

BACS

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

2a

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)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL330

2(b) Name and Address of Premises Co-op, Northfields, Mid Road, Prestonpans

Post Code EH32 9ER Tel. No. 0141 333 0636 (AGENT)

Email info@mshblicensing.com (AGENT)

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

Co-operative Group Food Limited, 1 Angel Square, Manchester

Post Code M60 0AG

Tel. NO. 0141 333 0636 (AGENT) Email address info@mshblicensing.com (AGENT)

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

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)**

On the Operating Plan, amend the box at Q5(f) to read: "The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005."

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)

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

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  (See note 5 overleaf)

Date 9th May 2024

Capacity ~~APPLICANT~~ / AGENT (delete as appropriate)

If agent, please provide details

Full name Audrey Junner

Address Hill Brown Licensing, The Forsyth Building, 5 Renfield Street, Glasgow

Post Code G2 5EZ

Tel. No. 0141 333 0636 Email address info@mshblicensing.com

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.)

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

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

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>NO</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>YES</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>NO</i>
<i>*Delete as appropriate</i>	

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	N/A	N/A
<i>Tuesday</i>	N/A	N/A
<i>Wednesday</i>	N/A	N/A
<i>Thursday</i>	N/A	N/A
<i>Friday</i>	N/A	N/A
<i>Saturday</i>	N/A	N/A
<i>Sunday</i>	N/A	N/A

Question 3

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

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	22:00
<i>Friday</i>	10:00	22:00
<i>Saturday</i>	10:00	22:00
<i>Sunday</i>	10:00	22:00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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**If YES – provide details*

N/A

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	N	N/A	N/A
<i>Conference facilities</i>	N	N	N
<i>Restaurant facilities</i>	N	N	N
<i>Bar meals</i>	N	N	N
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	N	N	N
<i>Club or other group</i> <i>meetings etc.</i>	N	N	N
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> <i>5(g)</i>	Y	Y	Y
<i>Live performances –</i> <i>see 5(g)</i>	N	N	N
<i>Dance facilities</i>	N	N	N
<i>Theatre</i>	N	N	N

<i>Films</i>	N	N	N
<i>Gaming</i>	N	N	N
<i>Indoor/outdoor sports</i>	N	N	N
<i>Televised sport</i>	N	N	N
5(d) <i>Activity</i>	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	N	N	N
5(e) <i>Activity</i>	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	N	N	N

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Recorded background music may be played within and outwith core hours, inaudible in surrounding properties.

5(f) any other activities

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

The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>N/A</i>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>N/A</i>
<i>*Delete as appropriate</i>	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

<i>6(a)</i>	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	<i>N/A</i>
	<i>*Delete as appropriate</i>	

*6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

N/A

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

N/A

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

N/A

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

N/A

Question 7

CAPACITY OF PREMISES

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

Off Sales – 25.815m2 Sales Floor – 21.615m2 Kiosk – 4.2m2

Question 8

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

Personal details


8(a) *Name*

David Martin McCaffrey

8(b) *Date of birth*



8(c) *Contact address*



8(d) *Email address*

info@mshblicensing.com (AGENT)
--

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
17/11/2021	East Lothian Licensing Board	EL802

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)

Audrey Junner, Hill Brown Licensing
The Forsyth Building, 5 Renfield Street
Glasgow G2 5EZ

Date ...9th May 2024.....

CapacityAGENT

Telephone number and email address of signatory ...0141 333 0636 / info@mshblicensing.com.....

*** Data Protection Act 1998**

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: 4th June 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL330, CO-OP, NORTHFIELDS, MID ROAD, PRESTONPANS, EAST LoTHIAN EH32 9ER

I can confirm I have liaised with the licensing team at Hill Brown in relation to this application.

The changes applied for are:

- To add "The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005." To the operating plan as an activity.

I requested a delivery policy in relation to the application which was provided and is attached to this report.

I have received no complaints in relation to the premises.

I recommend the board consider the following condition in their consideration of the application:

- 1) Should a service of delivery of alcohol to customers be conducted, the terms of the Licensing (Scotland) Act 2005 Section 119 and those of the Board's statement of licensing policy on deliveries of alcohol, should be complied with.

Licensing Standards Officer

Licensing

From: Lee Wilson <Lee.Wilson2@scotland.police.uk>
Sent: 06 June 2024 18:25
To: Licensing
Subject: VARIATION - DELIVERIES - CO-OP, MID ROAD, PRESTONPANS
Attachments: MAJOR VAR APP - HOME DELIVERIES (NORTHFIELDS).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.

Good Evening,

No police objections.
Ref: 825520

Regards,
Lee

Licensing

From: Douglas, Andrew
Sent: 16 May 2024 11:15
To: Licensing
Subject: FW: Co-op, Northfields, Mid Road, Prestonpans, EH32 9ER (Licence No. EL330)
Attachments: Major Var App - Home Deliveries (Northfields).pdf; Operating Plan - Major Var Home Deliveries (Northfields).doc; Bacs - East Lothian Council (Northfields).pdf

No objections, standard conditions

Andrew

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Thursday, May 16, 2024 8:33 AM
To: 'Lothian & 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>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; secretary@prestonpanscommunitycouncil.org; 'licensing@nhslothian.scot.nhs.uk' <licensing@nhslothian.scot.nhs.uk>
Subject: FW: Co-op, Northfields, Mid Road, Prestonpans, EH32 9ER (Licence No. EL330)

Hi

Please find Major Variation for Co-op, Northfields, Mid Road, Prestonpans to add Home Deliveries for report by 6th June, 2024.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk



Law Society
of Scotland

Accredited paralegal
liquor licensing

Licensing

From: Robertson, Scott
Sent: 20 May 2024 09:34
To: Licensing
Subject: RE: Co-op, Northfields, Mid Road, Prestonpans, EH32 9ER (Licence No. EL330)

Hello,

Please note I have no comments or objections to this application.

Kind 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 www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Thursday, May 16, 2024 8:33 AM
To: 'Lothian & 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>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; secretary@prestonpanscommunitycouncil.org; 'licensing@nhslothian.scot.nhs.uk' <licensing@nhslothian.scot.nhs.uk>
Subject: FW: Co-op, Northfields, Mid Road, Prestonpans, EH32 9ER (Licence No. EL330)

Hi

Please find Major Variation for Co-op, Northfields, Mid Road, Prestonpans to add Home Deliveries for report by 6th June, 2024.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk



Accredited paralegal
liquor licensing



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

2b

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)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0196

2(b) Name and Address of Premises Railway, 70 Court Street, Haddington

Post Code EH41 3AF Tel. No. _____

Email _____

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

Greene King Brewing & Retailing Ltd, Westgate Brewery, Bury St Edmonds, Suffolk

Post Code IP33 1QT

Tel. No. _____ Email address _____

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

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)

Q6d) - Amend the wording as follows - Children and young persons permitted up until 10pm or for the duration of a function. They will be permitted 24 hours if they are resident at the hotel.

Q6e) Amend the wording as follows - Children and young persons permitted access to the raised area and the function space.

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)

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)

Lodged by email

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

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 Alison Smith - TLT Solicitors (See note 5 overleaf)

Date 17.04.24

Capacity APPLICANT / AGENT (delete as appropriate)

If agent, please provide details

Full name Alison Smith

Address TLT Solicitors, 9th Floor, 41 West Campbell Street, Glasgow

Post Code G2 6SE

Tel. No. 03330061297 Email address Alison.Smith@TLT.com

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.)

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

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

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>NO</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES</i>
<i>*Delete as appropriate</i>	

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	12 midnight
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	23:00

Question 3

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

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	22:00
<i>Tuesday</i>	11:00	22:00
<i>Wednesday</i>	11:00	22:00
<i>Thursday</i>	11:00	22:00
<i>Friday</i>	11:00	22:00
<i>Saturday</i>	11:00	22:00
<i>Sunday</i>	11:00	22:00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>Yes</i>
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**If YES – provide details*

We would seek to take advantage of any extended period of trading granted by the Board for significant local/national events e.g. festive period and bank holidays etc.

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	YES	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES
Theatre	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
5(d) <i>Activity</i>	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Outdoor drinking facilities</i>	YES	YES	YES
5(e) <i>Activity</i>	<i>Please confirm</i> YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Accommodation may be available 365 days of the year, on a room only basis.

Conference/club facilities – we may have the facility in our first floor function room to offer meeting and conference facilities. These traditionally take place from 8am to 11pm.

Receptions – we have the facility in our first floor function room to offer a wide range of reception facility. This may include funeral purveys that require alcohol on the premises from 10am subject to an expediently processed extended hours application being granted.

Club meetings – we have the facility in our first floor function room to host local community meetings. This may include events that require alcohol to be available on the premises from 10am e.g. golf day, subject to an extended hours application being granted.

Recorded music – accompany any private function business.

Live performances – may be available to customers outwith core hours booking first floor function room for a private party.

Dance facilities – to accompany any private function business.

Indoor/outdoor sports – facility available to customers when the premises is open.

Televised sport – we anticipate that certain key sporting events i.e. Olympics, football world cup may be televised outwith the core licensed hours and we would wish to provide alcohol for sale on the premises at these events, subject to an extended hours application being granted.

Outdoor drinking – to accompany any private function business.

Activities will not occur outwith core hours without the grant of an extended hours application.

Restaurant/bar meals – premises may open early for the provision of breakfasts, teas, coffees etc.
No alcohol will be sold outwith core hours.

5(f) any other activities

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

We may provide a range of activities during core hours such a quiz nights, dominos, charity nights or similar social activities appropriate to the target market.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>N/A</i>
--	------------

<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>N/A</i>
<i>*Delete as appropriate</i>	

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

<i>6(a)</i>	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	<i>YES</i>
	<i>*Delete as appropriate</i>	

*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 be admitted up until 10pm or 24 hours if they are resident at the hotel,

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

0-17 years.

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

Children and young persons will be admitted up until 10pm or for the duration of a function. They will be permitted 24 hours if they are resident at the hotel.

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

Children and young persons will be admitted to the raised and function space.

Question 7

CAPACITY OF PREMISES

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

On sales - 351

Question 8

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

Personal details

8(a) *Name*

Jamie Leon Cameron

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
09.06.15	East Lothian Licensing Board	EL 1188

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 ...*Alison Smith* – TLT Solicitors..... * (see note below)

Date 17.04.24

Capacity Agent

Telephone number and email address of signatory 0333 006 1297 Alison.Smith@TLT.com

*** Data Protection Act 1998**

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: 22nd May 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

THE RAILWAY HOTEL, 70 COURT STREET, HADDINGTON EAST LoTHIAN EH41 3AF

I can confirm that site notice has been correctly displayed in relation to this application.

The changes applied for are:

- To amend the times during children and young persons will be allowed entry until 10pm or the duration of a function.
- To amend the parts of the premises to which children and young persons will be allowed entry to include the upstairs function area.

The premises recently came under new management, and I have met with Mr Thomson and staff to hear of their intentions and operations at the premises.

The changes requested are within Board policy and I have no adverse comment to make.

Licensing Standards Officer

01/05/2024

Your Ref: RAILWAY
Our Ref: 819704

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
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
THE RAILWAY, 70 COURT STREET, HADDINGTON, EAST LOTHIAN, EH41
3AF.**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of adding the following to the operating plan:

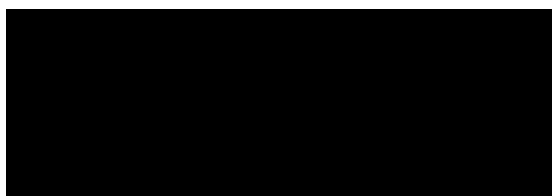
Q6d) Amend the wording as follows - Children and young persons permitted up until 10pm or for the duration of a function. They will be permitted 24 hours if they are resident at the hotel.

Q6e) Amend the wording as follows - Children and young persons permitted access to the raised area and the function space.

In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



Licensing

From: Robertson, Scott
Sent: 06 May 2024 10:34
To: Licensing
Subject: RE: Major Variation Application - Railway, 70 Court Street, Haddington, EH41 3AF - EL0196

Hello,

Please note I have no comments or objections to this application.

Regards
Scott

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Tuesday, April 30, 2024 2:18 PM
To: 'LothianScotBordersLicensingEastMid@Scotland.police.uk' <LothianScotBordersLicensingEastMid@Scotland.police.uk>; Licensing Standards Officer <Iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; all@haddingtoncc.org.uk; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; 'licensing@nhslothian.scot.nhs.uk' <licensing@nhslothian.scot.nhs.uk>
Subject: FW: Major Variation Application - Railway, 70 Court Street, Haddington, EH41 3AF - EL0196

Hi

Please find attached Major Variation for Railway Hotel, Haddington to amend Childrens access for report by 22nd May 2024.

Kind regards

Gillian



EAST LoTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

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

SECTION 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).

2c

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0114

2(b) Name and Address of Premises

Eagle Inn
75 High Street
Dunbar
East Lothian

Post Code EH42 1EW

Phone No.

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

Greene King Brewing & Retailing Ltd
Westgate Brewery
Bury St Edmunds
Suffolk

Post Code IP33 1QT

Phone No.

SECTION 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

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

Q2 – To amend Sunday commencement time to 11 am.
Q2 – To amend Thursday terminal hour to 1am.
Q3 – To amend Sunday commencement time to 11 am.
Q5 – To add bar meals and outdoor drinking as an activity within and outwith core hours.
Q5 – To add recorded music, indoor/outdoor sports, club meetings and receptions outwith core hours.
Q5 – To add the following wording: “Recorded music may be played prior to the licensed hours for the benefit of staff and customers. Bar meals, outdoor drinking, indoor/outdoor sports/club meetings and receptions may take place prior to core hours for the purposes of soft drinks, breakfasts, meetings and functions.

3(c) Variation to the Layout Plan of the Premises Licence

7 Copies 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.

To amend the layout plan to include the outdoor drinking area within the licensed footprint.

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*)

To add reference to the external area to the description of the premises.

SECTION 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) Will follow under a separate cover.

.....

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

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

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) the appropriate fee of £ is enclosed.

Signature – Nicola Smith – TLT Solicitors

..... (See note 5 below)

Date 24 April 2024

.....

Capacity: AGENT

If agent, please provide name, address, phone number and (if applicable) email address - 0333 006 0710; Nicola.Smith@TLT.com

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 1998

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

Fax: 01620 827253

Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY		
<i>Received & Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Name, address and postcode of premises to be licensed.

Eagle Inn 75 High Street Dunbar East Lothian EH42 1EW

Question 1

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

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES
<i>*Delete as appropriate</i>	

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00	23.00
<i>Tuesday</i>	11.00	23.00
<i>Wednesday</i>	11.00	23.00
<i>Thursday</i>	11.00	01.00
<i>Friday</i>	11.00	01.00
<i>Saturday</i>	11.00	01.00
<i>Sunday</i>	11.00	00.00

Question 3

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

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00	22.00
<i>Tuesday</i>	11.00	22.00
<i>Wednesday</i>	11.00	22.00
<i>Thursday</i>	11.00	22.00
<i>Friday</i>	11.00	22.00
<i>Saturday</i>	11.00	22.00
<i>Sunday</i>	11.00	22.00

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	YES
--	-----

**If YES – provide details*

We would seek to take advantage of any extended period of trading granted by the board for significant local/national events, e.g. festive period and bank holidays etc.

Question 5

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

COL. 1 <i>5(a)</i> <i>Activity</i>	COL. 2 <i>Please confirm</i> <i>YES/NO</i>	COL. 3 To be provided during core licensed hours – please confirm <i>YES/NO</i>	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	YES	YES	YES
<i>5(b) Activity</i> <i>Social functions</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	To be provided during core licensed hours – please confirm <i>YES/NO</i>	Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	YES	YES	YES
<i>5(c)</i> <i>Activity</i> <i>Entertainment</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	To be provided during core licensed hours – please confirm <i>YES/NO</i>	Where activities are also to be provided outwith core licensed hours please confirm <i>YES/NO</i>
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	NO

<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
<i>5(d) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	YES	YES	YES
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Recorded music may be played prior to the licensed hours for the benefit of staff and customers. Bar meals, outdoor drinking, indoor/outdoor sports/club meetings and receptions may take place prior to core hours for the purposes of soft drinks, breakfasts, meetings and functions.

Televised sport – We anticipate that certain key sporting events (e.g. Olympics, football World Cup etc) may be televised outwith the core licensing hours, and we would wish to provide alcohol for sale on the premises at these events, subject to the grant of an extended hours application.

5(f) any other activities

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

We may provide a range of activities during core hours such as quiz nights, dominoes, charity nights, or similar social activities appropriate to the target market.

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?	N/A
---	-----

When fully occupied, are there likely to be more customers standing than seated?	N/A
*Delete as appropriate	

Question 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	NO
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

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

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

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

Question 7

CAPACITY OF PREMISES

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

On sales - 106

Question 8

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

Personal details

8(a) *Name*

Sandra Helen Elliot

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
26 August 2025	East Lothian Licensing Board	EL1216

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 – Nicola Smith – TLT Solicitors

Date – 24 April 2024

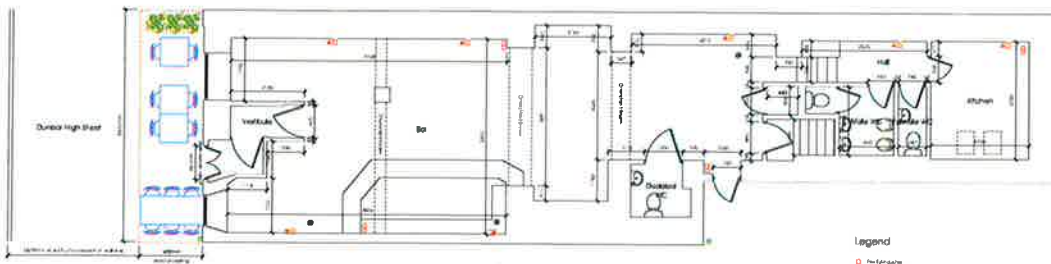
Capacity - AGENT

Telephone number and email address of signatory – 0333 006 0710; Nicola.Smith@TLT.com

*** Data Protection Act 1998**

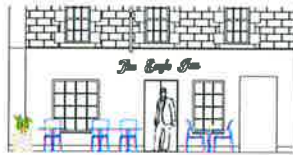
The information on this form may be held on an electronic public register which may be available to members of the public on request.

Disclaimer:
 The design and construction of this building is based on a set of assumptions and conditions. The designer is not responsible for the accuracy or completeness of the information provided. The designer is not responsible for the accuracy or completeness of the information provided. The designer is not responsible for the accuracy or completeness of the information provided.



Layout Plan
 Scale: 1/80

- Legend**
- Fire Extinguisher
 - First Aid Kit
 - Emergency Exit Sign
 - Seating Area
 - Handicap Access
 - Staircase



Front (West) Elevation
 Scale: 1/80

The Eagle Inn

Proposed Outdoor Seating Area

Layout Plans and Elevations

Project Name	The Eagle Inn
Project Number	EG-01
Project Date	April 2024
Project Location	123 Main St, Anytown, USA

Eagle-01

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 22nd May 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EAGLE INN, 75 HIGH STREET, DUNBAR, EAST LoTHIAN EH42 1EW

I can confirm that the application has been previously discussed with the current tenant Cara Davies and premises have been visited in relation to this variation application. The site notice was correctly displayed.

The changes applied for are:

- To amend the licensed on sales hours
- To amend the licensed off sales hours
- To add bar meals and outdoor drinking as activities within and outwith core hours
- To add recorded music, indoor/outdoor sports, club meeting and receptions outwith core hours
- To add additional wording "Recorded music may be played prior to the licensed hours for the benefit of staff and customers. Bar meals, outdoor drinking, indoor/outdoor sports/club meetings and receptions may take place prior to core hours for the purposes of soft drinks, breakfasts, meetings and functions"
- To amend the layout plan to include the outdoor drinking area within the licensed footprint.

The current licensed hours of the premises are show overleaf:

Licensed hours

Current ON SALES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	00:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	12:30	00:00

The new hours applied for are, as shown below:

Proposed ON SALES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	23:00
<i>Tuesday</i>	11:00	23:00
<i>Wednesday</i>	11:00	23:00
<i>Thursday</i>	11:00	01:00
<i>Friday</i>	11:00	01:00
<i>Saturday</i>	11:00	01:00
<i>Sunday</i>	11:00	00:00

The current off sales hours are 11:00 – 22:00 Monday – Saturday and 12:30-22:00 on Sunday. The off-sales commencement hour on Sunday has been requested to change to 11:00am.

In 2022 I received 3 complaints in relation to the premises. The complaints were in relation to noise nuisance reported from a surrounding resident. A meeting was held to discuss the complaints and mitigation with Cara Davies and Colin Lawson from Greene King. I have received no further complaints to date.

The outside area has been used on occasional licences over the following time periods:

- 20/06/2022 – 07/11/2022
- 25/08/2023 – 21/09/2023
- 10/05/2024 – 23/05/2024

The outdoor area was run with a capacity of 12 seated people on the occasional licences between 11am-8pm. I have not received any complaints in relation to the outdoor area.

I recommend the board consider the following conditions from the statement of licensing policy, and additional conditions in respect of time and capacity for the outside area:

1. The outside area must only be used by persons occupying the seats provided by the premises.
2. The outside area must be clearly delineated by means of removable barriers.
3. The barriers, tables and chairs must be removed at the end of the permitted hours for use of the outside area and stored securely in an area off the footpath.
4. The area must be capable of being monitored by staff either physically or via an efficient and functioning CCTV system.
5. No public entertainment, amplified music, amplified vocals or live music played in the outdoor area to ensure the use does not cause nuisance neighbouring residential properties.
6. The premises licence holder must ensure that the defined area and neighbouring areas are kept clear of all waste, including cigarette litter, associated with their business and that may have been dropped.
7. If the outside area is on council land or a road/pavement then a valid permit/authorisation issued from the East Lothian Council Roads Department must be in place in order to use the occasional licence.
8. An authorised officer of the Council or Police Scotland may suspend the use of the area for reasons of public safety.
9. The use of the outdoor area must cease at 8pm.
10. No more than 12 persons shall occupy the area at any time.

A terminal hour of 8pm has been suggested due to the residential nature of the location. I have no adverse comment to make in relation to the changes in on sales and off sales hours and additional activities.

Licensing Standards Officer

09/05/2024

Your Ref: EAGLE INN

Our Ref: 819740

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
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
EAGLE INN, 75 HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1EW.**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of:

- Q2 – To amend Sunday commencement time to 11am.**
 - Q2 – To amend Thursday terminal hour to 1am.**
 - Q3 – To amend Sunday commencement time to 11am.**
 - Q5 – To add bar meals and outdoor drinking as an activity within and out with core hours.**
 - Q5 – To add recorded music, indoor/outdoor sports, club meetings and receptions out with core hours.**
 - Q5 – To add the following wording: “Recorded music may be played prior to the licensed hours for the benefit of staff and customers. Bar meals, outdoor drinking, indoor/outdoor sports/club meetings and receptions may take place prior to core hours for the purposes of soft drinks, breakfasts, meetings and functions.**
- To amend the layout plan to include the outdoor drinking area within the licensed footprint.**
 - To add reference to the external area to the description of the premises.**

In terms of Section 29(5) this request can be considered a variation.

OFFICIAL

I have no adverse comment to make regarding the variation proposed, however would ask the board to consider the following conditions:

- **The use of outdoor areas will cease by 8pm**
- **No glass permitted in the outdoor area. All drinks should be served in alternative containers such as plastic or a reusable alternative.**

Yours faithfully



Catriona Paton
Chief Superintendent

For enquiries please contact the Licensing Department on 0131 654 5583.



18th May 2024

East Lothian Council
Licensing

20 MAY 2024

Received

Clerk of Licencing Board
John Muir House
Haddington
EH41 3HA

Dear Sir/Madam,

Reg: Application for variation (major) – The Eagle Inn, 75 High St, Dunbar

I am writing to lodge my objection to the application to change the licencing hours for The Eagle Inn to include up until 1pm on Thursdays. I also wish to object to the outside drinking plan, serving of meals and playing of recorded music.

All of these requested amendments to current licencing conditions will have a significant impact on residents above, next door and in near vicinity of The Eagle Inn. We currently have to endure loud music at weekends which can be heard on the street and also within the communal courtyard which includes private residences. In addition, when the pub currently closes at 1 am on Friday and Saturday, all this means is that disruptive, drunken customers are ejected on to the street outside the Eagle. The pavement outside the pub is quite wide and this encourages drunken customers to congregate, and this is extremely loud and disruptive to local residents. In addition, there is significant littering, broken glass, bodily fluids and cigarette butts left all over the pavement. If licencing is extended to Thursdays this will be very disruptive to people who need to work Monday to Friday, shift workers and children needing to go to school. It cannot be over emphasized the loud disruption that local residents have to suffer into the early hours of the morning already on Fridays and Saturdays.

Music and karaoke nights take place near the back of the pub where there is a fire exit. There is no sound proofing and this means the residents of the communal courtyard as well as residents living above the pub have to endure loud music late into the night.

With regards to outdoor drinking, I understand that this is already restricted by outdoor drinking legislation in the evenings. However, having tables and chairs outside the pub ensures that residents are enduring loud noise during daytime hours. The littering concerns remain and are in fact increased with customers drinking outside. If meals are to be served this would increase the litter which is already a problem. Leaving tables and chairs out in the late evenings also risks these being used as weapons (there are regular physical altercations) and being used to cause criminal damage such as broken shop windows etc.

As a resident of the communal courtyard, I am able to advise that noise levels into the early hours of the morning are extremely disruptive. Residents of the courtyard are required to padlock the gate to the courtyard as we have suffered from customers using the courtyard as an alternative to using the toilets in the pub. I have personally had to clear up bodily fluids on multiple occasions, clear up broken glass before being able to take my dog out. All of these issues arise mostly after late night licences or all day drinking when there are football matches on.

I am aware that the landlady makes strenuous efforts to ensure that local residents are not adversely affected by disruptive customers in the pub but she is unable to ensure this given the sale of alcohol leading to intoxication – this is will be the case if there are late licences for a third night of the week.

I accept that I have chosen to live in a property next to a pub and should expect some noise and disruption and I accepted that this would mostly be at weekends and during holiday periods. I do not find it acceptable to have to tolerate this on a weekday night when I need to work the next day.

Yours faithfully,

Jane Stewart

Licensing

From: [REDACTED]
Sent: 21 May 2024 17:12
To: Licensing
Subject: Objection to proposed changes to Licence changes for the Eagle Inn, Dunbar

You don't often get email from [REDACTED] [Learn why this is important](#)

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To: The Clerk of the Licensing Board

I refer to the Notice for Application for Premises Licence and proposed changes at the Eagle Inn, 75 High Street, Dunbar, EH42 1EW.

We have read the proposed changes as displayed on the premises and viewed the additional documents in discussion with the relevant council officer at East Lothian Council, John Muir House, Haddington.

We would like to take this opportunity to voice concerns that we have had since moving into the area in May last year. We live only a few doors from these premises (there is [REDACTED] between) and since moving in, we have experienced regular incidents ranging from late night disturbances to witnessing fights. Our flat is on the [REDACTED] and our living room and bedroom [REDACTED] onto High Street. As such we have faced the brunt of issues that stem from these premises. However, as this is a highly residential area (with properties to either side, above and opposite), we do not expect that we are the only ones who will be impacted. While we understand that our name needs to appear on the list of responders/objections, we would request that any other details remain confidential and are not made known to the premises.

1. In terms of the proposed change to the Licensing hours applied for, we have no objection to the early opening on Sundays. However, we object to the extension of the closing time to 1am on a Thursday. Over the last year, there have been many incidents at all times of day and night, however the worst of these are usually in the evening/night. This has resulted in regular sleep disturbances as we are woken up late at night or kept awake for long periods due to the noise. Our concern is that the proposal to extend opening on a Thursday evening has the potential for increased incidents and behaviour such as we have already experienced, and this would further negatively impact the quality of life and peace of those of us living in the vicinity of the premises. Incidents we have experienced to date have included:

- Customers not dispersing - congregating outside our building often till well after closing time (2.00-2.30am); customers coming outside to smoke/vape and standing outside our building; or when leaving the premises at other times all of which cause disturbance. (**Section:** Preventing public nuisance)
- Frequent out-of-control behaviour and drunken aggression by customers. We have phoned the police on several occasions due to altercations/fights and concern for safety and potential escalation. (**Section:** Preventing public nuisance / Securing public safety)
- Antisocial and disruptive behaviour, including sectarian chanting/singing; abusive language; customers exiting the premises and shouting/screaming/roaring/swearing. We had a fight outside on a Sunday afternoon involving men and women. (**Section:** Preventing crime and disorder / Preventing public nuisance)
- Customers often outside drinking (outwith of dedicated outside space and restricted outside drinking hours) while smoking/vaping with bottles or plastic beer containers. Last Sunday (12th May, at 10pm) we witnessed a customer running up and down High Street shouting/roaring with a beer in a plastic cup. (**Section:** Preventing public nuisance)
- Lack of consideration for neighbours. There is a small sign on a gate in the adjacent close asking customers to 'please respect our neighbours...' but this is not heeded or enforced. When we or

neighbours have asked customers (sitting on our front steps or standing outside our front door) to be quieter, this has been met with abuse. Last Christmas Eve customers gathered outside, below our bedroom window, till 3-3.30am in the morning. We asked them to be quieter or move on – in the morning, the plants outside our main entrance had been pulled from their pots. (Section: Preventing public nuisance / Securing public safety)

- Finding smashed bottles, and that people have vomited and urinated in Cossar's Wynd which is to the [REDACTED] of our building and gives access to our private parking at the [REDACTED] of the building. (Section: Preventing public nuisance)

2. Nature of the Business to be Carried out: We have no objection to the types of business/activities detailed being carried out, provided this does not include outside drinking later than currently occurs (which seems to be 8pm).

We appreciate the opportunity to respond to this proposal and we await the decision of the Board.

Yours sincerely,

[REDACTED]

[REDACTED]

Licensing

From: Colin Howden [REDACTED]
Sent: 22 May 2024 16:07
To: Licensing
Subject: Representation on application for premises licence for Eagle Inn, 75 High Street, Dunbar, EH42 1EW

You don't often get email from [REDACTED] [Learn why this is important](#)

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.

For the attention of the Clerk of the Licensing Board:

Dear Sir/Madam

I am writing to make a representation with regards to the Greene King Brewing & Retailing Ltd. application for a revised premises licence for Eagle Inn, 75 High Street, Dunbar, EH42 1EW.

I am the owner of an [REDACTED] property ([REDACTED])

My representation relates to the applicant's requests with regards to the playing of recorded music. I have no objection to the playing of recorded music *within* the licensed premises but have concerns about the potential noise impacts on nearby residential properties, including my own, should the applicant be seeking permission for recorded music to be played *outwith* the licensed premise, and in particular given that the premise has operating hours until 01:00 on some days. If this is the case then this representation should be treated as an objection.

I would be grateful if you would acknowledge receipt of this representation.

Yours sincerely
Colin Howden

Colin Howden
[REDACTED]

87346
OCC399/29
Adv 24/15

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

REFERRAL NOTES FOR COMPLETING APPLICATION FORM:-

3a

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.

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)	EL1692
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	Sinclair-Parry
Forenames	Neil
DATE OF BIRTH	
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
Post town	
Post code	
TELEPHONE NUMBERS	

Daytime	[REDACTED]	
Evening		
Mobile		
FAX NUMBER		
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail) accounts@martfarmshop.co.uk		
3. THE PREMISES		
Description of premises Farm Shop, cafe, Post Office and Market		
Description of activities to be carried on in the premises – (including number of persons expected to attend) Temporary sale of beer, cider, ales, wine and spirits		
Full postal address of premises which this application refers to Mart Farm Shop East Linton Saleground Station Road East Linton, East Linton, EH40 3DN		

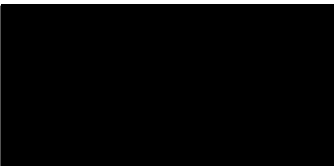
4. DURATION OF LICENCE	
From:	13 th June, 2024
To:	26 th June, 2024

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

	10:00 to 22:00 daily (7 days a week)
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises 09:00 to 22:00 daily (7 days a week)	

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	Times at which children or young persons permitted entry
Parts of premises to which children or young persons permitted entry	

7. CHECKLIST	
I have - Please tick for yes	
• Made or enclosed payment of the fee for the application	X

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 20/05/24

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) Temporary off licence sale of alcohol pending approval of Premises license application</p> <p>(b) None</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>Normal shop customers which average approximately 100-120/day</p> <p>Average from sales transactions for the last 90 days</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>No entry fee as sale will be open to normal customer base</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.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) No stewards only shop staff which average 3-4 per day</p> <p>(b) N/A</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</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a) N/A</p> <p>(b) N/A</p> <p>(c) Shop premises</p>
<p><u>5. 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>	<p>N/A</p>

6. Will alternatives to glass receptacles be provided?	Off licence only, in bottles and cans
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	The licence holder will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

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?	<ul style="list-style-type: none"> • All staff will wear clothing that makes them clearly identifiable in that role. • CCTV will be installed, operated and maintained 24/7 • CCTV images will be retained for a minimum of 14 days • A4 sized warning notices will be displayed in public areas of our premises and at all entrances advising that CCTV is in operation. The signs located at entrances will be placed on the exterior of the building at, and adjacent to, all public access doors. All signs will comply with the requirements of the Data Protection Act 2002. • Membership of the Local Licensees Association will be obtained and maintained and the licence holder or their representative will attend meetings and participate in relevant initiatives. • An incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at our premises will be recorded. The incident book will be kept on the premises at all times and will be made available for inspection by the police and all officers of relevant statutory bodies.
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9. How will you secure Public Safety at the event?

- Irresponsible drinks promotions will not be permitted, and the standards for the management of responsible drinks promotions will be complied with.
- The licence holder or people authorised by them will check the premises before it opens to the public to ensure there are no risks to patrons and that all safety precautions are in place.
- The licence holder will ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.
- The licence holder will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.
- Free drinking water will be made available upon request and at all times the premises are open to the public.
- The electrical system at our premises, including portable appliances will be inspected and tested annually by a competent person and a satisfactory safety report obtained.
- The gas system, including appliances, will be inspected annually and tested by a Gas Safe Registered engineer and a satisfactory Gas Safety Certificate will be obtained.
- All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant statutory bodies.
- The fire safety measures provided on the premises will be maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with any relevant legislation.
- An adequate and appropriate supply of first aid equipment and materials will be available on our premises.

<p>10. How will you prevent Public Nuisance at the event?</p>	<ul style="list-style-type: none">• The licence holder will ensure that staff regularly patrol the premises both indoors and out to check that alcohol is not being consumed on our premises.• Prominent, legible notices requesting people not to consume alcohol on our premises will be displayed on our premises.
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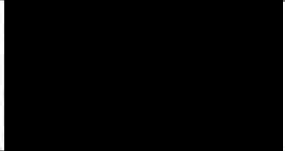
11. How will you promote and protect Public Health at the Event?

- displaying material discouraging drink driving
- making available information promoting moderate drinking along with awareness of units of alcohol and recommended guidelines.
- availability of low alcohol and alcohol free alternatives.
- provision of tap water that is fit for drinking and free of charge on request. Other non-alcoholic drinks must be available at a reasonable price
- providing contact details of where assistance for alcohol related problems may be sought.
- compliance with the law on alcohol pricing and irresponsible drinks promotions.

For Online Sales:-

- Customers ordering online will be required to enter their date of birth before purchase to prove that they are over 18 years of age.
- All home delivery parcels will be labelled to advise that they contains alcohol, and on delivery will not be left with anyone under the age of 18 years.
- All parcels sent out containing alcohol will be sent out by means of a 'signed delivery' and the person signing to accept delivery must be able to prove their age.
- An alcohol disclaimer will be displayed on our website advising that a date of birth and the signature of an adult will be required.
- A refusal/incident book will be kept in each delivery vehicle.
- Additional staff/driver alcohol training will be given for our delivery service.

<p>12. How will you protect Children from Harm at the Event?</p>	<ul style="list-style-type: none"> • A proof of age policy will be enforced. • A challenge 21/25 policy will be employed where those individuals who appear to be under the age of 21/25 attempting to purchase alcohol will be asked for identification. The only type of ID that will be accepted is PASS accredited ID, passport or photo driving licence.
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<p>SIGNATURE AND DECLARATION BY APPLICANT DECLARATION</p>			
<p>IT IS AN OFENCE 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>	<p>20/05/23</p>

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 31st May 2024

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) OCC399-406/24

THE MART FARM SHOP AND CAFE, EAST LINTON SALEGROUND, STATION ROAD, EAST LINTON, EAST LoTHIAN, EH40 3DN

The applicant is Neil Sinclair-Parry who is a currently a personal licence holder. Application has been made for 8 occasional licences for The Mart Farm Shop and Cafe.

The duration of the applications are:

OCC399/24 – 13th – 26th June 2024, 10am-10pm off sales only
OCC400/24 – 27th June – 10th July 2024, 10am-10pm off sales only
OCC401/24 – 11- 24th July 2024, 10am-10pm off sales only
OCC402/24 – 25 July – 7th August 2024, 10am-10pm off sales only
OCC403/24 – 8 – 21st August 2024, 10am-10pm off sales only
OCC404/24 – 22 August – 4th September 2024, 10am-10pm off sales only
OCC405/24 – 5 – 18th September 2024, 10am-10pm off sales only
OCC406/24 – 19th September – 2 October 2024, 10am-10pm off sales only

Currently, a provisional premises licence is held for the above premises that was granted in August 2022. The licence holder is Prawn Wild Ltd, the applicant being the sole director.

As per section 45 (3) of the Act - *A premises licence issued in respect of any such premises does not take effect unless and until it is confirmed by the Licensing Board which issued it in accordance with section 46.*

For the premises to operate and make sales of alcohol there requires to be a valid occasional licence. The Board has previously granted occasional licences since October 2020.

On 14th February 2024 the last occasional licence that had been granted ceased and no further occasional licences were applied for or granted.

On Monday 20th May, 2024 at about 14:30 hours, I attended at the Mart Farm Shop and Café where I found alcohol on display in two locations. I spoke with the duty manager Jackie who detailed that alcohol was for sale in the shop and sales have been made since February. I informed her there was no occasional or premises licence to sell alcohol currently and any sales since 15th Feb 2024 had been an offence under Section 1 of the Licensing (Scotland) Act 2005. I asked her to immediately cease all sales in the shop to

which she agreed, and she agreed to cover all the alcohol with black bags and put up a sign to say no alcohol signs.

I spoke to Neil Sinclair Parry who apologised and explained that it had been an oversight on his part, and he thought he had applied for occasional licences until June. I explained that this was not the case, and no sales of alcohol can take place until an occasional licence is granted. Due to the circumstances, I would report on any occasional licence applications which would then need to be heard at a Licensing Board for determination.

I explained to Jackie and Neil that the offence of the unlicensed sales of alcohol would be reported to police which I completed that day, and the information was passed to PC Lee Wilson.

I submit this for the Board's information in determining the occasional licence applications.

Licensing Standards Officer

29/05/2024

Your Ref: The Mart Farm Shop &
Café Occ Lic x 8
Our Ref: 828183

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: FARM SHOP AT THE MART, HADDINGTON ROAD, EAST
LINTON, EAST LOTHIAN, EH40 3DN.
APPLICANT: NEIL SINCLAIR-PARRY, [REDACTED]**

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:

The premises currently holds a provisional premises licence and has been operating on occasional licences since 2022. No concerns regarding the premises have been brought to police attention since this time.

On the 20th of May 2024 during a visit by the LSO it was discovered that the premises had been operating without an occasional licence between the period of 15/02/24 and 20/05/24. The premises was instructed to cease the sale of alcohol by the LSO and asked to cover the shelves which they did.

I spoke with Mr Neil Sinclair-Parry the operator of the premises the following day and he was extremely apologetic explaining that it had been an accidental oversight on his part and that there had been some problems in recent months due to staff and family illness, at the same time acknowledging these matters were not an excuse.

I thereafter visited the premises and confirmed that all alcohol had been covered and signage had been implemented stating no alcohol could be sold at that time.

OFFICIAL

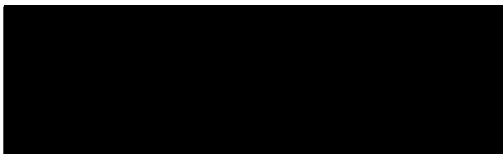
I did not believe it proportionate or necessary to take further police action at that time but explained in the strongest terms that any future breaches may lead to the matter being dealt with criminally.

I highlight the recent events to the board for their awareness and consideration.

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 654 5583.

23/8

OCC 250/24.
PC, LSO 8/4.
Adv 12/4.



Occasional Licence Application Form
EAST LoTHIAN LICENSING BOARD

3b

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)
Name of voluntary organisation (if applicable)

EL 503

2. PERSONAL DETAILS	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	THOMPSON
Forenames	SUSAN ANNE
[REDACTED]	
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED]	
Post town	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	[REDACTED]
E-MAIL ADDRESS	[REDACTED]
3. THE PREMISES	
Description of premises	
Shop, Post office, Cafe, Coffee in kitchen	
Description of activities to be carried on in the premises ⁷³ (including number of persons expected to attend)	

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

Selling various goods and services
Plus alcohol for on and off
Sale premises

Full postal address of premises which this application refers to

THOMSON'S OF TRANENT
22 B WINTON PLACE
TRANENT EU33 1AE

4. DURATION OF LICENCE

From: 23/8/24

To: 5/9/24

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

MON - WED 11am - 11pm
THUR - SAT 11am - 1am
SUNDAY 11am - 12pm

Times for sale of alcohol for consumption off premises

10am - 10pm

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

~~5pm - 11pm~~
11am - 10pm

Parts of premises to which children or young persons permitted entry

ALL AREAS EXCEPT 1st floor
bar counter

7. CHECKLIST

I have - Please tick for yes

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

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	25/3/24
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EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th April 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) OCC250-253/24

**SUSAN THOMSON FOR THOMSON'S OF TRANENT, 22B WINTON PLACE, TRANENT,
EAST LoTHIAN, EH33 1AE**

The applicant is Susan Thomson who is a personal licence holder. Application has been made for 4 occasional licences at Thomson's of Tranent detailed in this report.

On 29th August 2019 a provisional premises licence was granted to the Partnership of George Thomson and Susan Thomson.

On 24th August 2023, Mr and Mrs Thomson applied for an extension to the provisional premises licence citing reasons that there were complications with getting the section 50 certificate from building standards which was granted by the Board for a period of 1 year until 28th August 2024. To date the provisional premises licence has not been confirmed.

As per section 45 (3) of the Act - A premises licence issued in respect of any such premises does not take effect unless and until it is confirmed by the Licensing Board which issued it in accordance with section 46.

For the premises to operate and make sales of alcohol there requires to be a valid occasional licence. The current provisional licence having already been extended expires on 28th August 2024. By this date the Board will have granted occasional licences for this premises to trade for 5 years.

The applications that have been received below are for after the expiry of the provisional premises licence:

OCC250/24 – 23rd August – 5th September 2024, on sales and off sales

OCC251/24 – 6th September – 19th September 2024, on sales and off sales

OCC252/24 – 20th September – 3rd October 2024, on sales and off sales

OCC253/24 – 4th October – 17th October 2024, on sales and off sales

Occasional licences that have fallen in the period where the provisional premises licence has been current have been granted on delegated powers since Mrs Thomson's last appearance at the Licensing Board in September 2023.

I refer the Board to the following section of the Statement of Licensing Policy:

24.2 Premises granted a provisional premises licence will only be permitted to sell alcohol when granted an occasional licence. Applications for occasional licences where there is a provisional premises licence, will be granted on delegated powers for a duration of 12 months. Following this period if the licence has not been confirmed the occasional applications will be required to be heard by the Licensing board and the applicant is expected to give an update on progress and an indication as to when the provisional premises licence will be confirmed. Should a report be received from the Licensing Standards Officer or Police at any time, the occasional licence application(s) will not be granted on delegated powers and will be required to be heard by the Licensing Board.

The Licensing Board has received no update about any progress made to confirm the provision premises licence.

The following is taken from the minutes of the Licensing Board held on 24th August 2023 in relation to the extension of the provisional premises licence which was granted for 12 months:

Mr Thomson spoke to the request. He explained that the building warrant had not yet been completed, as originally, the shop side in the conservation area had been expected to be completed at roughly the same time as the other part of the building. Therefore, one part of the licence was within the conservation area where business had been operating for four years, but the other part in the main hall had been delayed multiple times. Within the last two months, the building warrant had been split to take away the second restaurant and bar area; with these changes, it was hoped that the building warrant could be completed within the next couple of months. An amended planning application had now been submitted which showed the restaurant and bar area as being deleted. This had been replaced with another four flats to add to the 24 flats being built for the local authority and a housing association. He would work with building control to hopefully conclude the work within the next couple of months.

On enquiry with the building standards department, I was informed that the building warrant for the works expired in February 2024 and that no completion certificate was requested prior to the expiry. Given the length of time the premises has been operating this way, and information previously heard from Mr George Thomson about the premises, including issues obtaining a section 50 certificate from Building Standards, and continued building work required, I refer the applications to the Board to determine if the applicant is able uphold the licensing objectives in particular protecting public safety at this location.

Licensing Standards Officer

Licensing

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Sent: 11 April 2024 10:20
To: Licensing
Subject: REF ~~251~~ 250
Attachments: OCC~~25124~~ - APP.PDF

250/24

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NPO