



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

3

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)

Amendment to include the Gaming to our Operating Plan

Type text here

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0368

2(b) Name and Address of Premises ESKMILLS VENUE

MUSSELBURGH

Post Code EH21 7PQ Tel. No. _____

Email _____

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

MICKORY FOOD SCOTLAND LTD

ARCHIBALD HOPE HOUSE, ESKMILLS PARK, STATION ROAD

MUSSELBURGH Post Code EH21 7PQ

Tel. No. _____ Email address info@eskmillsvenue.com

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



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)

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

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)

Addition of Gaming to the 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.

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)

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 [REDACTED] (See note 5 overleaf)

Date 11/17/24

Capacity APPLICANT / AGENT (delete as appropriate)

If agent, please provide details

Full name BRIAN GALBREATH

Address [REDACTED]

[REDACTED] Post Code [REDACTED]

Tel. No. [REDACTED] Email address brian@hickoryfood.co.uk

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 2018

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

Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY		
Received & Receipt No.	System Updated	Licence Issued



OPERATING PLAN

LICENSING (SCOTLAND) ACT 2005, SECTION 20(2)(B)(i)

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

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

Name and Address of Premises _____

Event Space, Archibald Hope House, Eskmills Park, Station Road,

Inveresk, Musselburgh, East Lothian

Post Code

EH21 7PQ

- 1(a)** Will alcohol be sold for consumption solely ON the premises? YES NO
- 1(b)** Will alcohol be sold for consumption solely OFF the premises? YES NO
- 1(c)** Will alcohol be sold for consumption both ON and OFF the premises? YES NO

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

DAY	ON CONSUMPTION	
	Opening time	Terminal Hour
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	01:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	12:00 Noon	12:00 Midnight

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES NO

*If YES – provide details

The premises will operate the extended hours offered by the Christmas and New Year period.

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

ACTIVITY	ACTIVITY PROVIDED? YES / NO	To be provided during core licenced hours. Please confirm YES / NO	Where activities are also to be provided outwith core licensed hours. Please confirm YES/NO
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5a. Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO

Social functions including:

5b. Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES

Entertainment, including:

5c. Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES
Theatre	YES	YES	YES
Films	YES	YES	YES
Gaming	YES	YES	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	YES	YES	YES

5d. Outdoor drinking facilities	YES	YES	NO
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5e. Adult Entertainment	NO	NO	NO
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Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Conference - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Receptions - this activity may take place outwith the core hours but not before 9am and no later than the terminal hour of operation

Club or Group Meetings - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Recorded Music - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Live Performances - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Theatre - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Films - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Gaming - this activity may take place outwith the core hours but not before 9am and no later than the terminal hour of operation

Televised Sport - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

N.B. Please note that no alcohol will be sold outwith core hours without there being in place a general extended hours application approved by the Local Authority.

5(f) If you propose to provide any activities other than those listed in 5(a) – (e), please provide details or further information below.

Exhibitions, fashion shows, wedding fairs, corporate events, charity events

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

When fully occupied, are there likely to be more customers standing than seated?

YES NO

6. ON-SALES ONLY – CHILDREN AND YOUNG PERSONS

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry? YES NO

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 have access to these premises, but only when accompanied by a responsible person and not within 1.5 metres of the bar.

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

Children - Birth to 15 years old

Young Persons - 16 & 17 years old

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

At all times an event is in operation, unless deemed inappropriate by the management.

Children and young persons will always be accompanied by a responsible person, or under suitable professional childcare provision.

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

Due to the nature of these premises being run as an events hub, it is essential that children and young persons be allowed to remain on these premises until the conclusion of the events.

Management do reserve the right to refuse entry to children and young persons should they feel that the event is unsuitable for them.

Children will never be allowed within 1.5 metres of the bar area.

7. CAPACITY OF PREMISES

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


On Sales - 400

8. PREMISES MANAGER

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

Full Name Stephanie Stubbs

Date of birth 

Contact address 

Post Code 

Tel. No. _____ Email address stephanie@hickoryfood.co.uk

Personal licence

Date of Issue 20 September 2022

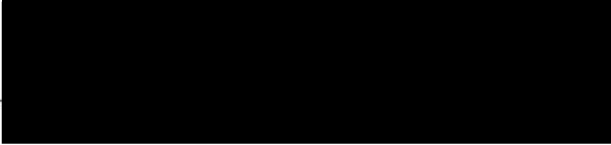
Name of Licensing Board issuing East Lothian Council

Reference no. of personal licence EL1984

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)

Date 10 / 1 / 24.

Capacity APPLICANT / AGENT (delete as appropriate)

Tel. No. of signatory 

Email address brian@hickoryfood.co.uk

*** 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.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 16th February 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

**EL0368 EVENT SPACE (ESKMILSS VENUE), ARCHIBALD HOPE HOUSE, ESKMILLS PARK,
STATION ROAD, INVERESK, MUSSELBURGH, EAST LoTHIAN EH21 7PQ**

I can confirm that the applicant liaised with me in relation to this variation application and I have previously visited the premises. The premises have been found to be well run with no issues reported over the last 6 months.

The changes applied for are:

- To add Gaming to the operating plan within core hours

It is of note that gaming is marked "NO" outwith core hours however within questions 5e Gaming is described as "Gaming – this activity may take place outwith the core hours but not before 9am and no later than the terminal hour of operation". I recommend that this inconsistency is discussed and resolved.

Following contact with the Licensing Board I am aware that a previously planned one off Bingo event was permitted to be held at the premises In January. I did not receive any complaints about this event.

Licensing Standards Officer

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 25 January 2024 12:21
To: Licensing
Subject: MINOR VARIATION - ADD GAMING TO OPERATING PLAN - ESKMILLS,
MUSSELBURGH
Attachments: HERKES_ GILLIAN_XVF20528_FIREBIRD_1237_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 - 790393

Regards
Iain

Licensing

From: Robertson, Scott
Sent: 24 January 2024 10:27
To: Licensing
Subject: RE: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

Hello,

Please note I have no comments or objections to this variation 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 <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eastlothian.gov.uk%2F&data=05%7C02%7Clicensing%40eastlothian.gov.uk%7C2aa14100b21440b247ba08dc1cc6ef6c%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638416887932972631%7CUnknown%7CTWFpbGZsb3d8eyJWljojoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=aKNwMnZyKXxRjqr4nv%2Fq%2FH%2BhreJu9JzHhsUpAVrmlLk%3D&reserved=0>

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

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 23 January 2024 11:40
To: Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; 'Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)' <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; irenetait@btinternet.com; stewart_m1@sky.com
Subject: FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

Hi

Please find attached Major Variation for the above premises. Can I please have reports/representations by 21st February 2024.

Kind regards

Gillian

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

From: "Herkes, Gillian" <gherkes@eastlothian.gov.uk>
Sent: 23 January 2024 11:10
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

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Licensing

From: Douglas, Andrew
Sent: 23 January 2024 13:31
To: Licensing
Subject: FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368
Attachments: Herkes_ Gillian_XVF20528_FIREBIRD_1237_001.pdf

No objections, standard conditions

Andrew

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

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 23 January 2024 12:02
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

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

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 23 January 2024 11:40
To: Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; 'Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)' <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <Iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; irenetait@btinternet.com; stewart_m1@sky.com
Subject: FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

Hi

Please find attached Major Variation for the above premises. Can I please have reports/representations by 21st February 2024.

Kind regards

Gillian

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

From: "Herkes, Gillian" <gherkes@eastlothian.gov.uk>
Sent: 23 January 2024 11:10
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

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