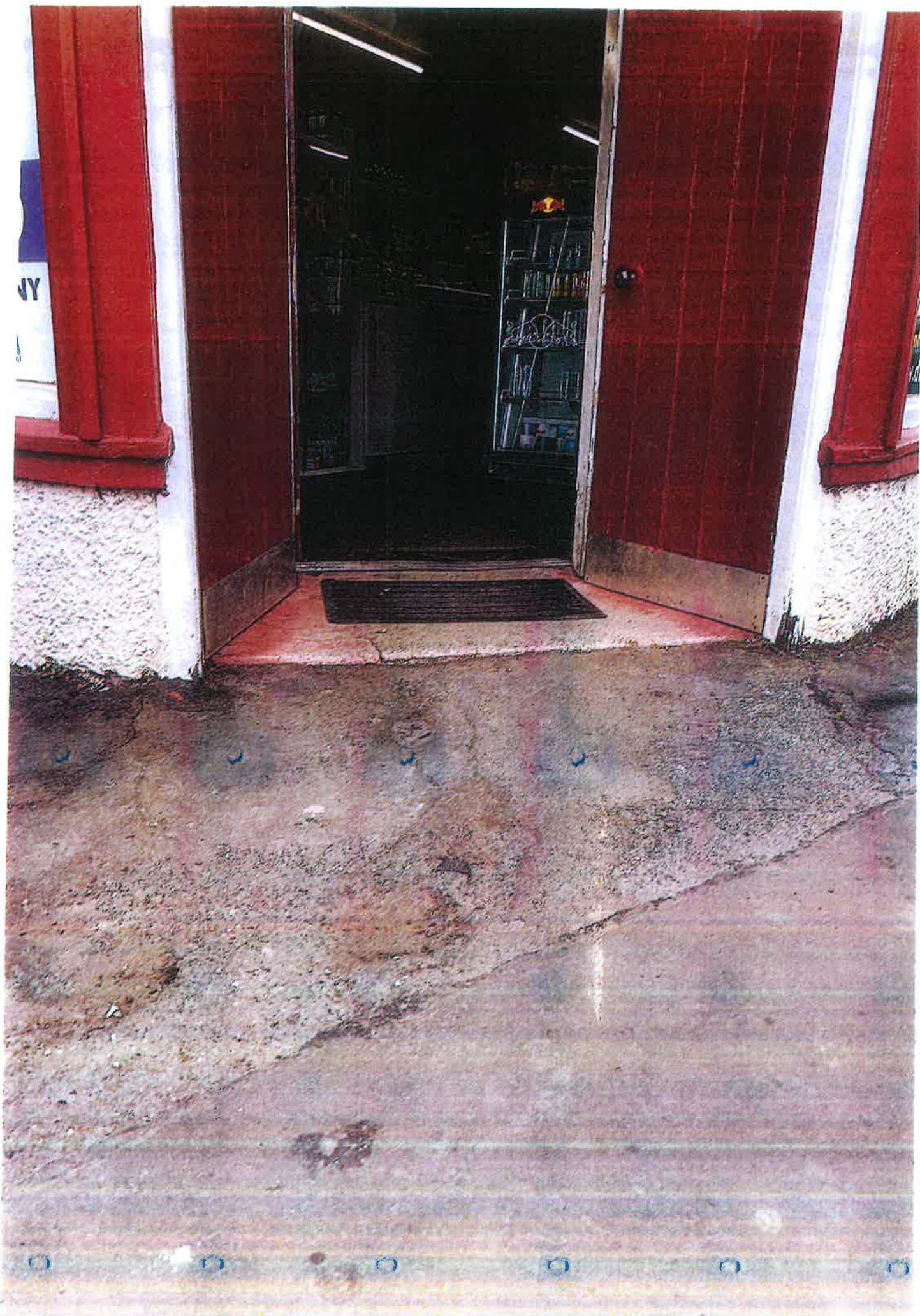
I confirm that planning permission (ref: 15/00487/P) has been obtained in respect of the construction or conversion of the subject premises.

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:	24th August 2023
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Keith Dingwall  
Service Manager, Planning



“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
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
<i>*Delete as appropriate</i>		

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

**Question 2**

**Disabled access to, from and within the premises**

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

Access by customers in wheelchairs is possible here. A photo of the entrance is attached. It is a little bit uneven, which our clients will look at resolving. Assistance can always be provided of course.

**Question 3**

**Facilities available**

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

Once inside, the shop is quite tight (it is due to be refurbished in the next year or two) and assistance would be required to access certain products, which staff would be delighted to do.

**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.

Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness.

It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

The contents of  facilities statement are true to the best of my knowledge and belief.

Signature ..... \* (see note below)

Date ..... 25/9/17 .....

Capacity ..... APPLICANT/AGENT

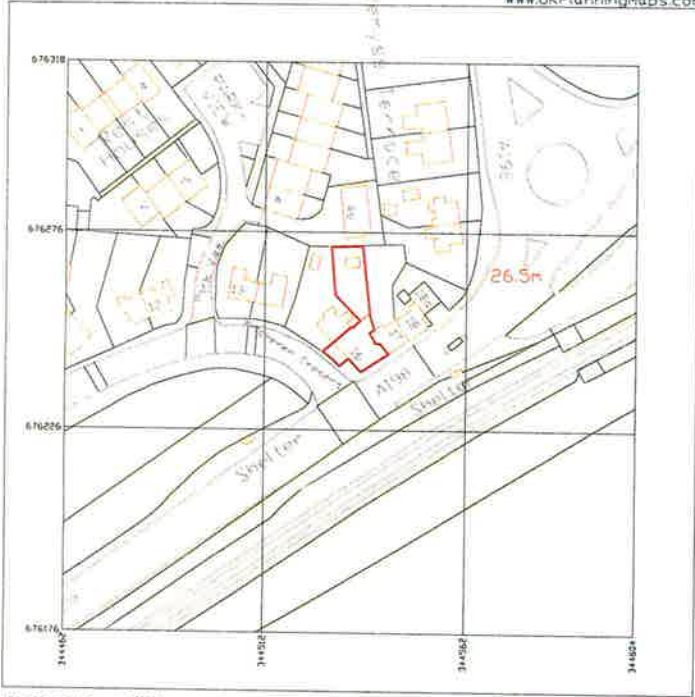
Telephone number and email address of signatory .....

Macdonald Licensing  
21a Rutland Square  
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.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."



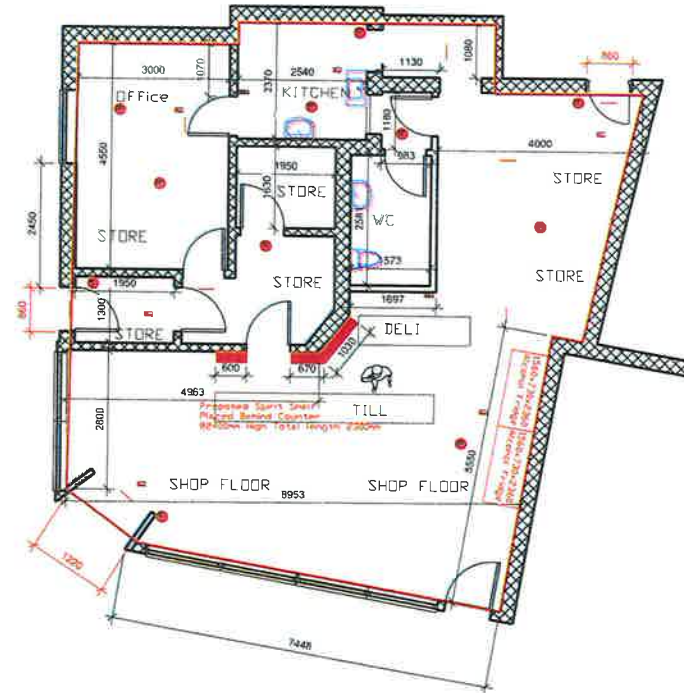
Garden City  
16 Kitchener Crescent  
Longniddry  
EH32 0LR  
Total Site area shown marked in Red  
Total Area approx 224m<sup>2</sup>



Produced on 08 August 2023 from the Ordnance Survey National Geographic Database and incorporating surveyor revision available at this date.  
This map shows the area bounded by 344402, 676176, 344624, 676175, 344624, 676318, 344462, 676318, 344462, 676175.  
Crown copyright and database rights 2023 OS 100004125. Supplied by copia ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (OS 100054125).  
Data licence expires 08 August 2024. Unique plan reference: v2z/1996175/1129536



(Scale 1:250)



FIRE LEGEND	
	Emergency Escape
	Emergency Exit
	Emergency Exit Direction
	Escape Route & Common
	Fire Alarm Location
	Fire Compartment Location

Alcohol Licence Drawing  
(Scale 1:100)

Notes

- Premises Floor Area/Licenced Area Outlined in Red
- Total Approx Area 104m<sup>2</sup>
- Alcohol Fridge Show a Total 7.4m<sup>2</sup> of Display Shelving containing Alcohol Display Total 5.5m<sup>2</sup>
- External Door Widths shown in Red
- Toilets and Sinks shown in Blue

REV	DESCRIPTION	BY	DATE
1	Issue for Planning	FT	08/08/23

Building Manual	
	FT Consulting Engineers 15 Green Aisle Park North Shields NE29 4JL 0191 2611111 info@ftconsulting.co.uk
Falcon Shop Physothera Ltd.	
FT Consulting	
Garden City, 16 Kitchener Crescent Longniddry EH32 0LR Alcohol Licence Application	
Drawn by	FT
Checked by	FT
Scale	1:100
Sheet	1 of 1



02/10/2023

Your Ref: EL395  
Our Ref: 759892

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

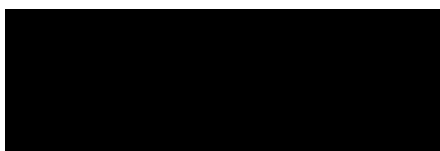
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A  
PROVISIONAL PREMISES LICENCE  
GARDEN CITY, 16 KITCHENER CRESCENT, LONGNIDDRY, EAST LOTHIAN,  
EH32 0LR.**

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

**From:** Licensing Standards Officer

**To:** C. Grilli  
Clerk to the Licensing Board

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Date: 24<sup>th</sup> October 2023

**Subject:** LICENSING (SCOTLAND) ACT 2005

**PROVISIONAL PREMISES LICENCE APPLICATION**

**GARDEN CITY, 16 KITCHERNER CRESCENT, LONGNIDDY, EAST LoTHIAN EH32 0LR**

I refer to the above subject and can confirm that I have visited the premises in relation to this application. The site notice was correctly displayed at the time of my visit.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

This type of licence is considered for premises that are yet to be, or in the course of being, constructed or converted for use as a licensed premises. On my visit the premises was fully operational as a convenience store and as far as I am aware there are no structural alterations planned.

I can confirm that the application is compliant with the act.

The off sales capacity applied for is 12.9 m<sup>2</sup>. Within an 800m radius there are 4 other premises as follows:

Co-op , Elcho Road – Off sales Only

Nicholson News, Links Road – Off sales only

Longniddry Inn, Main Street – On sales and off sales

Longniddry Royal British Legion – On sales and off sales

I recommend the following condition be considered in relation to deliveries of alcohol:

- 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.

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

## Herkes, Gillian

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**From:** Robertson, Scott  
**Sent:** 02 October 2023 14:22  
**To:** Herkes, Gillian; Licensing  
**Subject:** RE: Attached Image - Provisional Licence Application - EL395 Garden City, 16 Kitchener Crescent, Longniddry

Hello,

Please note I have no comments or objections in relation to this 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%7Cgherkes%40eastlothian.gov.uk%7C069deef390534a4580da08dbc34a8f7e%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638318497219425712%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=bPZNRyykUBqEJDQDo8BG307mR419Blwu5GvKHYGT3aQ%3D&reserved=0>

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

**From:** Herkes, Gillian <gherkes@eastlothian.gov.uk>  
**Sent:** 26 September 2023 11:18  
**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; longniddrycommunitycouncil@gmail.com  
**Subject:** FW: Attached Image - Provisional Licence Application - EL395 Garden City, 16 Kitchener Crescent, Longniddry

Hi All

Please find attached Provisional Licence application for 16 Kitchener Crescent, Longniddry for report/representation by 25th October, 2023.

Gillian

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

