

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 6th February 2024

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATIONS – OCC046/24, OCC052/24, OCC056/24, OCC060/24, OCC065/24, OCC068/24, OCC071/24, OCC074/24

PAUL MITCHELL, BROXMOUTH COURT, BROXMOUTH PARK, DUNBAR, EAST LoTHIAN, EH42 1QW

The applicant is Paul Mitchel who is a personal licence holder. Application has been made for 35 occasional licences for weddings to be held at Broxmouth Courtyard. There is currently a provisional premises licence for this premises that was granted on 31st March 2022.

I refer the board to section 20.1 and 22.12 and of the Statement of Licensing Policy:

20.1 - 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
Outside areas 11.00 am to 10.00 pm Monday to Sunday (inclusive)*

22.12 - Applications for occasional licences should be within the on-sale hours stated in this policy or that of the associated premises. Any applications for times out with this will not be granted on delegated powers and will be required to be heard at a licensing board hearing for determination. Applicants will be required to provide a clear and detailed justification as to why hours out with policy have been requested. Applicants should be mindful of section 22.10 above as applications submitted no later than 42 day may not be processed in time for a Board hearing before the event.

Of the 35 applications the following 8 applications fall out with the permitted on-sales hours detailed withing the Board's policy.

OCC046/24 –Monday 1st April 1800 – 2300 and Tuesday 2nd April 1100 – 0000
OCC052/24 – Sunday 21st April 1800 – 2300 and Monday 22nd April 1100 – 0000
OCC056/24 – Sunday 5th May 1800 – 2300 and Monday 6th May 1100 – 0000
OCC060/24 – Sunday 19th May 1800 – 2300 and Monday 20th May 1100 – 0000
OCC065/24 –Monday 3rd June 1800 – 2300 and Tuesday 4th June 1100 – 0000
OCC068/24 – Sunday 9th June 1800 – 2300 and Monday 10th June 1100 – 0000
OCC071/24 – Sunday 16th June 1800 – 2300 and Monday 17th June 1100 – 0000
OCC074/24 – Sunday 23rd June 1800 – 2300 and Monday 24th June 1100 – 0000

The permitted hours applied for and granted on the provisional licence are as per board policy above:

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

No major variation application has been made to alter this.

For the information on the Board Mr Mitchell is the premises manager at The New Bayswell Hotel. With such a large number of occasional licences held by him at another venue on a regular basis, the Board may wish to consider if he can give enough attention and oversight to both premises running at the same time.

In accordance 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

29/01/2024

Your Ref: BROXMOUTH
COURTYARD
Our Ref: 789908



**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
OCCASIONAL LICENCE APPLICATION
PREMISES: BROXMOUTH COURTYARD
BROXMOUTH PARK, DUNBAR, EH42 1QW.
APPLICANT: PAUL MITCHELL**

I refer to the above application and in terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, I make the following representation in relation to the application:

I have no direct objections to the granting of these licenses however the following applications have been submitted all of which are out with the boards licensing policy for licenced hours:

OCC046/24 (02/04/24 - Midnight finish on a Tuesday)
OCC052/24 (22/04/24 - Midnight finish on a Monday)
OCC056/24 (06/05/24 – Midnight finish on a Monday)
OCC060/24 (20/05/24 – Midnight finish on a Monday)
OCC065/24 (04/06/24 – Midnight finish on a Tuesday)
OCC068/24 (10/06/24 – Midnight finish on a Monday)
OCC071/24 (17/06/24 – Midnight finish on a Monday)
OCC074/24 (24/06/24 –Midnight finish on a Monday)

I would also draw the boards attention to the fact that Broxmouth Courtyard is currently operating on a provisional premises licence and, by our records, submitted 74 occasional applications last year. They have submitted 35

OFFICIAL

occasional applications so far for the year ahead.

Police Scotland are of the opinion that the responsibility for confirming the identity of the applicant, and the validity and current status of any Premises or Personal Licence (including details of any previous or existing suspensions, variations, written warnings or endorsements) quoted on the application form where it was issued in another Board area, rests with the Local Authority and the Licensing Board, not with the Police. When the Police receive such applications we will assume that these checks have been adequately conducted at the point of application and prior to the enquiry being submitted to Police Scotland.

This representation is submitted for your attention in consideration of this application.

Yours faithfully



Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 561 6136.

0CC046/24
AdV19/11

Mon, Tues.



East Lothian Council
Licensing

19 JAN 2024

Received

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) _____

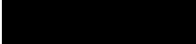
2. PERSONAL DETAILS

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.

Fax No.

Email

paul@broxmouth.com

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 April) followed by wedding breakfast & evening reception on the wedding day (2nd April) with up to 160 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 01/04/2024 To 02/04/2024

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 April & 11am until midnight on the 2nd April.

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 April) until midnight on the wedding day itself (2nd April).

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 16/01/2023

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 -

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.

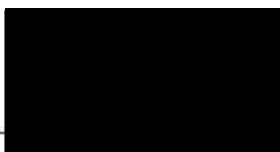
SIGNATURE AND DECLARATION BY APPLICANT

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 16/01/2023
