

EL406



CAN 32324

APPLICATION FOR PREMISES LICENCE / PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

2a

Question 1 - Name, address and postcode of premises to be licensed

Costcutter

103-105 High Street

Tranent, EH33 1LW

Question 2 - Particulars of applicant

2(a) Where applicant is an individual, provide full name, date & place of birth, home address including postcode, telephone number & email address.

Tejinder Singh Bath

[Redacted]

[Redacted]

[Redacted]

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3 – Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?

YES NO

If YES – provide full details _____

Question 4 – Previous convictions

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)

YES NO

If YES – provide full details. For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974.

NAME	DATE	COURT	OFFENCE	SENTENCE

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES

Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5 - Description of premises

(where application is submitted by a members' club, please also complete question 6)

Retail unit on the High Street In Tranent.

Question 6 - To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES NO

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

The contents of this [redacted] are the best of my knowledge and belief.

Signature _____ * (see note below)

Date 28/6/24

APPLICANT / AGENT (delete as appropriate)

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB
0131 229 6181
alistair@macdonaldlicensing.com

I have enclosed the relevant documents with this application – please tick the relevant boxes

- Operating plan
- Layout plan (highlighting the area where alcohol is sold/consumed)
- Planning certificate
- Building standards certificate
- Food hygiene certificate

* Data Protection Act 2018

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

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

103-105 High Street Tranent East Lothian EH33 1LW
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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>	YES
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	NO
<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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

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>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

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*

Question 5

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

COL. 1	COL. 2	COL. 3	COL. 4
<i>5(a)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <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>	No	No	No
<i>5(b) Activity</i> <i>Social functions</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	No	No	No
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
<i>5(c)</i> <i>Activity</i> <i>Entertainment</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <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>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No

<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>	No	No	No
<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.

The premises may open from about 7am for the sale of goods and services but no alcohol will be sold until the commencement of licensed 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.

Deliveries
Takeaways
General Convenience Store

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>	YES/NO*
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	YES/NO*
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**Delete as appropriate*

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

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?

20.3 square metres

Question 8

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

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

8(d) Email address


8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The content of this declaration is true to the best of my knowledge and belief.

Signature  * (see note below)

Date 01/07/01

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.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.

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

I(a)	Is there disabled access to the premises	YES
I(b)	Do you have facilities for those with a disability	YES
I(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

The door is comfortably wide enough for someone in a wheelchair to have access. There is however a small step but our clients will look at the possibility to obtaining a temporary ramp.

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

This is a newly refurbished shop, light and airy, with a large counter where there are several parts of it at a low level suitable for service for someone in a wheelchair for instance.

In general management and staff will be aware of the potential requirement to assist customers with mobility of other issues to access products and will be delighted to do so.

That includes not just customers with mobility issues but sight, hearing etc.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness.

It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided.

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 statement are true to the best of my knowledge and belief.

Signature * (see note below)

Date 21/01/01

Capacity APPLICANT/AGENT

Telephone number and email address of signatory.....

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.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."



SUPPLEMENTARY APPLICATION INFORMATION

This information is required in relation to all ~~Premises Licence~~/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

BUSINESS PROFILE

Please describe your business offering

This is a retail convenience store located on the High Street in Tranent. It was previously a Farmfoods shop, so it has been retail for a long period of time, but was closed during the pandemic.

It has been refurbished and brightened up and sells the normal range of food stuffs, sweets and soft drinks, toiletries, cleaning products, pet food etc, that you would expect in a convenience store of this size.

They would like to add alcohol to the range of products as well. They have been operating under Occasional Licences with no issues so far as we are aware. It would of course be off sale only.

ON CONSUMPTION

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

Not applicable.

OFF CONSUMPTION

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

Off sales would be to provide a range of alcoholic drinks as one might expect in such a store, for customers to purchase.

At some point they may do deliveries, probably mainly local, but not immediately.

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

To what extent do you intend to use any of the following:
Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:
Not at all.

Social Functions – Weddings; Birthdays; Retirements ; Other:
If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:

Not applicable.

Entertainment – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport – If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

Background music in the shop only.

Outdoor Drinking Facilities – If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

Not applicable.

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

Not applicable.

Activities Outwith Licensed Core Hours – In your Operating Plan, at 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

The premises may open from 7am to provide the range of goods and services offered, but of course alcohol will not be sold or supplied until the commencement of licensed hours. Background music may be played during this period as well.

Any Other Activities – In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

We have already mentioned deliveries, and the operation of a general convenience store.

By takeaways there will of course be sandwiches and soft drinks, but there may be a coffee machine and they could do hot snacks such as sausage rolls, pies etc.

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

As this is a retail store, the facilities available for young persons are the same as for an adult other than the purchase or supply of alcoholic products. Our clients are fully aware of their responsibilities in respect of alcohol and other age related products.

LICENSING OBJECTIVES

Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at

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

Preventing Crime and Disorder

The premises are a convenience store located on the High Street in Tranent. It was previously a retail operation but closed during the pandemic. Since opening our clients have been welcomed by customers and they have had no incidents. Everyone has been very well behaved and welcoming.

The owner and his staff will cooperate with the Police in respect of any matter of crime and disorder. They would not hesitate to phone the Police if such incident occurred. The safety of staff and customers are paramount.

Similarly, if there was any indication of crime and disorder outside the shop, again they would contact the Police.

Consideration has been given as to the location of the alcohol display area, from the point of view of potential theft. The alcohol is at the rear of the premises covered by CCTV, which can be easily monitored by the staff.

Securing Public Safety:

As explained the shop was refurbished prior to it opening and it is fresh and welcoming, with aisles that are wide, wide enough for instance to accommodate a wheelchair.

Staff will be trained to deal with abusive or aggressive customers, to put their own safety first.

Preventing Public Nuisance:

Background music will be played at a low level and should not cause any issues. Other than that there should be no disturbance to neighbours at all. There is parking on the High Street close to the shop but it is anticipated that many customers would be on foot.

Any concerns expressed by the Police, Council Officials, or the public, would be dealt with in an appropriate way by our clients.

Protecting and Improving Public Health:

Our clients will have a strict refusals policy and this will be stressed to the staff when Mr Bath is not present. Any doubts regarding age will require ID and any concern regarding the ID will result in a refusal. Similarly if our clients consider that customers are already under the influence of alcohol, or indeed other substances, then they will be refused. This is a local convenience store and our clients will depend on the goodwill of the public to make this business successful.

The last thing they would want to do is cause any detrimental effects on the health of customers, either mental or physical, and the ethos of the business will be to avoid that at all costs.

Protecting Children and Young Persons From Harm:

Strict enforcement of their Age Verification Policy which will include the display of notices, training which will highlight the identification of under 25s, the type ID that can be accepted, the fact that if ID has been exhibited before or to another member of staff that that is not sufficient etc. The premises would expect to build up a reputation amongst the youngsters that they will not be served here, which we hope is the case already.

APPLICATION SUPPORTING COMMENTS

Additional Information

Our client and his team are experienced operators, who have been involved in shops in Edinburgh and Midlothian. He has been looking for a place in East Lothian where he considers that there are opportunities taking into account the increases in population in many areas. This unit has a history as a retail operation and it seemed ideal.

They very much wish to become part of the local community and intend to be there for many years.

Supporting Comments

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

This is bringing an empty shop back to life and providing an excellent facility as a general convenience store, for the benefit of the local community.

They can react to client requirements and if there are particular products desired, these can be ordered, which supermarkets in general are unable to react to.

So far the business is going very well and he and his team are very pleased.

They had hoped that this Application would be for a full Licence but unfortunately that has proved impossible due to an issue with Building Standards. If granted, it would be finalised as soon as possible.

SIGNATURE AND DECLARATION BY

AGENT

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 Macdonald Licensing

Date 01.07.2024

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB
0131 226 6181
alistair@macdonaldlicensing.com



East Lothian Council

LICENSING (SCOTLAND) ACT 2005
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

SECTION 50 PLANNING CERTIFICATE

APPLICANT:

Tejinder Singh Bath

NAME AND
ADDRESS OF
PREMISES:

103-105 High Street, Tranent, EH33 1LW

SECTION 50 PLANNING CERTIFICATE

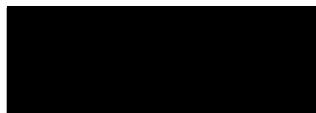
- I confirm that planning permission (ref:.....) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

- I confirm that planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.
- I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License to cover the above proposals.

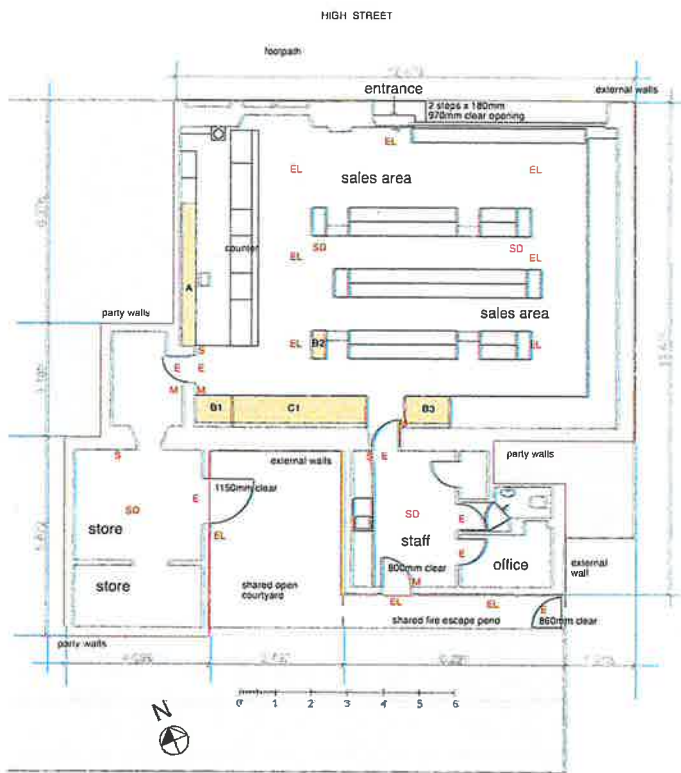
Signed:



Date:

1st March 2024

Keith Dingwall
Service Manager, Planning



location plan

- E emergency exit illuminated sign
3 hours maintained to BS5266-1:2016
- EL emergency light
- SD smoke detector
- M manual call point
- S sounder
- T fire extinguisher
- red line around entire licensed premises

ALCOHOL DISPLAY

behind counter		
A 4000mm x 6 shelves	=	12.0m 8.4m ²
customer access :		
B1 1000mm x 6 shelves	=	6.0m 2.1m ²
B2 800mm x 6 shelves	=	4.8m 1.7m ²
B3 1000mm x 6 shelves	=	6.0m 2.1m ²
C1 3750mm x 6 shelves	=	22.5m 6.0m ²
	=	51.3m 20.3m ³

proposed licensed convenience store

**103 HIGH STREET
TRANENT, EH33 1LW**

scale 1:100 Feb.2024
Whitelaw Assoc. 01968 660452

Licensing

From: Lee Wilson <Lee.Wilson2@scotland.police.uk>
Sent: 09 July 2024 10:29
To: Licensing
Subject: PROVISIONAL PREM LIC APP COSTCUTTER, TRANENT
Attachments: LIC06 PREMISES - NO CONVICTIONS - COSTCUTTER TRANENT.RTF

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 Morning,

No police objections.
Ref: 839894

Regards,
Lee

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 25th July 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

COSTCUTTER, 103-105 HIGH STREET, TRANENT, EAST LoTHIAN EH33 1HH

I refer to the above subject and can confirm that I have visited the premises and the site notice has been displayed.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

This type of licence is considered for premises that are yet to be, or in the course of being, constructed or converted for use as a licensed premises. On my visit the premises was constructed but and operational as a shop using previously granted occasional licences by the Board. The premises has been trading using occasional licences from 3rd June 2024 until present.

I can confirm that the application is compliant with the Act.

The off sales capacity applied for is 20.3 m². As requested by the Board, within an 800m radius there are 12 other licensed premises (excluding Clubs) and 2 provisional premises licences as follows:

Off sales

- Aldi, Haddington Road - Off sales only – capacity 31.5m²
- Asda, High Street – Off sales only – capacity 39 m²
- Day to Day, Bridge Street – Off sales only – capacity 27m²
- Mini Market, New Row – Off sales only – capacity 12.57m²
- Premier Store, Muirpark Drive – Off sales only – capacity 27.11m²
- Tranent Superstore, Bridge Street – Off sales only – capacity 11.72m²
- The Wee Shop, Blawearie Road, Off sales only – capacity 7.29m²

On and Off sales

- The Brig Inn, Bridge Street – On and off sales
- Tower Inn, Church Street – On and off sales
- Tranent Arms, Bridge Street – On and off sales
- Whispers, High Street – On and off sales

On sales

- Ross High RFC, Blawearie Road – On sales only

Provisional Premises Licences granted but not confirmed

- Thomson's of Tranent, Winton Place – On and off sales – Off sales capacity in shop 39.94m²
- One Stop, High Street, - Off sales only – capacity 24.013m²

I recommend the following condition be considered in relation to deliveries of alcohol:

- 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.

If successful in obtaining the provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.

Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 10 July 2024 08:22
To: Licensing
Subject: RE: Provisional Premises Licence for Costcutter - 103-105 High Street, Tranent

Morning,

Please note I have no objections to this application.

Regards
Scott

Scott Robertson | Assistant Planner – Development Control | East Lothian Council | John Muir House | Haddington
EH41 3HA

T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Wednesday, July 3, 2024 2:42 PM
To: Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception
<environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>;
LothianScotBordersLicensingEastMid@Scotland.police.uk; torquil.cramer@firescotland.gov.uk;
'licensing@nhslothian.scot.nhs.uk' <licensing@nhslothian.scot.nhs.uk>; tecc.secretary@aol.co.uk
Subject: Provisional Premises Licence for Costcutter - 103-105 High Street, Tranent

Good Afternoon

Please find attached application for Provisional Premises Licence for the above 103-105 High Street, Tranent. Can I please have reports/representations by 25th July 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

Licensing

From: Burke, Kat <kat.burke@nhs.scot>
Sent: 25 July 2024 17:23
To: Licensing
Subject: Email title: Licensing Board Applications – Objection by NHS Lothian Public Health
Attachments: Tranent Alcohol Licence Application SOP.docx

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.

SPAM You don't often get email from kat.burke@nhs.scot. [Learn why this is important](#)

Good afternoon,

Please find attached our response in relation to the provisional application at Costcutter, 103-105 High Street Tranent, EH33 1LW. This is in an area we determine as having higher levels of harm and therefore object to the license. Please consider this report in your licensing determination.

With best wishes

Kat

Kat Burke ▪ Population Health Strategic Programme Manager (East Lothian) ▪ Population Health Division
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UKPHR

PRACTITIONER

Protecting the public – improving practice

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Email title: Licensing Board Applications – Objection by NHS Lothian Public Health

As a statutory partner in the licensing forum and reviewer of applications, NHS Lothian value receiving new premises license applications and the opportunity to comment.

NHS Lothian continue to support the licensing board particularly in relation to the objectives of protecting and improving public health, and protecting children and young people from harm.

The licensing regime does not have responsibility for promoting business growth, but does have a legal requirement to promote the licensing objectives of ***Preventing crime and disorder; Securing public safety; Preventing public nuisance; Protecting and improving public health Protecting children and young persons from harm.***

Alcohol deaths in Scotland are increasing. There were 1,276 alcohol specific deaths registered in Scotland in 2022, an increase of 2%.¹

Levels of alcohol related harm in relation to crime, community safety, child welfare, health and wellbeing are concerning and have a greater affect in our most deprived communities, contributing to inequalities.

NHS Lothian is submitting the following objection with regards to the premises applications at:

- Costcutter
103-105 High Street
Tranent
EH33 1LW

The objection is based on the application being inconsistent with one or more of the licensing objectives.

We believe the application listed above is located within an area we have identified as having higher health related harm.²

There has been good evidence for over a decade that increased alcohol outlet density is associated with harms to health. Overprovision of alcohol creates harm by directly increasing opportunities for purchases, and influences the perceived normality of alcohol consumption, including the exposure to children and young people. Overprovision also makes it more difficult for people to recover from alcohol dependence. Specifically within Scotland, researchers at the University of Edinburgh have found that alcohol related mortality and morbidity are significantly higher in neighbourhoods with a greater density of alcohol outlets (on and off sales). This relationship was particularly striking for off sales outlet density.³

Protecting and improving public health

¹ <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

² As calculated by Public Health and submitted to be considered as part of the licensing statement consultation.

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4415114/#:~:text=An%20IQR%20increase%20in%20off,%2C%2015%25%20higher%20mortality>

There is strong evidence that when alcohol is more available, due to more places to buy or longer opening hours, people buy and drink more, resulting in an increase in harm to health and alcohol related crime.⁴

Excessive use of alcohol is linked to a range of physical and mental health problems, as well as accidental injury and premature mortality. Medical conditions linked with alcohol use include high blood pressure, liver disease, stroke, cancer and brain damage.

The license board should consider the cumulative implication for each license application across the population, including implication on children and young people, and those recovering from alcohol dependency. The licencing board has a powerful role in reducing availability and acceptability over time, by acting on both the number and opening hours of on and off licence premises.

More licensed premises contribute to population alcohol related harm:^{5, 6}

- Alcohol-specific deaths are 4.3 times higher in the most deprived areas compared to the least deprived areas (1.8 times higher for all causes of death).
- Alcohol related death rates in neighbourhoods with the most off-sales outlets were 2.4 times higher than in neighbourhoods with the least.

Protecting children and young persons from harm

Alcohol use is the leading cause of harm in young people and increases the risk of alcohol dependency in adulthood. Children have no control over what they are exposed to and therefore limiting exposure to alcohol is crucial, especially since:⁷

- Off sale alcohol outlets accounted for 47% of children's exposure.
- Children living in the most deprived communities were almost 5 times more likely to be exposed to off sale alcohol outlets than children in the least deprived areas.
- Children living in the most deprived communities were almost 3 times more likely to be exposed to on sale alcohol outlets than children in the least deprived areas.
- Children in deprived areas experienced 31% of their exposure to off sales outlets within 500 m of their homes compared to 7% for children from less deprived areas.
- Children from all areas received 22—32% of their exposure within 500 m of schools, but the proportion of this from off sales outlets increased with area deprivation.

Thank you for considering this written objection. We will not be objecting in person. Please contact us directly if you wish to discuss further.

⁴ <https://exilens.stir.ac.uk/>

⁵ <https://www.alcohol-focus-scotland.org.uk/media/310734/alcohol-outlet-availability-and-harm-in-city-of-edinburgh.pdf>

⁶ <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

⁷ Inequalities in children's exposure to alcohol outlets in Scotland:

<https://bmcpublikealth.biomedcentral.com/articles/10.1186/s12889-022-14151-3>

Herkes, Gillian

From: T&ECC Secretary <tecc.secretary@aol.co.uk>
Sent: 17 July 2024 09:48
To: Herkes, Gillian
Subject: Provisional Licence for Costcutter 103-105 High Street Tranent

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FAO Licencing Office:

On behalf of Tranent and Elphinstone Community Council (TECC) we would like to make an objection in regards the provisional premises licence application for Costcutter 103-105 High Street, Tranent. We believe that the High Street of Tranent is suitably served already with the existing provision of alcohol sales, whether that be Public Houses, off sales or supermarkets. We would like to highlight the potential for overprovision should this premises licence be granted.

Best regards
Tranent & Elphinstone Community Council

Sent from AOL on Android

Licensing

From: Grilli, Carlo
Sent: 01 August 2024 16:27
To: Licensing
Subject: FW: 103-105 High Street, Tranent - Building Control Issues

From: Fairgrieve, Frank <ffairgrieve@eastlothian.gov.uk>
Sent: Thursday, August 1, 2024 3:28 PM
To: alistair@macdonaldlicensing.com
Cc: Grilli, Carlo <cgrilli@eastlothian.gov.uk>; Croall, Bruce <bcroall@eastlothian.gov.uk>
Subject: RE: 103-105 High Street, Tranent - Building Control Issues

Hi Alistair

I'm currently on holiday but had to attend a teams meeting with the Scottish Government today hence had a little dip into e mails.

I'm not sure exactly what has occurred with this as I don't get involved with the day to day work of the Surveyors when they are dealing with a warrant however to be clear an approved warrant (as is the case here) is relevant to the property it covers and therefore whoever then owns the property, irrespective if they applied for the warrant or not has control of the warrant (but not withstanding any copyright issues around drawings etc).

In cases where our system has an Applicant (Owner) / Agent and some one new comes along to engage with us regarding the warrant we would only require confirmation that they now have that interest, usually the previous Applicant (Owner) / Agent provides this or the new person can provide alternative evidence of their rights such as their Solicitor confirming such.

In the case of this property given the knowledge I have of the property I'm happy to confirm to our Surveyor they can deal with your client's new Agent on this warrant. I've cc'd the Surveyor in for their information.

Kind regards

Frank

F Fairgrieve MRICS MIFireE | Team Manager Building Standards | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827357 | E. buildingstandards@eastlothian.gov.uk

From: Jill Dunn <jill@macdonaldlicensing.com> **On Behalf Of** alistair@macdonaldlicensing.com
Sent: Thursday, August 1, 2024 1:46 PM
To: Fairgrieve, Frank <ffairgrieve@eastlothian.gov.uk>
Cc: Grilli, Carlo <cgrilli@eastlothian.gov.uk>
Subject: 103-105 High Street, Tranent - Building Control Issues

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Afternoon Frank

I refer again to the Section 50 Application here, and the delays in the issuing of this due to historical matters. Our client's Architect is on holiday at the moment and not back until later this month but he has indicated that he has made little progress.

I will have to explain to the Licensing Board at the Meeting this month why there has been a delay. My understanding is that there is a historical Warrant that was applied for by a previous Architect, on behalf of the previous owners. That requires to have a Completion Certificate issued for it, which I understand. What I have difficulty in comprehending is why our client's Architect is having difficulty in doing that. There seems to be an issue with the fact that the previous Architect cannot be contacted, to withdraw from the procedure so that our client's Architect can take over. Is that correct? The previous Architect seems to have "disappeared". Both our client and their Architects have made efforts to contact them but with no success.

Surely there must be a way to resolve this?

Kind regards

Yours sincerely

Alistair Macdonald
Macdonald Licensing

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We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU



East Lothian Council

Licensing

From: Grilli, Carlo
Sent: 01 August 2024 14:03
To: Licensing
Subject: FW: 103-105 High Street, Tranent - Building Control Issues

fyi

From: Jill Dunn <jill@macdonaldlicensing.com> **On Behalf Of** alistair@macdonaldlicensing.com
Sent: Thursday, August 1, 2024 1:46 PM
To: Fairgrieve, Frank <ffairgrieve@eastlothian.gov.uk>
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Yours sincerely

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