

6/5.

OCC186/24.
PC, LSO 11/3
Adv 15/3.

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

REFERRAL NOTES FOR COMPLETING APPLICATION FORM:-

1. Application to be sent to: Clerk to the Licensing Board
Licensing Division
John Muir House
Haddington
East Lothian EH41 3HA
2. The application requires to be lodged not later than **42 days** prior to the date of the function together with the fee payable of **£10.00**.
3. For marquee or outside events - 4 copies of a detailed plan should be lodged with the application, showing the area and grounds which are required to be licensed.
4. The Board can only consider applications for Occasional Licence applied for by such person whom are listed below:
 - i) the holder of a premises licence
 - ii) the holder of a personal licence and
 - iii) a representative of any voluntary organisation
5. Applicant should advise Council's Environment and Consumer Services Department on 01620 827365 of any intention to prepare and serve food at the function. Applicant should also advise what toilet facilities are to be provided.
6. Applicant should advise Council's Environmental Protection Department on 01620 827365 if they are intending to have live or amplified music.
7. 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.

6b

Occasional Licence and Supplementary Information Form

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

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)	
Surname	Mitchell
Forenames	Paul Anthony
DATE OF BIRTH	Day [REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
c/o TLT Hobart House 80 Hanover Street	
Post town Edinburgh	Post code EH2 1EL
TELEPHONE NUMBERS	

Daytime	0333 006 1405
Evening	
Mobile	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail) Caroline.Loudon@TLT.com	
3. THE PREMISES	
Description of premises Broxmouth Courtyard is a purpose built, exclusive use venue within Broxmouth Park Estate and provides a luxury setting for weddings, corporate hospitality and private parties	
Description of activities to be carried on in the premises – (including number of persons expected to attend) Private wedding event. This occasional licence is to cover only the period 23.00 - 00.00 on Monday 6 May 2024.	
Full postal address of premises which this application refers to Broxmouth Courtyard Broxmouth Park Dunbar East Lothian EH42 1QW	

4. DURATION OF LICENCE
From: 6 May 2024
To: 6 May 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-* delete as appropriate	
Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises

23.00 - 00.00	N/A
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises N/A	

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 years.	Times at which children or young persons permitted entry At all times.
Parts of premises to which children or young persons permitted entry All areas but must be kept 1.5m from bar counter.	

7. CHECKLIST	
I have - Please tick for yes	
<ul style="list-style-type: none"> Made or enclosed payment of the fee for the application 	✓

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 Nicola Smith - TLT Solicitors	DATE 7 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 1998

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

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>(a)</p> <p>(b)</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event. (a)</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers. (b)</p>	
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or (a)</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or (b)</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application (c)</p>	
<p>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	

6. Will alternatives to glass receptacles be provided?	
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	

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 objective.

8. How will you prevent Crime and Disorder at the event?	
9. How will you secure Public Safety at the event?	
10. How will you prevent Public Nuisance at the event?	

<p>11. How will you promote and protect Public Health at the Event?</p>	
<p>12. How will you protect Children from Harm at the Event?</p>	

<p>SIGNATURE AND DECLARATION BY APPLICANT DECLARATION</p>			
<p>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</p>			
<p>(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))</p>			
<p>The contents of this Application are true to the best of my knowledge and belief.</p>			
<p>Signature</p>		<p>Date</p>	

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 26th March 2024

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATIONS – OCC186-192/24

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 6 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. A major variation application has been submitted to vary the on sales hours of the provisional premises licence that has not yet been confirmed. The major variation application has been sent out for consultation and a separate report will be submitted in due course.

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.

The 6 applications fall outwith the permitted on-sales hours detailed withing the Board's policy.

OCC186/24 –Monday 6th May 2024, 2300 – 0000 (Previously applied for as part of OCC056/24)

OCC187/24 –Monday 20th May 2024, 2300 – 0000 (Previously applied for as part of OCC060/24)

OCC188/24 –Monday 3rd June 2024, 2300 – 0000 (Previously applied for as part of OCC065/24)

OCC189/24 - Tuesday 4th June 2024, 2300 – 0000 (Previously applied for as part of OCC065/24)

OCC189/24 –Monday 10th June 2024, 2300 – 0000 (Previously applied for as part of OCC068/24)

OCC190/24 –Monday 17th June 2024, 2300 – 0000 (Previously applied for as part of OCC071/24)

OCC191/24 –Monday 24th June 2024, 2300 – 0000 (Previously applied for as part of OCC074/24)

The above hours were previously applied for as indicated above and refused by the Board during the Licensing Board hearing on 22nd February. The Board altered the terminal hour of on-sale on a Monday and Tuesday to 2300.

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

Mr Mitchell was previously the premises manager at another premises however he has since been replaced.

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

14/03/2024

Your Ref: Broxmouth Courtyard
Our Ref: 805320

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
OCCASIONAL LICENCE APPLICATION
PREMISES: BROXMOU TH COURTYARD, DUNBAR, EH42 1QW
APPLICANT: PAUL ANTHONY MITCHELL, [REDACTED]**

I refer to the above application and in terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, I make representation in relation to the following applications all of which fall out with board policy:

OCC186/24 – 0000 finish Monday 6th May 2024
OCC187/24 – 0000 finish Monday 20th May 2024
OCC188/24 – 0000 finish Monday 3rd June 2024
OCC189/24 – 0000 finish Tuesday 4th June 2024
OCC190/24 – 0000 finish Monday 10th June 2024
OCC191/24 – 0000 finish Monday 17th June 2024
OCC192/24 – 0000 finish Monday 24th June 2024

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

Yours faithfully

[REDACTED]

Catriona Paton