

OCC 198/24



Police

LSO

8th June 2024

ADVA 2/3

LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

£10 paid

OW 98179

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.

2b

1. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) _____

Personal licence number (if applicable) _____

Name of voluntary organisation (if applicable) East Linton Gala Association

2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname McMeeken

Forenames Catherine

Date of birth (Day / Month / Year) [REDACTED]

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. _____ Evening Tel. _____

Mobile No. [REDACTED]

Fax No. _____ Email [REDACTED]

3. THE PREMISES

Description of premises

East Linton War Memorial Park

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

It will be a gala day for the local community. We expect about approximately 400 people to attend throughout the course of the day. There will be outdoor music, bands, highland dancing competition, mini highland games, a gala court procession, barbecue, craft stalls, craft workshops for adults and children.

Full postal address of premises which this application refers to _____

East Linton War Memorial Park, School Road, East Linton, Eh40 3AJ

4. DURATION OF LICENCE

Date: From 8 June To 8 June

Time: From 1pm To 5pm

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

Alcohol will only be sold and consumed on the premises - in a gated and marked area between the hours of 1pm and 5pm

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

As above, a range of activities for the community will be taking place in the park from 10 am that day.

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)

Children will be permitted entry to the war memorial park for the gala day - but not the marked area where alcohol will be bought and consumed

Ages of children or young persons permitted entry _____

Times at which children or young persons permitted entry they will be allowed entry into the park from 10 am

Parts of premises to which children or young persons permitted entry

Children and young people will be allowed entry into the war memorial park - all parts of it that are open to the public. They will not be allowed entry into the marked area for the 'bar' which is the only place where alcohol will be available for purchase.

7. CHECKLIST

I have (please tick for yes) made or enclosed payment of the fee for the application

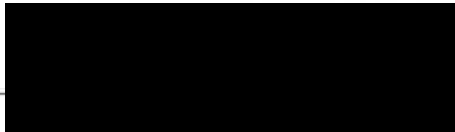
YES

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

1 March 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.)

Gala Day Celebrations for the local community

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Two bands are booked to play on the day. There will also be pipers at certain points.

2. Attendance

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

Between 300-400 are expected during the day. East Linton Gala is probably the smallest gala in East Lothian. We do not hugely advertise the gala beyond the borders of East Linton/Dunpender area.

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

Previous galas have had a similar footfall

(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)

It is open access to the public.

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.

There will be at least 4 stewards in attendance and multiple volunteers from the committee

- (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

Layout of the venue is . Other licences have been applied for separately

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

2

6. Will alternatives to glass receptacles be provided?

There will be plastic glasses available

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

Please provide details of any training certificate held.

They will be volunteers but we will have a professional bar manager who will run the bar area - he is also a volunteer, and he has a personal licence

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?

East Linton gala is one of the smallest galas in East Lothian. It does not have a reputation for anti-social behaviour. We have specifically chosen a range of stalls that showcase artisan food and drink to East Lothian and crafting workshops, so we are looking to encourage people to attend who are not looking to get intoxicated at the event.

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

We are not publicising the event much beyond the local area, so we are ensuring that there are parameters on crowd control. As always, the event ends early at 5pm. We have a high number of volunteers who will be working throughout the day on litter picking and ensuring that public safety is encouraged.

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

There will be live music happening throughout the day but this will end at 5pm at the latest

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

We will ensure that we abide by all recycling and waste disposal requirements, and have already created a ~~list of litter pickers on hand throughout the day~~. ~~The area of the gala is not covered by the alcohol prohibition~~ bylaws from East Lothian council. Therefore, people can freely drink alcohol at the event if they would like. Our intention is that by providing an alternative to this that people know is raising money directly for future ~~galas - that people will be morally encouraged to drink alcohol responsibly in a safe space away from children.~~

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

Children will not be allowed access to the bar area, and people will not be allowed to take alcohol from ~~that area. This has proven to be effective on previous occasions.~~

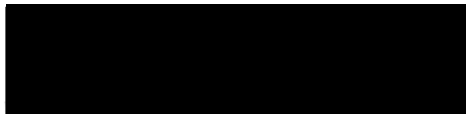
SIGNATURE AND DECLARATION BY APPLICANT

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 1 March 2024



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

Please describe your business offering

The application is for an alcohol licence for a gala day. This is a traditional community event that has a range of activities for individuals and families. These include highland dancing, mini highland games, a range of crafting workshops and craft stalls, children activities, and live music.

ON CONSUMPTION

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

There will only be sales on consumption in a cordoned off and restricted area.

OFF CONSUMPTION

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

n/a

CLARIFICATION IS REQUIRED IN RELATION TO THE CONTENT OF YOUR PROPOSED OPERATING PLAN

To what extent do you intend to use any of the following:

Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

There will be a range of catering offers on gala day that will be offered in the war memorial park, including pizzas, barbecues, tea/coffee tent, cakes etc.

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:

Gala event

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:

We have live music on the day from two local bands. There will be highland dancing competition from local highland dancers.

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:

The drinking area will be outdoors in a marked off area.

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:

None of this will be provided

Activities Outwith Licensed Core Hours – In your Operating Plan, at 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:

We expect the event to end around 5pm

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:

n/a

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.

Children are allowed access to the war memorial park. There will be a number of activities for them in place throughout the day including a gala court, kids games etc. They will not be permitted access to the bar area where only alcohol can be bought and consumed.

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

https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023

Preventing Crime and Disorder

East Linton Gala is the smallest gala in East Lothian with a relatively small footfall. We have purposefully not advertised the gala far beyond East Linton/Dunpender area. The activities that we have on during the day are for a mix of adults and children. This is very much not a children's/familygala. We have a range of activities for adult individuals including multiple craft workshops. Our stalls have been specifically chosen so that they are active/informational and of a high quality so that they do not encourage people who have come for the day to get intoxicated.

East Linton War Memorial Park and surrounding areas are not covered by the alcohol prohibition bylaws. Therefore, it is perfectly acceptable for people to drink alcohol in the park that they have purchased elsewhere. By having a separate and cordoned off area where alcohol is sold and where the profit will go directly to the gala association, we hope to discourage people from drinking outwith the marked premise.

Staff at the bar will conduct stringent age verification checks. There will be a clearly delineated area, which will be stewarded at all times by a volunteer to ensure that there is no access by anyone underage - and that nobody leaves the designated area with alcohol. All drinks will be served in pre-approved plastic containers. A personal licence holder will be managing the bar - and those who will be serving will be required to undergo a minimum of two hours training.

Securing Public Safety:

The event will end at 5pm during the summer when it is still light. We will strongly discourage people from drinking to excess, and we will ensure that staff who are serving alcohol do not serve anyone who is drunk or underage. As noted elsewhere, children will not be allowed access to the drinks area.

We know from previous experience that there is little to no anti-social behaviour at the East Linton Gala. It is not socially acceptable.

It should be noted that there is an expectation that people who will attend with their children will not attend in the drinking area, but that this area is for use by people who are primarily attending as individuals - again noting that this is an event which is for adults as well as children.

Preventing Public Nuisance:

The event will end at 5pm and we will ensure that people are well cleared from the area. We will have regular litter pickers throughout the day, and that the live music concludes before 5.

Protecting and Improving Public Health:

As per public health guidelines, we want to encourage alcohol to be consumed in moderation, and that it is possible to enjoy an alcoholic drink at public events, but not to drink to excess.

As people are free to drink alcohol in the war memorial park that they have bought elsewhere, we know that by having an area where the money from the sale of alcohol will go directly to the gala, that this puts social pressure on them to drink only in the restricted area. This was effective in previous galas.

While it is noted that there is a presumption that alcohol will be not consumed at events which are for children, it is clear that the focus of the East Linton Gala is on a wider community and inclusive basis than purely for under 18's. We have a range of activities and entertainment for plus 18's only and we have not advertised this event as a children's gala. Indeed, the intention is to focus on the history of East Linton throughout the day, appealing to an older demographic.

Protecting Children and Young Persons From Harm:

Children and young people will not be allowed in the restricted area. As noted earlier, people will not be served alcohol if they are seen to be drinking to excess.

APPLICATION SUPPORTING COMMENTS

Additional Information

East Linton Gala is the smallest gala in East Lothian, and we have not advertised widely outwith the local area. There has been little to no anti-social behaviour in previous galas, which is in contrast to some other areas in East Lothian. The reason for this, is that behaviour is clearly seen as socially unacceptable and not in the spirit of the gala day. People do not come to this event to drink to excess. The events that we have organised throughout the day are not entirely focused on children - there is live music for adults, and adult workshops for crafting, including a range of speakers on wider societal issues. The food and drink (both served in the pop up street food trucks and also at the stalls) is of high quality, and typically artisan and representative of the best that East Lothian has to offer. This is an event which encourages people interested in cultural activities to attend.

The alcohol area does however offer up a revenue stream for future events. At the last gala, the alcohol area took approximately £1000 in profit. This equates to approximately a fifth of our overall revenue, so it is a critical in terms of fundraising. This is particularly so, as for the first time we have not been in receipt of any funding from Dunsper CC, in contrast with previous years. Routes for fundraising are limited, and while this

Supporting Comments

i.e. reasons why the Board should support your application.

in itself is not a determining factor as to why a licence should be issued, it is however in my view a compelling factor - as the money is used to offset wider social issues in east linton and we have been able to give children access to all the events aimed at them on the day for free.

I would also suggest it is erroneous that people who will attend the bar area will be parents of children. This has not be the position on previous occasions. The gala is for the wider community and there are many elderly people who will be attending for the East Linton History celebration being held in the community hall.

The drinking area will be well marked, with a steward to ensure age verification and also that no alcohol is taken from the premises. The bar manager will have a personal licence and all staff who operate on the bar will complete the mandatory two hour training required under the 2005 Act. The area will have appropriate signage and the bar will also be limited in selling of beers, wine and prosecco. There will be no spirits for sale.

All drinks will be served in plastic containers.

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

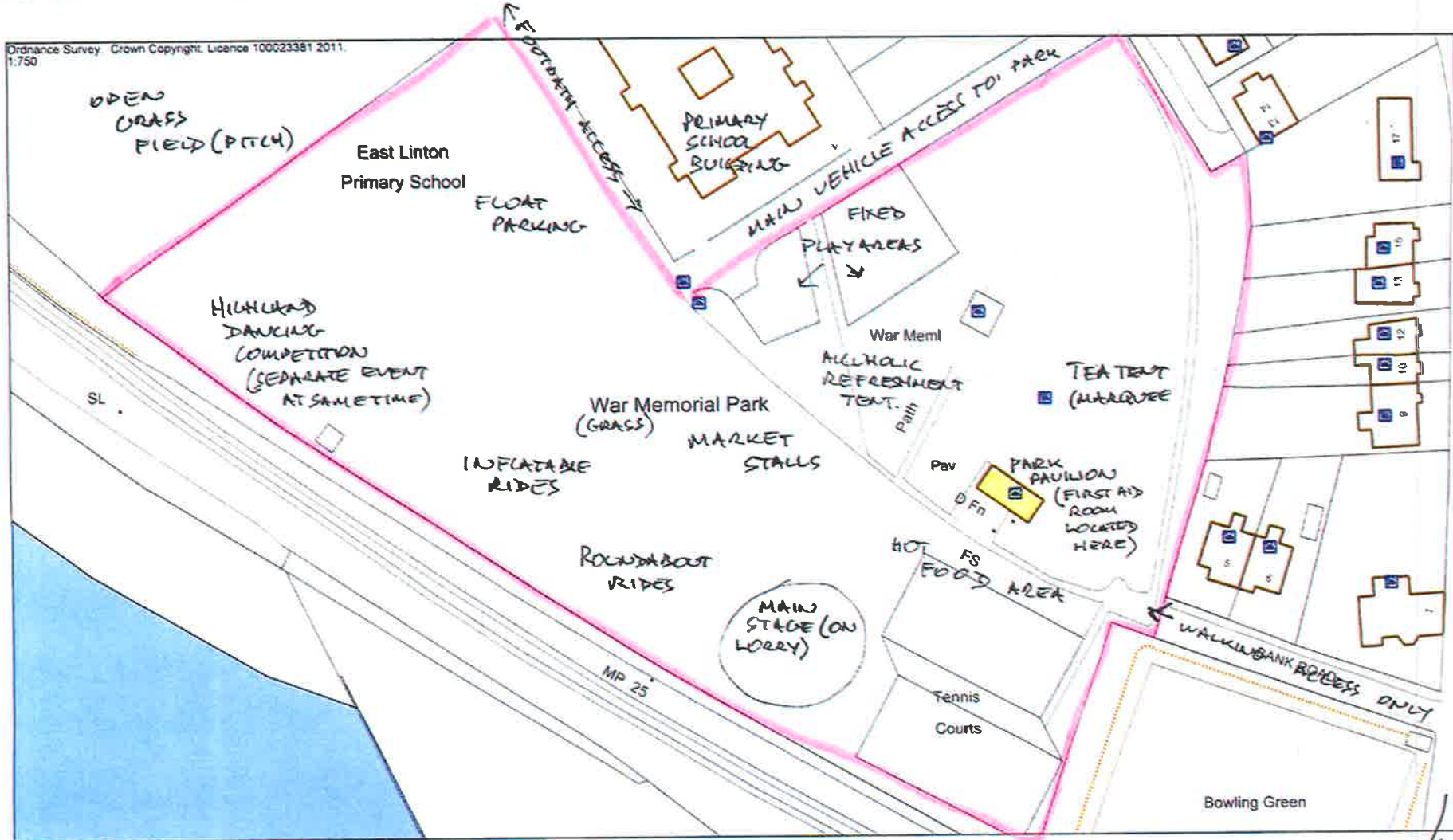


Date

1 March 2024

EAST LINTON GALA - PARK LOCATION PLAN

Ordnance Survey Crown Copyright. Licence 100023381 2011.
1:750

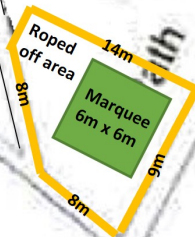


- MAIN AREA OF EAST LINTON GALA ACTIVITY IN WAR MEMORIAL PARK
- NOTE THERE IS ALSO A PARADE OF FLOATS THROUGH THE VILLAGE (20 MINS) AND INTO PARK PRIOR TO EVENT COMMENCING IN PARK.
- LOCATION OF MODERN PARK PAVILION + CHANGING ROOMS

LOCATION OF NEAREST DEFIBRILLATOR AT DOCTOR'S SURGERY ACROSS RAILWAY FOOTBRIDGE (2-3 mins from park)

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EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 8th April 2024

Subject: LICENSING (SCOTLAND) ACT 2005
OCCASIONAL LICENCE APPLICATION(S)

CATHERINE McMEEKEN FOR EAST LINTON GALA COMMITTEE, EAST LINTON WAR
MEMORIAL PARK, EAST LoTHIAN

The applicant is Catherine McMeeken who is a representative of East Linton Gala Committee. Application has been made for an occasional licence for a bar at East Linton Gala. The event is described as a gala day for the local community with outdoor music, bands, highland dancing competition, mini highland games, gala court procession, BBQ, craft stalls and craft workshops. It is expected that there will be 400 people attend throughout the day.

The duration of the application is:

OCC198/23 – Saturday 8th June 2024, 1300-1700.

A bar has been proposed in a designated area which will be cordoned off but no specific plan of this area, including the size and set up has been submitted. I recommend that this should be completed to establish the exact area to be licensed and how it be cordoned off, prior to consideration of this application.

I direct the board to the Statement of Licensing Policy Section 22.14

It is the policy of the Licensing Board that events that are predominantly organised for children should not necessarily attract the need for an alcohol licence to be granted in relation to it. Therefore, applicants for events mainly focused towards children and families, where the majority of attendees will be children, young persons and families, will be required to justify why an alcohol licence is required and may be required to attend a Licensing Board hearing for a determination.

Should the board wish to grant the application I recommend the following conditions are considered:

1. The marquee/outside area, must be clearly delineated with a barrier and stewarded by the organiser to ensure that there is no alcohol taken from this area.
2. No glass or cans permitted. All drinks should be served in alternative containers such as plastic or a reusable alternative.
3. Appropriate signage must be clearly displayed within the bar area, relative to age restrictions and relevant conditions of the licence. Signage should clearly identify:

- A sign prohibiting the entry of persons Under 18 to the licensed area.
- A sign prohibiting sale or supply of alcohol to persons Under 18 to be clearly displayed at any bar servery.
- Challenge 25 policy and signage must be used.
- The specific opening and closing times of the bar.
- Responsible drinking message.

4. The serving of alcohol by all staff must be undertaken in a responsible and safe manner.

In line 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 licence.

Licensing Standards Officer

19/03/2024

Your Ref: EAST LINTON GALA
Our Ref: 807297

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
OCCASIONAL LICENCE APPLICATION
PREMISES: EAST LINTON MEMORIAL PARK, BANK ROAD, EAST LINTON,
EAST LOTHIAN, EH40 3AH.
APPLICANT: CATHERINE MCMEEKEN / EAST LINTON GALA ASSOCIATION**

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:

This application relates to an alcohol licence for a gala event organised for children and families in the local area. This application may be appropriate to be heard at a licensing board as the East Lothian statement of licencing policy states the following at paragraph 22.14 (occasional licences):

'It is the policy of the Licensing Board that events that are predominantly organised for children should not necessarily attract the need for an alcohol licence to be granted in relation to it. Therefore, applicants for events mainly focused towards children and families, where the majority of attendees will be children, young persons and families, will be required to justify why an alcohol licence is required and may be required to attend a Licensing Board hearing for a determination.'

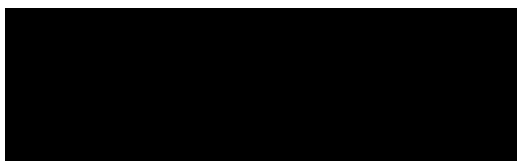
Police Scotland are of the opinion that the responsibility for confirming the identity of the applicant, and the validity and current status of any Premises or Personal Licence (including details of any previous or existing suspensions, variations, written warnings or endorsements) quoted on the application form where it was issued in another Board area, rests with the Local Authority and the Licensing

OFFICIAL

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.