

Police
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OCC 142/24

LICENSING (SCOTLAND) ACT 2005, SECTION 142

**OCCASIONAL LICENCE
APPLICATION FORM**

Advert 23/2

20th April (Sat)

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.

4b

1. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) _____

Personal licence number (if applicable) EL654

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Wood

Forenames Craig Alan Peter

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

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town _____ Post code [Redacted]

Telephone Numbers

Daytime Tel. _____ Evening Tel. _____

Mobile No. [Redacted]

Fax No. _____ Email craig@craigwood-catering.com

3. THE PREMISES

Description of premises

The Seton Garden , Walled Garden, Seton mains, Longniddry, EH32 0PG

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

Wedding breakfast and live band – Approx 150 guests plus 50 in the evening

Full postal address of premises which this application refers to _____

Seton Gardens, , Walled Garden, Seton mains, Longniddry, EH32 0PG

4. DURATION OF LICENCE

From 13.00 20/04/2024 To 00.00 Midnight 20/04/2024

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

13.00 00.00

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

Breakfast 17.00 live band 20.00- 00.00 Evening food 21.30

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 0-17

Times at which children or young persons permitted entry 13.00 – 00.00

Parts of premises to which children or young persons permitted entry

All areas except 1.5 metres to bar



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 16th February 2024

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 band

2. Attendance

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

150 day and further 50 in the evening

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

Invite

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

Under 18

18 - 30

X30 -
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)

Invite

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.

No

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

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?

Yes mainly glass with plastic after 23.00 - both – CE stamped

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

Please provide details of any training certificate held.

License holders or trained

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?

Visual awareness

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

Risk assessment and staff training



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

Visual awareness and follow our set procedures for rowdy behavior. Sound subject to sound limiter

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

No drinks promotions and visual awareness

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

In company of parents and not within 1.5 metres of the bar

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 16th February 2024

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 6th March 2024

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) – OCC142-157/24

**CRAIG WOOD AT THE SETON GARDEN, WALLED GARDEN, SETON MAINS, LONGNIDDRY,
EAST LoTHIAN, EH32 0PG**

The applicant is Craig Wood who is a personal licence holder. Application has been made for 16 occasional licences for a weddings as follows:

OCC142/24 – Saturday 20th April 2024 1pm-12 midnight
OCC143/24 – Saturday 27th April 2024 1pm-12 midnight
OCC144/24 – Saturday 18th May 2024 1pm-12 midnight
OCC145/24 – Saturday 1st June 2024 1pm-12 midnight
OCC146/24 – Saturday 8th June 2024 1pm-12 midnight
OCC147/24 – Friday 28th June 2024 1pm-12 midnight
OCC148/24 – Saturday 29th June 2024 1pm-12 midnight
OCC149/24 – Wednesday 3rd July 2024 1pm-11pm
OCC150/24 – Saturday 13th July 2024 1pm-11pm
OCC151/24 – Saturday 20th July 2024 1pm-12 midnight
OCC152/24 – Saturday 27th July 2024 1pm-12 midnight
OCC153/24 – Saturday 10th August 2024 1pm-11pm
OCC154/24 – Saturday 17th August 2024 1pm-11pm
OCC155/24 – Saturday 24th August 2024 1pm-12 midnight
OCC156/24 – Saturday 14th September 2024 1pm-12 midnight
OCC157/24 – Saturday 21st September 2024 1pm-12 midnight

Seton Garden is a wedding/event venue that has been operating on occasional licences submitted by Mr Wood. The venue consists of a marquee that I believe remains in situ all year and a garden area, however, appears to be in use April – September (6 months). The following number of occasional licence applications have been submitted and granted for the location (not necessarily applied for by the same applicant) since 2022:

2022 – 16

2023 – 12

2024 – to date 16 applications covering the period above

The venue appears to be used on a weekly basis, hosting weddings at weekends and some midweek from April - September.

I refer the Board to section 23.1 and 23.2 of the Statement of Licensing Policy:

23.1 - Repeated applications for Occasional Licences for the same premises and which are: -

- *not for specific events; and/or*
- *for activities that have been occurring (either in identical or largely similar terms) on the premises regularly over a period of at least 3 months will not generally be considered suitable for the grant of an Occasional Licence and will not be granted by the Board under delegated authority but will require a hearing before the Board. This includes where there are different applicants for the same premises, but the activities are similar e.g. weddings, corporate events. It is largely expected that the premises in question should consider an application for a Premises Licence.*

23.2 - Section 59(6) of the Act specifies the grounds for refusal of an application for an Occasional Licence. These grounds include "that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives". These licensing objectives include: -

- *Securing public safety.*
- *Protecting and improving public health*
- *Protecting Children and Young Persons from harm.*

The scrutiny given to an application for a Premises Licence is not available where premises operate under a series of consecutive Occasional Licences. In the interests of securing public safety, and/or, for protecting and improving public health, the Board, considers that it is not appropriate for a premises to operate on a series of consecutive Occasional Licences, rather than apply for a Premises Licence. The Board will require an applicant to explain at a Hearing why an application for a Premises Licence is not being made unless the Clerk of the Board is satisfied that there are good reasons that prevent such an application, that are not within the control of the applicant.

Where an application is to allow premises to trade on a regular basis prior to a Premises Licence application having been determined, the application will be referred to the Board for consideration in the first instance.

I understand that the applicant operates the business and there is a different landowner Mr Bob Bathgate.

Following a noise complaint in June, I visited the premises on 27th June 2023 where I met with Craig Wood. I found him to be very knowledgeable and an experienced operator with no issues in compliance with the occasional licences identified. A premises licence for the venue was discussed with Mr Wood and Mr Bathgate at this visit and guidance given on the application process.

Following this visit a second complaint in relation to noise was received. On both occasions Mr Wood explained that the DJ/band had increased the volume and become out of control. Guidance was given to review noise monitoring procedures and control of the volume of the entertainment. There have been no other complaints to date.

In accordance with board policy above, I refer the application to the Licensing Board for determination.

Licensing Standards Officer

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 23 February 2024 08:29
To: Licensing
Subject: REF 142/24
Attachments: OCC142.24 OCCASIONAL LICENSE 20TH APRIL 2024_ (003).PDF

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NPO

