



**MINUTES OF THE MEETING OF  
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 27 JUNE 2024  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON  
& HYBRID MEETING FACILITY**

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**Board Members Present:**

Councillor L Bruce  
Councillor C Cassini  
Councillor F Dugdale  
Councillor G McGuire  
Councillor J McMillan

**Clerk of the Licensing Board:**

Mr R Thompson (Acting Clerk)

**Attending:**

Ms G Herkes, Licensing Officer  
Ms S Fitzpatrick, Team Manager – Licensing and Landlord Registration  
Ms K Harling, Licensing Standards Officer  
PC L Wilson, Police Scotland

**Committee Clerk:**

Ms B Crichton, Committees Officer

**Apologies:**

Councillor N Gilbert

**Declarations of Interest:**

Item 2b: Councillor Bruce, due to a family member's connection with the premises.  
Item 3a: Councillor McMillan, due to having worked with the applicant on economic development issues.

**1. MINUTES FOR APPROVAL  
East Lothian Licensing Board, 23 May 2024**

The minutes were approved as an accurate record of the meeting.

**2. MAJOR VARIATION OF PREMISES LICENCE  
a. Co-op, Northfields, Mid Road, Prestonpans**

The application sought to add home deliveries to the operating plan. There were no objections from the public or from statutory consultees. The LSO had recommended a condition, detailed below.

Lewis Barn, agent, spoke to the application. He advised that home deliveries operated from eight Co-op stores across East Lothian. He outlined some of the company's robust procedures, implemented at the point of delivery. He advised that delivery drivers employed by the Co-op received two hours of mandatory alcohol sales training, and those employed by courier services were all trained to a level to which the Co-op was satisfied. Mr Barn highlighted that there were no objections or adverse representations, and indicated that the Co-op was content to accept the LSO's recommended condition.

Karen Harling, Licensing Standards Officer (LSO), highlighted her recommended condition and acknowledged that the store had already indicated that it would accept the condition.

PC Lee Wilson advised that there were no police objections or comments.

The Convener commented that the Co-op already ran deliveries in East Lothian and the Board was not aware of any issues with the service. He regularly used the store and found it to be a well-run premises, and was happy to support the application. He formally proposed the LSO's recommended condition, and this was seconded by Councillor Dugdale.

The Convener then moved to a roll call vote, and Members unanimously supported the application.

**Decision**

The Board granted the major variation of the premises licence, subject to the following:

- 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.

*Sederunt: Councillor Bruce left the meeting.*

**b. The Railway Hotel, 70 Court Street, Haddington**

The application sought a major variation to amend the times children and young persons would be allowed entry, namely until 10pm or for the duration of a function. It also sought to amend the parts of the premises to which children and young persons

would be allowed entry to include the upstairs function area. There had been no objections from the public or from statutory consultees.

Lynn Simpson, agent, spoke to the application. She listed the amendments requested relating to children and young persons, which were part of a wider project to make the premises more family friendly. She said that the new tenant was focused on making the premises a community pub for use by families; as part of this, the pool table had been removed, and a new food menu would soon be in place. She noted that there was demand for family-friendly use of the function space, which was the only large function space within the town. She highlighted that the requested changes were within Board policy and that no adverse representations had been received.

The LSO noted that historic discussion around issues at the Railway Hotel had related to the premises' operation under a different tenant. She had been in communication with the new management, who had indicated that increasing use of the function space was key to their plans for the premises. She had no adverse comment to make on the application.

PC Wilson advised that there were no police objections to the application. He had met the new tenant and was aware of the changes being planned for the premises; he agreed that the requested changes to children's and young persons' access were in line with this.

Responding to a question from Councillor McMillan, Ms Simpson advised that the plans were to allow hosting of family-friendly functions; it was not expected that these events would be especially noisy. Councillor McMillan said he sensed that the new tenant took their responsibilities seriously, and he commented on the importance of consideration of neighbouring residents.

Councillors McMillan and McGuire were pleased to see the Railway Hotel being brought back as a more family-friendly premises, and said that many residents had fond memories of it. Councillor McGuire commented on demand for function suites in the town, and said he was happy to grant the application.

Councillor McMillan moved to a roll call vote and Members unanimously indicated their support for the major variation application.

### **Decision**

The Board granted the major variation of the premises licence.

*Sederunt: Councillor Bruce re-joined the meeting.*

### **c. Eagle Inn, 75 High Street, Dunbar**

The application sought a major variation to: amend the commencement of on sales hours on a Sunday to 11am; amend the terminal hour on Thursdays to 1am; add bar meals and outdoor drinking within and outwith core hours; add recorded music, indoor and outdoor sports, club meetings, and receptions outwith core hours; add additional wording to the premises description to cover same; and to amend the layout plan to include the outdoor drinking area within the licensed footprint. There were no objections from statutory consultees, but three public objections had been received. The LSO and Police Scotland had submitted representation recommending a number of conditions.

Ms Simpson also spoke to this application, and was accompanied by Cara Davies. Ms Simpson advised that the purpose of the application was to add flexibility to the premises and to tidy up the operating plan. She highlighted all proposed changes. She noted that the outdoor area had already operated under occasional licences. She advised that Ms Davies would accept the recommended conditions, however, she asked that the condition relating to the use of plastic drinkware in the outdoor area not be applied; she reported that there had been no issues with glass so far, and use of plastic drinkware would hinder a more upmarket feel.

Continuing, Ms Simpson suggested that the public objections relating to recorded music may indicate that the objectors had misunderstood the site notice, as the proposal had been only to play recorded music indoors prior to licenced hours to cater to morning functions. She said that Ms Davies had been surprised to receive objections relating to noise and customers dispersing, as a lot of work had been done to improve this situation; it was felt that objections may referred to issues with noise at the rear of the building from 2022. She advised that the source of noise had since been moved to the front of the building and there had also been work done to reduce noise escape; there had been no further complaints since this time, and Ms Simpson advised that Ms Davies had offered to help arrange noise monitoring. Ms Simpson reported there was a constant staff presence on the floor to ensure no drinks were taken outside, and said drinks were served in plastic containers in the last hour of trading. Staff also spoke to customers towards the end of the night to ask them to leave in an orderly fashion and to enquire whether any assistance was needed, etc. She advised that the staff team were also onsite for an hour following the terminal hour; in this time they observed any goings on outside the premises, picked up litter, and encouraged anyone who was loitering to move on. Ms Simpson advised that the whole premises and outside area was covered by CCTV, and she reiterated earlier comments that no complaints had been received on the issues raised in the objections since 2022. She summarised that Ms Davies was a very responsible tenant.

The LSO advised that all proposed changes were within Board policy. She confirmed that noise issues raised in 2022 had been resolved following a meeting, and there had been no further complaints received about the premises since this time. She outlined her ten recommended conditions, and advised that occasional licences had run without issue. She had no adverse comment to make on the application.

PC Wilson advised that there were no police objections to the application. He further advised that no issues in the use of the outdoor area had been reported to Police Scotland when it had operated under occasional licences. He reported that there had been 13 disturbances recorded since January 2022, but only one of these had been in 2024. He acknowledged comments about use of plastic drinkware in the outdoor area and would be content if this suggested condition was not applied.

Responding to questions from Members, Ms Davies advised that she was in regular contact with neighbours about communal issues, and felt she had a good relationship with most neighbours. She advised that she wanted the Eagle Inn to become a food-led business. She said that her procedures at closing time were one of the most robust in the area: the premises was overstaffed at closing time; staff made sure customers were aware the premises was about to close; and the whole team remained at the premises for an hour after close. She advised that the 1am terminal hour on a Thursday was because customers were not always ready to go home at midnight, and this final hour could bring in significant additional income. She commented that the town was busy with people working at Torness, although there was still a local clientele. She hoped to be able to capitalise on a busy summer period, helped by the additional hours for which she had applied. She gave an account of changes made to karaoke nights to ensure this did not cause nuisance to neighbours; karaoke now ran only once a quarter, and there had been work done to reduce the number of speakers, to consider



the direction of the speakers, and to block up vents. She advised that the shift lead was always responsible to keep the entertainment provider in check should things escalate.

Councillor McMillan reminded objectors that it would be best to make any complaints directly and sort out issues locally, but reminded them that complaints could also be directed to the LSO and to protective services. He commented on the professionalism of Ms Davies and her efforts to make changes in response to complaints. He felt reassured by the answers provided, and was minded to grant the application.

Councillor Dugdale felt reassured by the level of care taken by the operators, by the level of engagement with neighbours, and how the business had managed previous issues with noise. She would support the application. Councillor McGuire echoed these comments.

The Convener recognised Ms Davies as being a responsible operator, and commented that complaints seemed to have been dealt with. He acknowledged that the outdoor area had already operated using glass rather than plastic drinkware. He then formally proposed the LSO's ten recommended conditions, and these were seconded by Councillor McGuire.

The Convener then moved to a roll call vote, and Members unanimously supported the application, subject to the LSO's recommended conditions.

## **Decision**

The Board granted the major variation, subject to the following:

- The outside area must only be used by persons occupying the seats provided by the premises.
- The outside area must be clearly delineated by means of removable barriers.
- 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.
- The area must be capable of being monitored by staff either physically or via an efficient and functioning CCTV system.
- No public entertainment, amplified music, amplified vocals, or live music to be played in the outdoor area to ensure the use does not cause nuisance to neighbouring residential properties.
- 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.
- 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 area.
- An authorised officer of the Council or Police Scotland may suspend the use of the area for reasons of public safety.
- The use of the outdoor areas must cease at 8pm.
- No more than 12 persons shall occupy the area at any time.

*Sederunt: Councillor McMillan left the meeting.*

### **3. OCCASIONAL LICENCES**

- a. **The Mart Farm Shop & Café, East Linton Saleground, Station Road, East Lothian (OCC399/24-OCC406/24)**

The applications sought eight occasional licences for a farm shop. The applications had come before the Board on the basis of representation from the LSO and Police Scotland after the premises had continued to sell alcohol following the lapse of occasional licences on 14 February 2024.

Neil Sinclair-Parry, applicant, spoke to the applications. He apologised for the matter having been brought before the Board, and said he had believed occasional licences to have been in place until the end of June 2024. He noted pressures on the business, including high staff turnover and staff illness. He highlighted that there had been no concerns raised about the business in the time they had operated under a provisional licence and occasional licences, and said that alcohol accounted for a relatively large proportion of sales.

The LSO advised that the business had operated under a provisional licence since August 2022, and the Board had previously granted occasional licences since October 2022. Following the lapse of the last occasional licence on 14 February 2024, she had conducted a visit on 20 May to the premises to find alcohol on display and on sale in two locations. The LSO reported that the duty manager had confirmed that sales of alcohol had been made since 15 February. The LSO had asked the business to cease all sales of alcohol, and advised that Mr Sinclair-Parry had explained the oversight. She recommended that Mr Sinclair-Parry consider appointing further personal licence holders due to concerns over health. She explained that the alcohol sales had also been reported to the police.

PC Wilson advised that 54 occasional licences had been granted since August 2022, and there had been no reported incidents or concerns in this time. He reported that Mr Sinclair-Parry had attended Haddington Police Station following the business having been found to be selling alcohol without an occasional licence in place, and had been apologetic and able to demonstrate some reasons for the oversight. Upon visiting the premises, PC Wilson had found staff to have been fully briefed, and the alcohol display covered with signage to indicate alcohol was not for sale. He advised that it was not in the immediate interest of the public to take further action on the breach, but said that future breaches may be dealt with differently.

Responding to a question from Councillor Cassini, Mr Sinclair-Parry advised that the overall site was still under construction, so it had not been possible to obtain a Section 50 certificate from building standards for the farm shop. He was currently investigating whether the farm shop could be considered independently from the rest of the site to obtain the certificate and move towards confirming a premises licence.

The Convener asked what contingencies had been put in place to ensure that a similar situation would not arise in the future. Mr Sinclair-Parry gave an account of the health concerns he had experienced, and said that, if necessary, a family member could take over the running of the shop and could obtain a personal licence. He advised that he had considered his retirement from the business, but current business pressures made this difficult to explore.

The Convener commented that Mr Sinclair-Parry seemed to appreciate the seriousness of situation and had provided explanation, and as such, the Convener was happy to grant the occasional licences. He said that the Board would appreciate seeing movement towards obtaining a premises licence, and also thought it would be worth discussing with others involved in the business whether other staff should be trained as personal licence holders to increase resilience. Councillors Dugdale and McGuire also echoed the Convener's comments.

The Convener moved to a roll call vote, and Members unanimously agreed to grant the occasional licences.

## Decision

The Board granted the occasional licences.

*Sederunt: Councillor McMillan re-joined the meeting.*

### **b. Thomson's of Tranent, 22B Winton Place, Tranent (OCC250/24-OCC253/24)**

The application sought four occasional licences, and had come before the Board on the basis of representation made by the LSO and Police Scotland.

Susan Thomson, applicant, advised that her agent hoped to resolve issues in the near future so that all Section 50 certificates could be obtained and a premises licence could be confirmed.

The LSO advised that the occasional licence applications had been brought before the Board because the provisional licence in place would run out on 28 August 2024, but the occasional licences for which Ms Thomson had applied ran beyond this date. She advised that the Board had granted occasional licences for the premises for five years, and occasional licences could only be granted under delegated powers to premises with a provisional licence in place for 12 months before having to come before the Board. After 12 months, the applicant would be expected to provide an update on progress and when the provisional licence would be confirmed, but the LSO advised that no update had been provided since the grant of the extension to the provisional licence in August 2023. She noted that Mr Thomson had said at the August 2023 Board meeting that the Section 50 issues would be resolved within a couple of months. She said that the matter had been raised to enable the Board to review the continuation of the business being run in this way. The LSO reported having been informed by building standards that the building warrant had expired in February 2024 and no completion certificate had been received; given the length of time the premises had been operating, the LSO felt this raised protection of public safety concerns. She noted that an email had been received on the previous day in relation to architectural problems but did not indicate any movement on the Section 50 certificates.

PC Wilson had no further comment to make on behalf of Police Scotland.

Responding to a question from Councillor McGuire, Ms Thomson advised that the main contractor for works undertaken previously had never gotten back to them about obtaining a completion certificate. She advised that this task was now in the hands of her new architect and agent, and she expected this to be concluded in the near future.

The Convener asked about the Council's view on the building's safety status following the expiration of the building warrant in February 2024. Richard Thompson, Acting Clerk of the Board, referred to a case where a similar matter had arisen before the City of Glasgow Licensing Board, and with reference to the case law, advised that the grant of an occasional licence procedure did not require the production of any Section 50 certificate, and it was not open to the Licensing Board to impose additional requirements over and above those contained within the Licensing Statute. He understood Board Members' concerns with there being no building warrant in place, but advised that this was not a requirement that could be made as part of an occasional licence application.

Responding to a question from the Convener, Ms Thomson advised that all work had been completed, such as drainage, emergency lighting, smoke and alarm systems, etc., but certificates were still being obtained. The Convener questioned why this work and documentation had not been concluded, but acknowledged that this would be more relevant to whether the provisional licence would be allowed to be extended.

The Convener called for an adjournment to allow Members to discuss the application in private.

Upon Members' return, the Convener made a statement on behalf of the Board. He said it was the opinion of Members that the matters around completion certificates must be finished in a timely manner, as these issues had been now ongoing for too long. However, Members were willing to grant the occasional licence applications.

The Convener moved to a roll call vote, and Members unanimously agreed to grant the occasional licences.

### **Decision**

The Board granted the occasional licences.

Signed

.....  
Councillor L Bruce  
Convener of East Lothian Licensing Board

Signed

.....  
Councillor J McMillan  
Depute Convener of East Lothian Licensing Board (Convener Item 2b)

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.

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\_\_\_\_\_  
\_\_\_\_\_

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

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

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**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.\*

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\* 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 \_\_\_\_\_

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**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.

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**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 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>	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
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 Weddings, funerals, birthdays, retirements etc.</i>	No	No	No
<i>Club or other group meetings etc.</i>	No	No	No
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 5(g)</i>	Yes	Yes	Yes
<i>Live performances – 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

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

**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](mailto: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**

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(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](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**

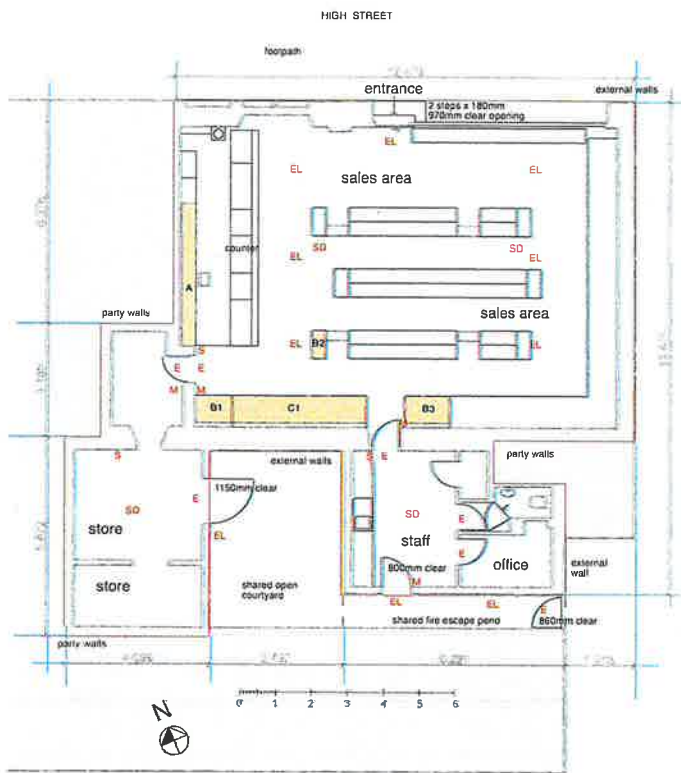
I confirm that planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.

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:	1 <sup>st</sup> March 2024
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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 <sup>2</sup>
customer access :		
B1 1000mm x 6 shelves	=	6.0m 2.1m <sup>2</sup>
B2 800mm x 6 shelves	=	4.8m 1.7m <sup>2</sup>
B3 1000mm x 6 shelves	=	6.0m 2.1m <sup>2</sup>
C1 3750mm x 6 shelves	=	22.5m 6.0m <sup>2</sup>
	=	51.3m 20.3m <sup>3</sup>

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: 25<sup>th</sup> 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 3<sup>rd</sup> June 2024 until present.

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

The off sales capacity applied for is 20.3 m<sup>2</sup>. 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 31.5m<sup>2</sup>
- Asda, High Street – Off sales only – capacity 39 m<sup>2</sup>
- Day to Day, Bridge Street – Off sales only – capacity 27m<sup>2</sup>
- Mini Market, New Row – Off sales only – capacity 12.57m<sup>2</sup>
- Premier Store, Muirpark Drive – Off sales only – capacity 27.11m<sup>2</sup>
- Tranent Superstore, Bridge Street – Off sales only – capacity 11.72m<sup>2</sup>
- The Wee Shop, Blawearie Road, Off sales only – capacity 7.29m<sup>2</sup>

### 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 39.94m<sup>2</sup>
- One Stop, High Street, - Off sales only – capacity 24.013m<sup>2</sup>

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](http://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 25<sup>th</sup> 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.

PERSONAL

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  
Directorate of Public Health and Health Policy ▪ NHS Lothian  
kat.burke@nhslothian.scot.nhs.uk

REGISTERED

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%.<sup>1</sup>

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.<sup>2</sup>

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.<sup>3</sup>

Protecting and improving public health

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

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

<sup>3</sup> <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.<sup>4</sup>

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:<sup>5, 6</sup>

- 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:<sup>7</sup>

- 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.

---

<sup>4</sup> <https://exilens.stir.ac.uk/>

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

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

<sup>7</sup> Inequalities in children's exposure to alcohol outlets in Scotland:  
<https://bmcpublikealth.biomedcentral.com/articles/10.1186/s12889-022-14151-3>



## 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](mailto: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

**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.

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

Macdonald Licensing (Scotland) Limited (SC388451)  
21a Rutland Square  
Edinburgh  
EH1 2BB

DX Edinburgh 561

Tel: 0131 229 6181  
[www.macdonaldlicensing.com](http://www.macdonaldlicensing.com)

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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>  
**Cc:** Grilli, Carlo <cgrilli@eastlothian.gov.uk>  
**Subject:** 103-105 High Street, Tranent - Building Control Issues

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Afternoon Frank

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Surely there must be a way to resolve this?

Kind regards

Yours sincerely

Alistair Macdonald  
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC388451)  
21a Rutland Square  
Edinburgh  
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DX Edinburgh 561

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East Lothian Council  
Licensing

31 MAY 2024

Received

# APPLICATION FOR PROVISIONAL PREMISES LICENCE

LICENSING (SCOTLAND) ACT 2005, SECTION 20

# 2b

\*Delete as appropriate

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

Papple Steading

Haddington, East Lothian

EH41 4QD

**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.

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

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

Papple Steading Limited

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6 St. Colme Street

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Edinburgh

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EH3 6AD

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

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**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.\*

George Angus Mackintosh - [REDACTED]

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[REDACTED]

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Eriadne Mackintosh - [REDACTED]

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[REDACTED]

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\* 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)

Premises is a converted farm building comprising of a main Farm Steading, the Farmhouse, the Grieve's Cottage, the Ploughman's Bothy and the Shepherd's Bothy. Within the Steading there will be a library, stable and doocot (making up the agricultural heritage centre) and a gallery, cafe, shop and restaurant/tasting area.

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**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 Application are true to the best of my knowledge and belief.

Signature  \* (see note below)

Alasdair Sutherland, for and on behalf of Burness Paull LLP, as agent for Papple Steading Limited.

Date 29 May 2024

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

Telephone number and email address of signatory \_\_\_\_\_

01224 621621 / licensing@burnesspaull.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)

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

### 1. STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

**Name and Address of Premises** \_\_\_\_\_

Papple Steading

Haddington

East Lothian

Post Code EH41 4QD

- 1(a)** Will alcohol be sold for consumption solely ON the premises? YES  NO
- 1(b)** Will alcohol be sold for consumption solely OFF the premises? YES  NO
- 1(c)** Will alcohol be sold for consumption both ON and OFF the premises? YES  NO

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

DAY	ON CONSUMPTION	
	Opening time	Terminal Hour
Monday	11:00am	11:00pm
Tuesday	11:00am	11:00pm
Wednesday	11:00am	11:00pm
Thursday	11:00am	01:00am
Friday	11:00am	01:00am
Saturday	11:00am	01:00am
Sunday	11:00am	12:00am

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	11:00am	10:00pm
Tuesday	11:00am	10:00pm
Wednesday	11:00am	10:00pm
Thursday	11:00am	10:00pm
Friday	11:00am	10:00pm
Saturday	11:00am	10:00pm
Sunday	11:00am	10:00pm

**4. SEASONAL VARIATIONS**

Does the applicant intend to operate according to seasonal demand?

YES  NO

\*If YES – provide details



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

ACTIVITY	ACTIVITY PROVIDED? YES / NO	To be provided during core licenced hours. Please confirm YES / NO	Where activities are also to be provided outwith core licensed hours. Please confirm YES/NO
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<b>5a.</b>	Accommodation	Y	N/A	N/A
	Conference facilities	Y	Y	Y
	Restaurant facilities	Y	Y	Y
	Bar meals	Y	Y	N

Social functions including:

<b>5b.</b>	Weddings, funerals, birthdays, retirements etc.	Y	Y	Y
	Club or other group meetings etc.	Y	Y	N

Entertainment, including:

<b>5c.</b>	Recorded music – see 5(g)	Y	Y	Y
	Live performances – see 5(g)	Y	Y	N
	Dance facilities	N	N	N
	Theatre	Y	Y	N
	Films	Y	Y	Y
	Gaming	N	N	N
	Indoor/outdoor sports	Y	Y	Y
	Televised sport	Y	Y	Y

<b>5d.</b>	Outdoor drinking facilities	Y	Y	Y
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<b>5e.</b>	Adult Entertainment	N	N	N
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Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Breakfast Conferences may take place before the core licensed hours.

Restaurant facilities will be available for breakfast before the core licensed hours.

Social functions may take place before the core licensed hours for Birthday celebrations or on occasion small intimate weddings or similar celebrations.

Recorded music will be played softly in the background before and after the core licensed hours while setting up for the venue opening up and clearing up.

Films and Televised Sports will be available anytime within the accommodation of the premises.

Outdoor and indoor sports may take place before the core licensed hours in the morning if the venue has exercise classes taking place.

Outdoor Drinking Facilities will be available outwith the core licensed hours for the consumption of soft drinks and hot beverages prior to 11am.

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

Food tasting experiences with alcoholic drink pairings.

Click and collect is also available for spirits and beers that can be ordered online via the Papple Steading website where they will have an e-commerce platform allowing customers to order from Buck and Birch's drinks, and selected wines. Age verification in line with Challenge 25 will be carried out when collection is made.

No collections of click and collect orders will take place after 10:00pm as per the licensed hours.

**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?

YES  NO

When fully occupied, are there likely to be more customers standing than seated?

YES  NO

## 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? YES  NO

**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 allowed entry to all public areas of the premises when accompanied by a responsible adult until 10pm.  
When attending a private function, children and young persons who are accompanied by a responsible adult, will be allowed access to the premises until the end of the function.  
Children and young persons, who are accompanied by a responsible adult that are residents, will be allowed access to the accommodation at the premises at all times.

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

Children and young persons from 0 to 18 will be allowed access to the premises.

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

Children and young persons will be allowed entry to all public areas of the premises when accompanied by a responsible adult until 10pm.  
When attending a private function, children and young persons who are accompanied by a responsible adult, will be allowed access to the premises until the end of the function.  
Children and young persons, who are accompanied by a responsible adult that are residents, will be allowed access to the accommodation at the premises at all times.

**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 allowed entry to all public areas of the premises when accompanied by a responsible adult until 10pm.  
When attending a private function, children and young persons who are accompanied by a responsible adult, will be allowed access to the premises until the end of the function.  
Children and young persons, who are accompanied by a responsible adult that are residents, will be allowed access to the accommodation at the premises at all times.

**7. CAPACITY OF PREMISES**

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

190

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**8. PREMISES MANAGER**

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

Full Name Verity Sinclair

Date of birth [REDACTED]

Contact address [REDACTED]

[REDACTED] Post Code [REDACTED]

Tel. No. [REDACTED]

Email address verity.sinclair@papple.com

**Personal licence**

Date of issue 15 November 2021

Name of Licensing Board issuing East Lothian


Reference no. of personal licence EL1792

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**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)  
Alasdair Sutherland, for and on behalf of Burness Paull LLP, as agent for Papple Steading Limited.

Date 21 May 2024

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

Tel. No. of signatory 01224 621621

Email address licensing@burnesspaull.com

**\* 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.



## **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

Papple Steading is a hospitality business currently offering holiday and business retreat accommodation. With the next phase, the business will offer visitors and guests access to an agricultural heritage centre and a gallery. A cafe will provide both alcoholic and non-alcoholic drinks and the restaurant offers fine dining with paired beverages and tasting events.

## **ON CONSUMPTION**

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

Alcohol will be mainly available from the restaurant and bar area of the coffee shop.

## **OFF CONSUMPTION**

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

Visitors to the premises will be able to purchase locally distilled spirits and brewed beers from the shop and restaurant. Wines will be available to be purchased from the shop and restaurant. Click and collect is also available for spirits and beers that can be ordered online via the Papple Steading website where they will have an e-commerce platform allowing customers to order from Buck and Birch's drinks, and selected wines. Age verification in line with Challenge 25 will be carried out when collection is made.

No collections of click and collect orders will take place after 10:00pm as per the licensed hours.



## 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:**

Accommodation, conference and even facilities and cafe and restaurant operations are the main uses of the business premises. An art gallery, the library, Stable and doocot all part of an agricultural heritage centre, with outdoor space, woods and meadows will create visitor and guest attractions. The cafe will be open to the public and guests and will sell non alcoholic and alcoholic drinks and some local produce. The restaurant will operate for public bookings in the evening and for private functions. A select range of locally produced spirits by Buck and Birch and wine will be available for sale. Accommodation is only available through prior booking on-line or by telephone. There is a total of 13 bedrooms in 5 separate self catering units.

**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:

The location and building creates an attractive venue for celebrations. Papple Steading hopes to encourage customers such as AGA, Scottish Golf Open, Porsche and Scotland's Food and Drink to use Papple Steading.

Papple Steading may from time to time hold small intimate weddings or similar functions, if inquired.

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

We will play amplified music in the cafe/restaurant and on occasions in the library and gallery when events are being staged. The Scottish Chamber Orchestra has expressed interest in arranging 'boutique' live performances which will be un-amplified. The gallery will be equipped with audio visual systems which support presentations and performances and the showing of films. There will be no sporting activities in the buildings and no amplified music played in the grounds. Each of the 5 self catering units have televisions but not in the bedrooms.

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

The area within the Farm Steading on either side of the main entrance, Courtyard 1 and Courtyard 2 will have seating and tables for those who want to consume non-alcoholic and alcoholic drinks outside. The grounds to the south of the Steading; the paddock and around the Farmhouse will allow drinking for only accommodation guests and for events. No outdoor drinking areas will be used for the consumption of alcohol after 10:00pm as per the Licensing Board's policy.

**Adult Entertainment** - If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons.

N/A

**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:

N/A

**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:

Papple Steading has a business partnership with East Lothian's 'wild' food and drink business, Buck & Birch. Together we will schedule fine dining events for both members of the public and private groups. These are by prior booking only. Buck & Birch will also arrange scheduled tastings of their spirits and liqueurs, which will also be available for off-sales purchase.

**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.

Baby changing facilities will be situated in the accessible toilet. These will include a nappy bin and a wall hung fold changing unit.

There are woodland shelters and swings for both babies and children located in Papple Wood adjacent to the Steading.

## 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](https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023)

### **Preventing Crime and Disorder**

All staff will be trained on how to deal with preventing Crime and Disorder and how to report it should an incident occur. All staff will receive training for conflict management and Challenge 25. Regular toilet checks will be completed in the toilets used by the restaurant patrons. There will be CCTV available in and around the premises. Prominent Notices will be correctly displayed in the premises.

### **Securing Public Safety:**

The premises will be responsibly managed with the required amount of staff to cater for patrons and regular risk assessments will be carried out. The premises will be well maintained and kept in a good clean condition. Fire risk assessment of the premises will be carried out. Age, design and layout of the premises will be displayed including escape routes. There will be first aid facilities on the premises and first aid training will be available to staff. Patrons will be seated when attended the restaurant and bar area and table service will be carried out. Bottles, glasses and crockery will be regularly cleared from the tables.

### **Preventing Public Nuisance:**

All conditions of the premises licence will be complied with. There will be appropriate management of people entering and exiting the premises. Staff will liaise with taxis if required for patrons leaving the premises. Litter and waste will be managed correctly and at a time that will not cause public nuisance. Properly maintained CCTV will be in and around the premises. Noise will be monitored to ensure residents to the premises and the public are not disturbed.

### **Protecting and Improving Public Health:**

Alcohol free options are available to patrons. Free tap water and reasonably priced soft drinks will be available to patrons at all times. Staff will be trained on a policy to deal with patrons who have consumed excessive amounts of alcohol. The premises will have restaurant and bar meal facilities available until 10pm. Information on support for alcohol related problems can be provided to patrons should it be requested. Management and staff will comply with the law on alcohol pricing and irresponsible drinks promotions. First aid facilities will be available and first aid training will be available to staff.

### **Protecting Children and Young Persons From Harm:**

Children and young persons will have access to all public areas of the premises until 10pm when accompanied by a responsible adult. If Children and Young Persons are attending a pre-booked function they will be allowed access to the public areas of the premises until the end of the function when accompanied by a responsible adult. All activities at the premises will be clearly advertised whether suitable for children and young persons and what ages the activity is suitable for. Baby changing facilities will be available at the premises. Highchairs will be provided within the restaurant and cafe.

## APPLICATION SUPPORTING COMMENTS

### Additional Information

Papple Steading is known as having luxurious accommodation for holiday and business retreats. The sale of alcohol will extend the attraction of this historic place to more visitors to this destination. Papple Steading management have responsibly managed previous events with occasional licences and the management and premises manager fully respects the obligations that comes with operating a provisional and full premises licence.

### Supporting Comments

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

This is a historic building which the local, national and international communities want to enjoy with the options of consuming alcohol with a light meal or a dinner and with the ability to take home select wines and spirits. A licence to serve alcohol is necessary for the businesses long term financial viability and creation of jobs. The contractors used to restore the Steading have been almost exclusively from East Lothian and the bulk of the food and drink products which will be for sale are also sourced locally.


## SIGNATURE AND DECLARATION BY APPLICANT

### IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

The contents of this Application are true to the best of my knowledge and belief.

Signature

  
Alasdair Sutherland, for and on behalf of Burness Paul LLP, as agent for Papple Steading Limited

Date 29 May 2024



SCHEDULE 6 Regulation 7

# DISABLED ACCESS AND FACILITIES STATEMENT

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

## 1. DISABLED ACCESS AND FACILITIES

1(a). Is there disabled access to the premises YES  NO

1(b). Do you have facilities for those with a disability YES  NO

1(c). Do you have any other provisions available to aid the use of the premises by disabled people YES  NO

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

## 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.

There will be accessible floors throughout and doorways with signage directing disabled access through the main entrance but all doors will be accessible.  
The main areas with access to the public are all at ground level apart from the stairs to the doocot, no step access.

Passage from the entrance to the library will pass through the cobbled floor of the stable but a wooden boardwalk will be constructed to make it accessible.

### **3. FACILITIES AVAILABLE**

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

Disabled and accessible toilet will be available on the ground floor level.

### **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.

Large print menus in the cafe and restaurant and guide dogs will be very welcome.



## 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 disabled access and facilities statement are true to the best of my knowledge and belief.

Signature  \* (see note below)

Alasdair Sutherland, for and on behalf of Burness Paull LLP, as agent for Papple Steading Limited

Date 4 June 2024

Capacity

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

Tel. no. of signatory 01224 621621

Email Licensing@burnesspaull.com

### \* 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.



# East Lothian Council

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

## SECTION 50 PLANNING CERTIFICATE

APPLICANT:	Mr George Mackintosh c/o Papple Steading Limited
NAME AND ADDRESS OF PREMISES:	Papple Steading, Papple, Haddington, East Lothian, EH41 4QD

**SECTION 50 PLANNING CERTIFICATE**

I confirm that planning permission (Ref: 22/00485/P) 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**

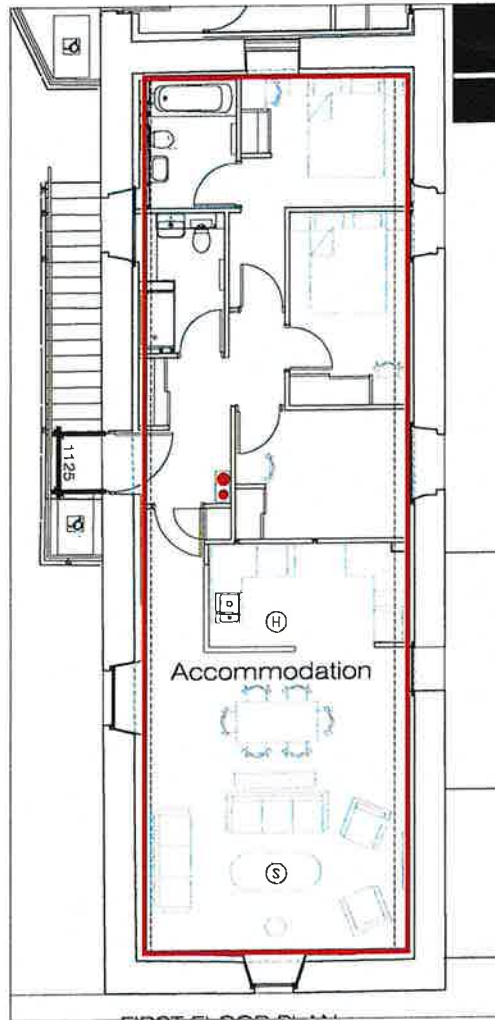
I confirm that planning permission (ref:.....) or outline planning permission (ref:.....) has been obtained in respect of the construction or conversion of the subject premises.

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:	28 <sup>th</sup> May 2024
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Keith Dingwall  
Service Manager, Planning  
(Chief Planning Officer)



## Key

- Licensed Areas —
- Emergency Lighting ⓔ
- Emergency Fire Exits FE
- Smoke Detectors with Sounder & Beacon ☀
- Alarm Call Points ⊠
- Fire Extinguishers ● ●
- 1 Water, 9 litre
- 1 Carbon Dioxide

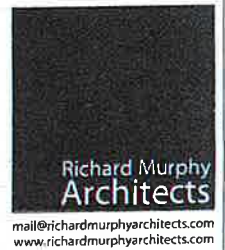
FARM STEADING FIRST FLOOR PLAN 1:100 @ A3

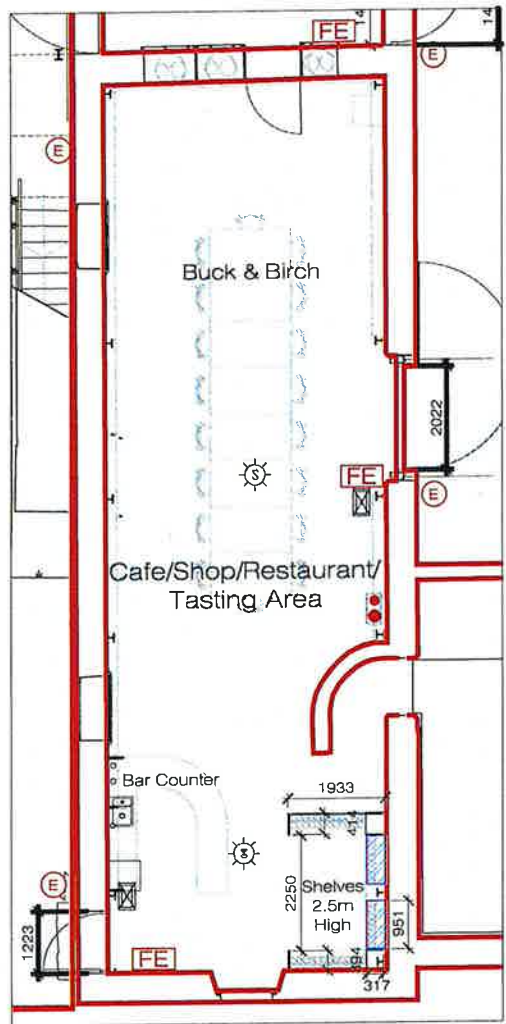
PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Farm Steading First Floor Plan  
Licensing Application  
DWG STATUS Information

DRAWN CR	FILE (topCurrent)	DATE May '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-17

The Breakfast Mission, 15 Old Fishmarket Close  
Edinburgh EH1 1RW

t 0131 220 6125  
f 0131 220 6781





## Key

- Licensed Areas —
- Emergency Lighting ⓔ
- Emergency Fire Exits FE
- Smoke Detectors with Sounder & Beacon ⊙
- Alarm Call Points ⓧ
- Fire Extinguishers ●●  
 1 Water, 9 litre  
 1 Carbon Dioxide
- Enomatic Wine Machine ▨  
 L951mm x H704mm x D317mm

FARM STEADING GROUND FLOOR PLAN 1:100 @ A3

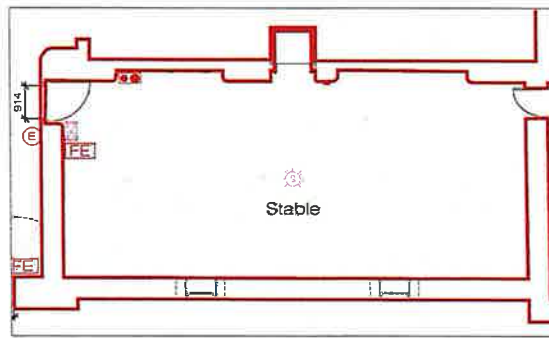
PROJECT TITLE Papple Steading  
 East Lothian  
 DRAWING TITLE Farm Steading Ground Floor Plan  
 Licensing Application  
 DWG STATUS Information

DRAWN CR	FILE 000Current	DATE May '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-16

The Breakfast Mission, 15 Old Fishmarket Close  
 Edinburgh EH1 1RW

t 0131 220 6125  
 f 0131 220 6781

**Richard Murphy Architects**  
 mail@richardmurphyarchitects.com  
 www.richardmurphyarchitects.com



### Key

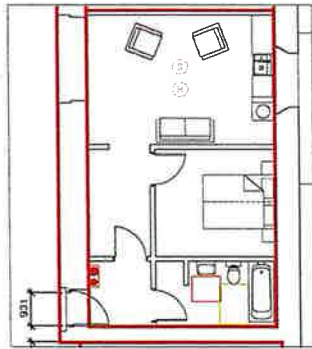
- Licensed Areas —
- Emergency Lighting ⓔ
- Emergency Fire Exits FE
- Smoke Detectors with Sounder & Beacon ☀
- Alarm Call Points X
- Fire Extinguishers ●●
- 1 Water, 9 litre
- 1 Carbon Dioxide

STABLES PLAN 1:100 @ A3







PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Stables Plan  
Licensing Application  
DWG STATUS Information

DRAWN GA	FILE 00000000	DATE April '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-05
The Breakfast Mission, 15 Old Fishmarket Close Edinburgh EH1 1BW		T 0131 220 6133 F 0131 220 6791	





### Key

- Licensed Areas 
- Emergency Lighting 
- Emergency Fire Exits 
- Smoke Detectors with Sounder & Beacon 
- Alarm Call Points 
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide 

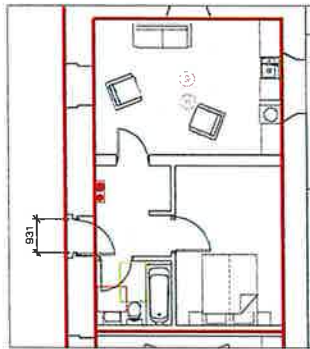
SHEPHERD'S BOTHY PLAN 1:100 @ A3

PROJECT TITLE Pappie Streading  
East Lothian  
DRAWING TITLE Shepherd's Bothy Plan  
Licensing Application  
DWG STATUS Information





DRAWN	FILE	DATE	REVISION
GA		April '24	
GA	615	1:100 @ A3	AL-30-09

Time Breakfast Mission: 15 Old Fishmarket Close  
Edinburgh EH1 1RF





### Key

- Licensed Areas 
- Emergency Lighting 
- Emergency Fire Exits 
- Smoke Detectors with Sounder & Beacon 
- Alarm Call Points 
- Fire Extinguishers  
1 Water, 9 litre   
1 Carbon Dioxide

PLOUGHMAN'S BOTHY PLAN 1:100 @ A3

PROJECT TITLE **Papple Steading**  
East Lothian  
DRAWING TITLE **Ploughman's Bothy Plan**  
Licensing Application

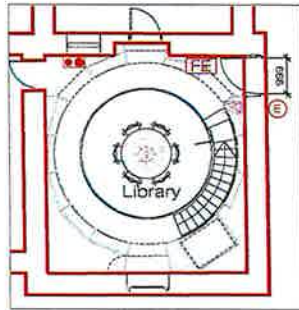
DWG STATUS **Information**

DRAWN	GA	FILE	20200410	DATE	April '24	REVISION	
DESIGNED	GA	JOB NO.	615	SCALE	1:100 @ A3	DWG NO.	AL-30-10

The Breakfast Mission, 15 Old Fishmarket Close  
Edinburgh EH1 1RW

I 0131 220 0125  
F 0131 220 0781





### Key

- Licensed Areas
- Emergency Lighting E
- Emergency Fire Exits FE
- Smoke Detectors with Sounder & Beacon ⚙️
- Alarm Call Points 📞
- Fire Extinguishers ●●
- 1 Water, 9 litre
- 1 Carbon Dioxide

LIBRARY PLAN 1:100 @ A3

PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Library Plan  
Licensing Application  
DWG STATUS Information

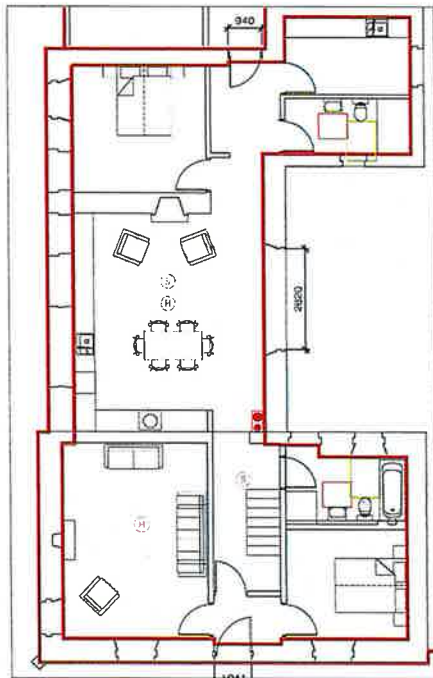
DRAWN GA	FILE 200664000	DATE April '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-08

The Breakfast Mission, 15 Old Fishmarket Close  
Edinburgh EH1 1HW

0131 220 6125  
0131 220 6701







### Key

- Licensed Areas —
- Emergency Lighting E
- Emergency Fire Exits EE
- Smoke Detectors with Sounder & Beacon ☼
- Alarm Call Points ⓧ
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide ☼

GRIEVE'S COTTAGE PLAN 1:100 @ A3

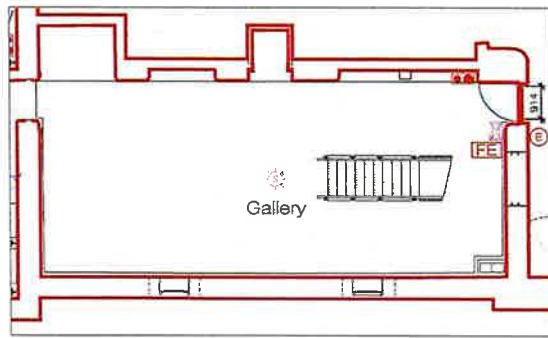
PROJECT TITLE **Papple Steading**  
East Lothian  
DRAWING TITLE **Grieve's Cottage Plan**  
Licensing Application  
DWG STATUS **Information**

DRAWN GA	FILE 0006-0000	DATE April '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG. NO. AL-30-11

The Binsburgh Affection, 15 Old Fishmarket Close  
Edinburgh EH7 1JG



mail@richardmurphyarchitects.com  
www.richardmurphyarchitects.com



### Key

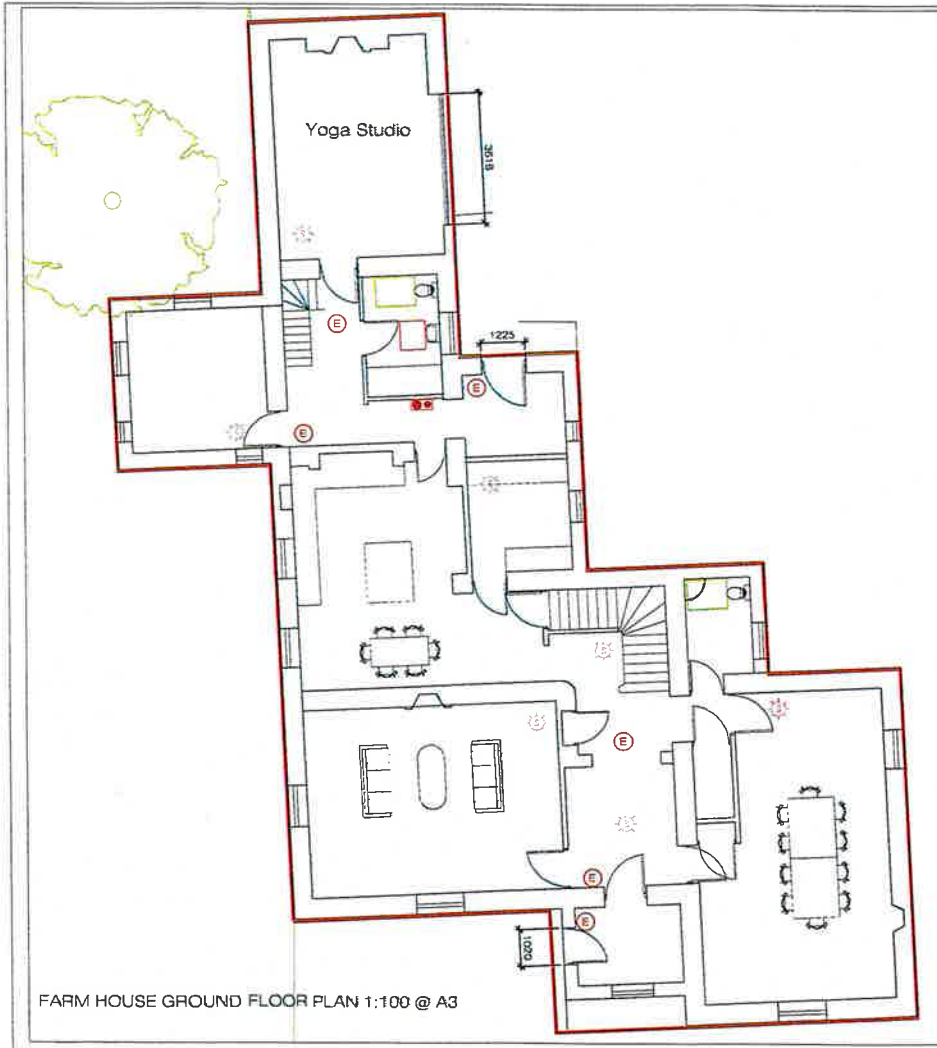
- Licensed Areas —
- Emergency Lighting E
- Emergency Fire Exits FE
- Smoke Detectors with Sounder & Beacon
- Alarm Call Points
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide

GALLERY PLAN 1:100 @ A3

PROJECT TITLE **Papple Steading**  
**East Lothian**  
 DRAWING TITLE **Gallery Plan**  
**Licensing Application**  
 DWG STATUS **Information**

DESIGN GA	FILE <i>apppapple</i>	DATE April '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-04
The Breakfast Mission, 15 Old Fishmarket Close		T 0131 220 6135	
Edinburgh EH1 1RW		F 0131 220 6781	





FARM HOUSE GROUND FLOOR PLAN 1:100 @ A3

### Key

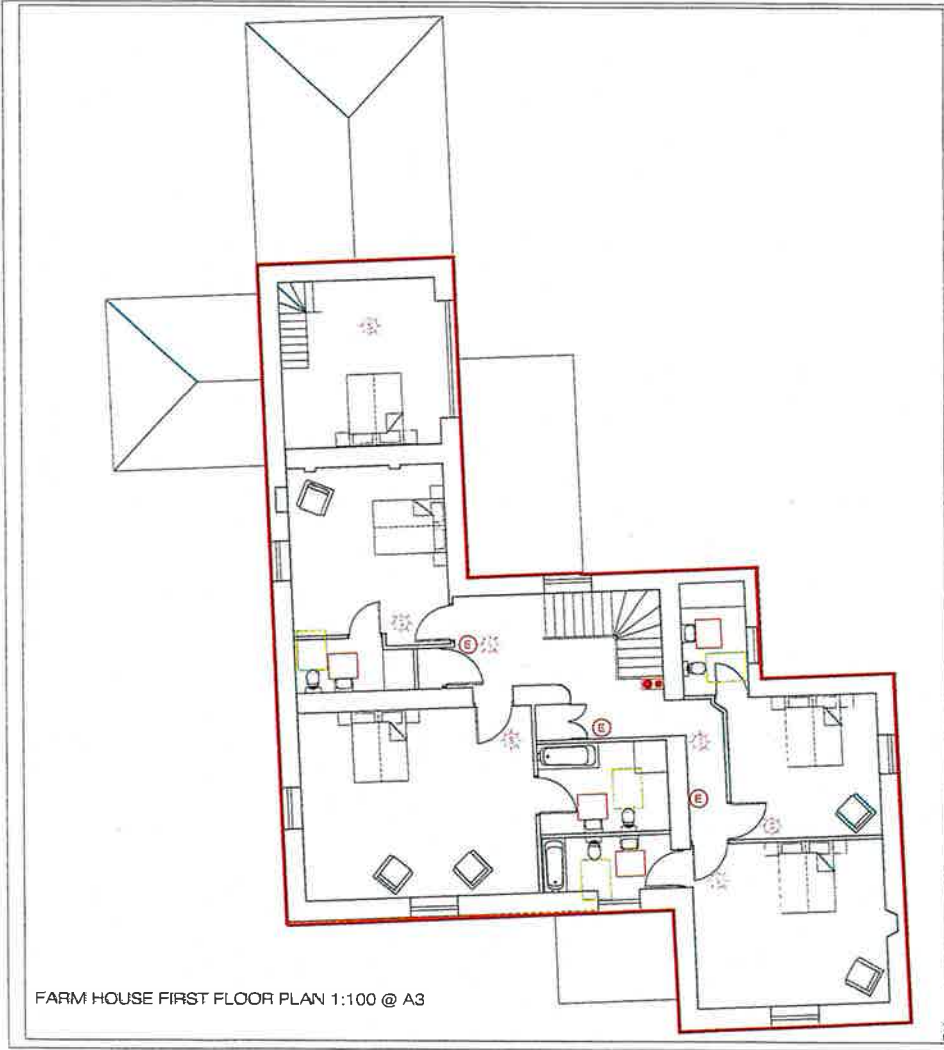
- Licensed Areas
- Emergency Lighting
- Emergency Fire Exits
- Smoke Detectors with Sounder & Beacon ☀
- Alarm Call Points ☒
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide ☑

PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Farm House Ground Floor Plan  
Licensing Application  
DWG STATUS Information

DRAWING GA	FILE 107021000	DATE April '24	REVISION
CHEGOD GA	ID:615	SCALE 1:100 @ A3	DWG NO AL-30-13

The Architects' Messrs, 15 Old Fishmarket Close  
Edinburgh EH1 1RS





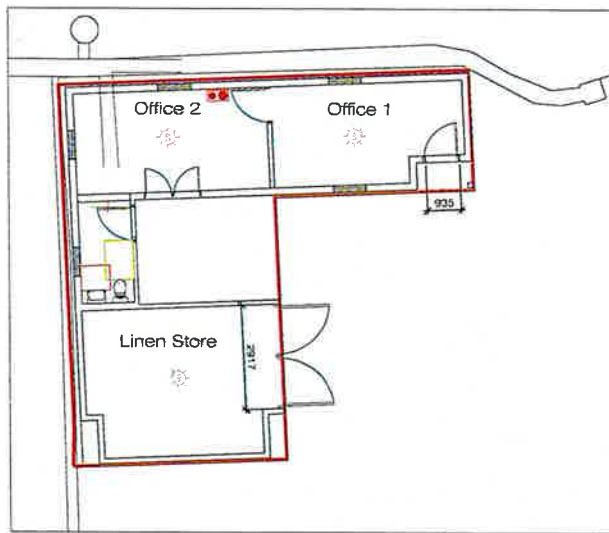
### Key

- Licensed Areas —
- Emergency Lighting ⓔ
- Emergency Fire Exits IFE
- Smoke Detectors with Sounder & Beacon ☀
- Alarm Call Points A
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide ■

PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Farm House First Floor Plan  
Licensing Application  
DWG STATUS Information

DRAWN GA	FILE 0002	DATE April '24	REVISION
CHECKED GA	NO. 615	SCALE 1:100 @ A3	DWG NO AL-30-14
The Riverside, Musselburgh, 15 Old Fishmarket Close		T 0131 220 6125	F 0131 220 6781
Edinburgh EH11 1RW		m2@richardmurphyarchitects.com www.richardmurphyarchitects.com	





### Key

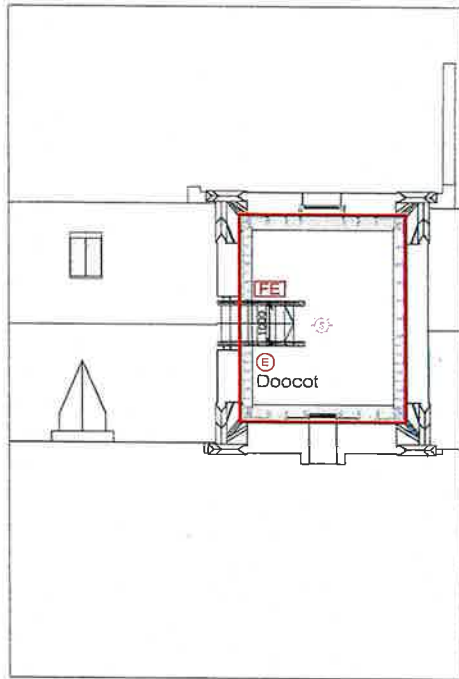
- Licensed Areas
- Emergency Lighting
- Emergency Fire Exits
- Smoke Detectors with Sounder & Beacon
- Alarm Call Points
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide

ESTATE OFFICE FLOOR PLAN 1:100 @ A3

PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Estate Office Floor Plan  
Licensing Application

DWG STATUS Information

DRAWN GA	FILE APPROVED	DATED April '24	REVISION
CHECKED GA	JOB NO 615	SCALE 1:100 @ A3	DWG NO AL-30-15
The Breakfast Mission, 15 Old Fishmarket Close Edinburgh EH1 1WR		T 0131 220 6125 F 0131 220 9781	 <small> <a href="mailto:info@richardmurphyarchitects.com">richardmurphyarchitects.com</a>  <a href="http://www.richardmurphyarchitects.com">www.richardmurphyarchitects.com</a> </small>



### Key

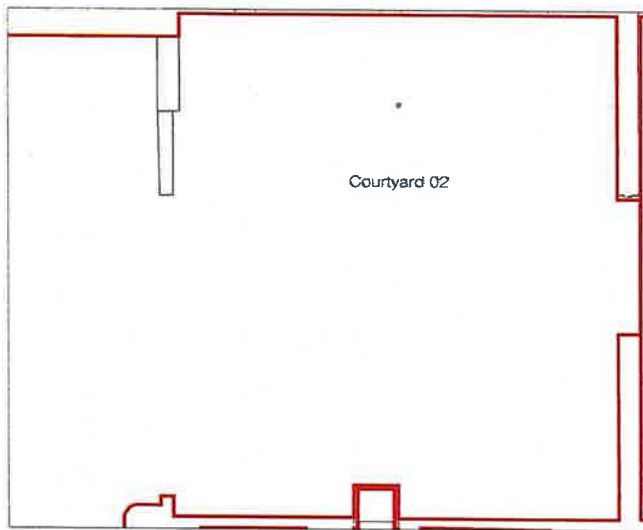
- Licensed Areas —
- Emergency Lighting ⓔ
- Emergency Fire Exits IFE
- Smoke Detectors with Sounder & Beacon ☼
- Alarm Call Points ☒
- Fire Extinguishers
  - 1 Water, 9 litre
  - 1 Carbon Dioxide☑☑

DOOCOT PLAN 1:100 @ A3







PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Doocot Plan  
Licensing Application  
DWG STATUS Information

DRAWN GA	FILE 0807/0000	DATE April '24	REVISION
CHECKED GA	JOB NO 615	SCALE 1:100 @ A3	ORIG NO. AL-30-12
The Breakfast Mission, 15 Old Fishmarket Close Edinburgh EH1 1RW		T 0131 220 6125 F 0131 220 6781	m21@richardmurphyarchitects.com www.richardmurphyarchitects.com





### Key

- Licensed Areas 
- Emergency Lighting 
- Emergency Fire Exits 
- Smoke Detectors with Sounder & Beacon 
- Alarm Call Points 
- Fire Extinguishers  
1 Water, 9 litre  
1 Carbon Dioxide 

COURTYARD 2 PLAN 1:100 @ A3

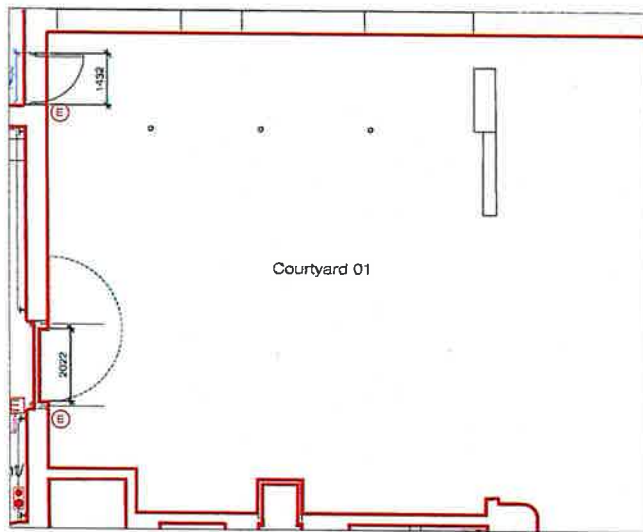
PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Courtyard 2 Plan  
Licensing Application  
DRAWG STATUS Information

DRAWN GA	FILE 22021011	DATE April '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-07

The Breakfast Mission, 15 Old Fishmarket Close  
Edinburgh EH1 1RW

T 0131 220 6125  
F 0131 220 6781





### Key

- Licensed Areas —
- Emergency Lighting ⓔ
- Emergency Fire Exits ⓔE
- Smoke Detectors with Sounder & Beacon ☼
- Alarm Call Points ☒
- Fire Extinguishers ☑
- 1 Water, 9 litre
- 1 Carbon Dioxide

COURTYARD 1 PLAN 1:100 @ A3

PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Courtyard 1 Plan  
Licensing Application  
DWG STATUS Information

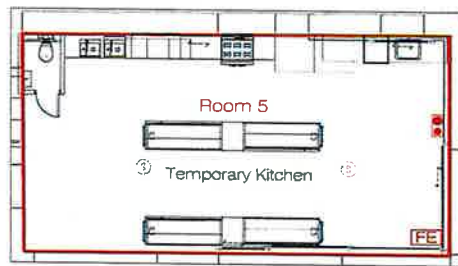
DRAWN GA	FILE 2016-0000	DATE April '24	REVISION
CHECKED GA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-06

The Breakfast Mission, 15 Old Fishmarket Close  
Edinburgh EH1 1RQ

0131 229 0125  
0131 220 6781







### Key

- Licensed Areas 
- Areas Accessed by Children & Young Persons 
- Emergency Lighting 
- Emergency Fire Exits 
- Smoke Detectors with Sounder & Beacon 
- Alarm Call Points 
- Fire Extinguishers
  - 1 Water, 9 litre 
  - 1 Carbon Dioxide 

TEMPORARY KITCHEN GROUND FLOOR PLAN 1:100 @ A3

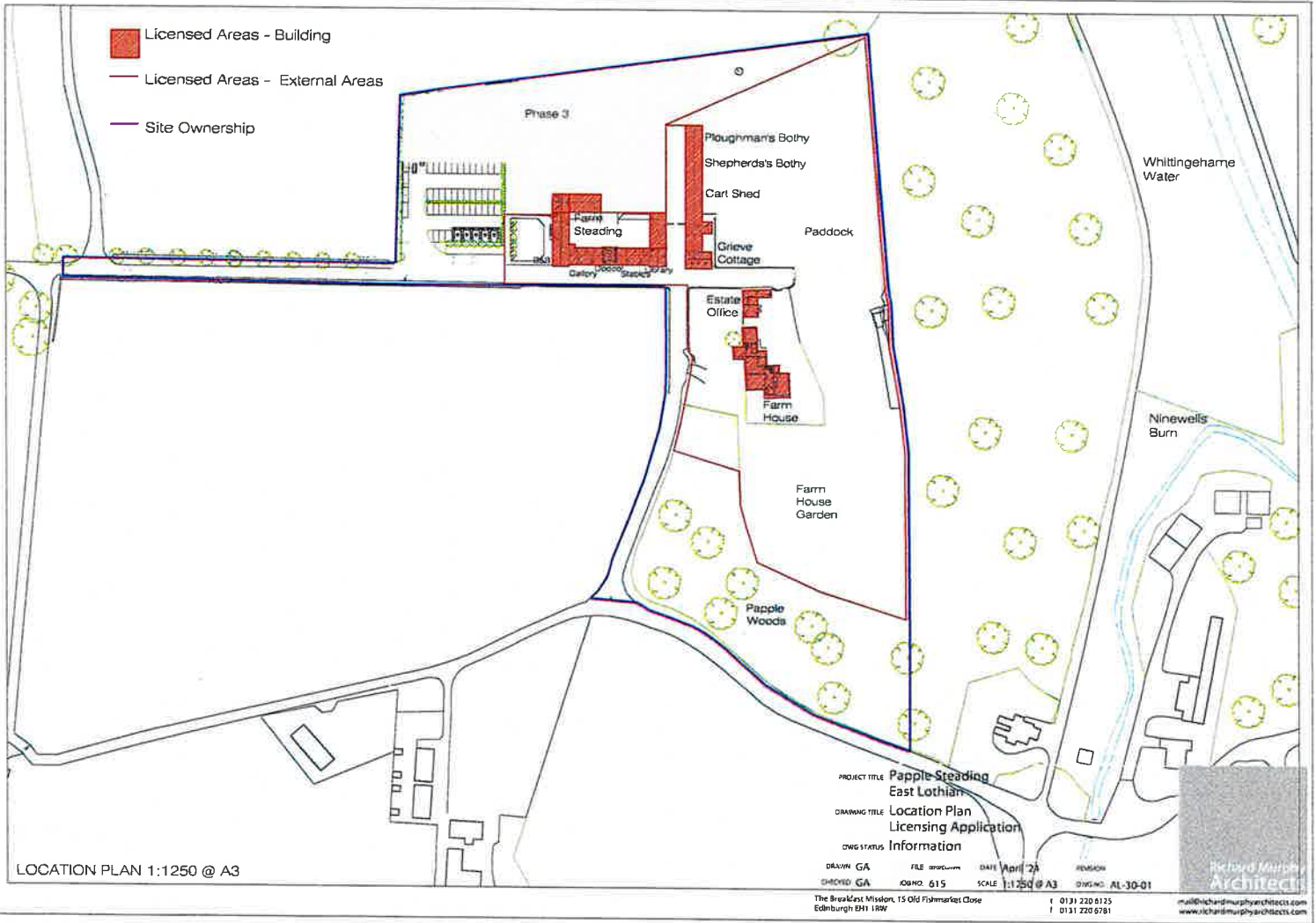
PROJECT TITLE Papple Steading  
East Lothian  
DRAWING TITLE Temporary Kitchen  
Licensing Application  
DWG STATUS Information

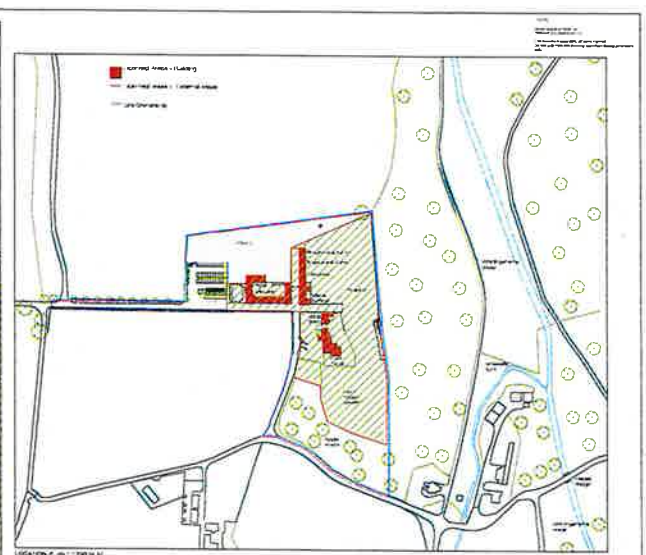
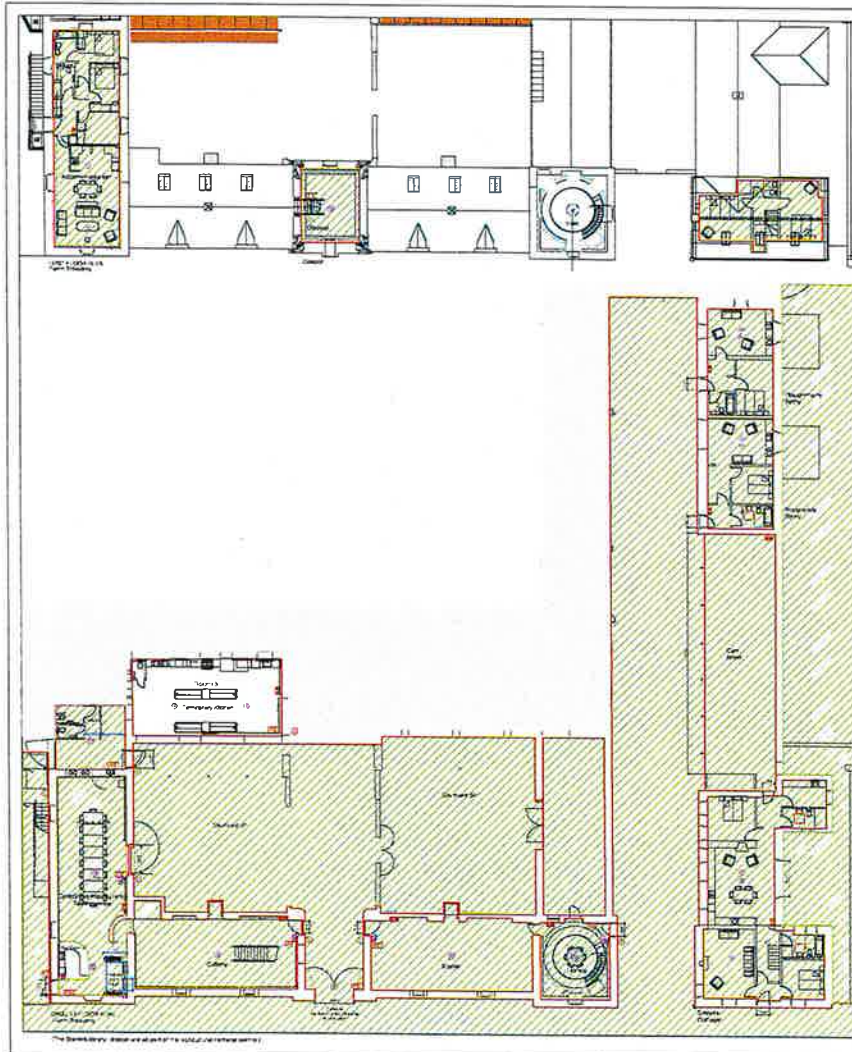
DRAWN CR	FILE 60000000	DATE May '24	REVISION
CHECKED CA	JOB NO. 615	SCALE 1:100 @ A3	DWG NO. AL-30-18

The Blythsay Park, 15 Old Fishmarket Close  
Edinburgh EH1 1BX

t 0131 220 6125  
f 0131 220 6781



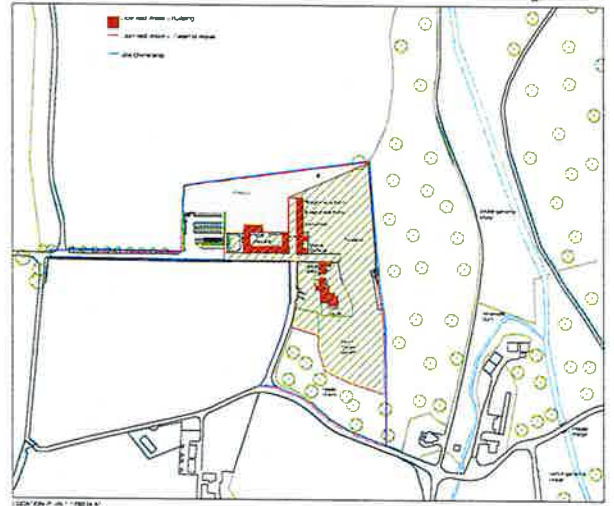
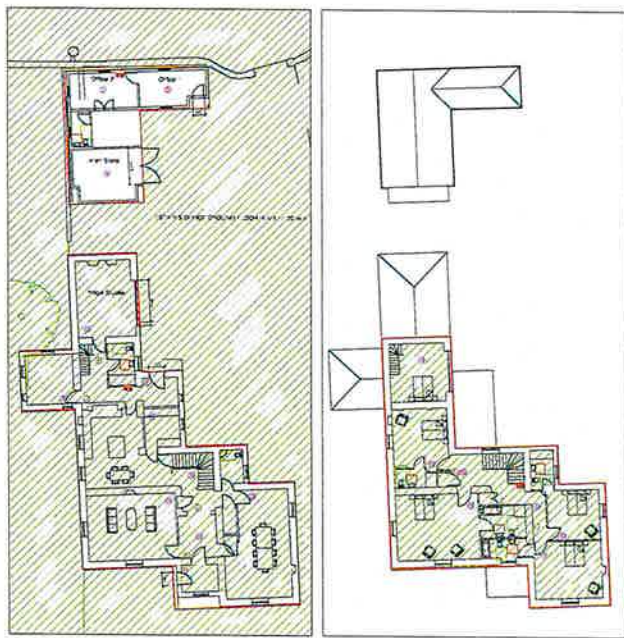




**Key**

- Control Area
- Control Area - Library
- Control Area - General Office
- Site Boundary
- Control Area - Library
- Control Area - General Office
- Site Boundary
- Control Area - Library
- Control Area - General Office
- Site Boundary





- Key**
- Journey Area
  - Mass Assembly or Gathering Point
  - Emergency Egress
  - Emergency Egress
  - Shelter Devices
  - Alarm Call Point
  - Fire Compartment
  - Water Area
  - Carbon Dioxide

Architectural details and specifications. Includes text such as 'Architectural Details', 'Architectural Specifications', and 'Architectural Details'.

25/06/2024

Your Ref: EL405  
Our Ref: 832995

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

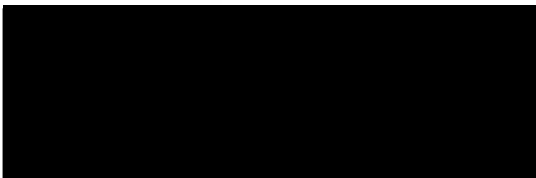
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A  
PROVISIONAL PREMISES LICENCE  
PAPPLE STEADING, HADDINGTON, EAST LOTHIAN, EH41 4QD.**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Catriona Paton  
Chief Superintendent

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

# EAST LoTHIAN COUNCIL

## Licensing Standards

From: Licensing Standards Officer

To: C. Grilli  
Clerk to the Licensing Board

---

Date: 15<sup>th</sup> July 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

PAPPLE STEADING, HADDINGTON, EAST LoTHIAN EH41 4QD

I refer to the above subject and can confirm that the applicant has liaised with the LSO in relation to this application. I have visited the premises and the site notice was correctly 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 being constructed and converted.

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

There are no other premises within an 800m radius.

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



ng

**From:** Robertson, Scott  
**Date:** 12 June 2024 08:14  
**Subject:** Licensing  
RE: Provisional Licence for Papple Steading, Haddington

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](http://www.eastlothian.gov.uk)

---

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** Tuesday, June 11, 2024 9:58 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>; Cramer, Torquil <torquil.cramer@firescotland.gov.uk>; licensing@nhslothian.scot.nhs.uk; all@haddingtoncc.org.uk  
**Subject:** Provisional Licence for Papple Steading, Haddington

Hi All

Please find attached Provisional licence application for the above. Please can I have reports/representation by 2<sup>nd</sup> 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



**SUBMITTED BY EMAIL – 1 JULY 2024**

**TO: Clerk of the Licensing Board, John Muir House, Haddington, EH41 3HA**

**APPLICATION FOR PROVISIONAL PREMISES LICENCE BY GEORGE ANGUS  
MACKINTOSH & ERIADNE MACKINTOSH PAPPLE STEADING LIMITED, PAPPLE  
STEADING, HADDINGTON, EAST LoTHIAN EH41 4QD**

**REPRESENTATION FROM EILEEN ANNE GILL, [REDACTED], [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] ON BEHALF OF DUNPENDER COMMUNITY  
COUCIL**

Dunpender Community Council (DCC) wish to make representations against the application and Operating Plan and would like to see modifications and conditions applied. This letter is in lieu of the Objection/Representation Form

East Lothian has a rich agricultural history and the building of Papple as a 'model farm' is representative of some of the innovation brought about in the county. DCC is supportive of the work done to secure the future of the Papple building especially with regards to the development of an agricultural heritage museum and spaces for community use. Much has been achieved by the owners and Phase 2 of the development is hopefully due to be completed this year.

Against this background DCC looks forward to the completion of the museum and associated spaces and is sympathetic to some of the development of the commercial side of the enterprise. We note that Papple describes itself as "A luxurious and environmentally sensitive retreat in East Lothian, Scotland for holidays, corporate functions, events and activities."

Papple has previously applied for and been successful in obtaining occasional licences and has now applied for a Provisional Premises Licence.

DCC recognises that most corporate retreats and events venues consider the availability of alcohol to be an important part of what is offered and so we understand Papple's wish to move from occasional licences to a Premises Licence. DCC has been invited to comment on the application for a Provisional Premises Licence. This response is submitted on behalf of DCC and takes account of comments made to some DCC members from several local residents.

At this stage we should point out that while we do not wholly object to the granting of a Provisional Premises Licence, we do object to various parts of the application and to aspects of the operating plan. Although Planning and Licensing are two separate legislative requirements, and while they are designed not to duplicate each other, we will draw on conditions set out in Planning (App. No. 22/00485/P) as we consider these to be pertinent to this licence application. But we will set these out in terms of the licensing objectives and to the East Lothian Licensing Board Statement of Licensing Policy (referred to in this response as ELLB Policy).



#### Securing Public Safety:

ELLB Policy "14.2 The Board is committed to ensuring that the safety of any person visiting or working in, or in the vicinity of, licensed premises is not compromised."

While not within the direct area marked for being licensed, we consider the entrance to the Papple site as being within the vicinity. In the Planning decision notice, condition 14 was applied to ensure that adequate visibility is provided at the access in the interest of road safety. The requirement was to provide details of various visibility splays. Similarly condition 26 related to passing places to be installed in the interests of road safety.

Given that the application is for both on and off licence then there is the potential for greater traffic than perhaps originally envisaged and so the safety issues should be concerned not only with those visiting or working in the premises, but also other road users (drivers, cyclists and pedestrians) should be safeguarded. The Operating Plan indicates that they also intend to operate a click and collect facility as well as sell off licence to visitors.

Although the applicant states under Preventing Public Nuisance that "There will be appropriate management of people entering and exiting the premises" there is no recognition of the wider issue relating to road safety.

#### Preventing Public Nuisance:

ELLB Policy states "15.1 Licensed premises can potentially have an adverse impact on communities, as a result of public nuisance arising from their operation. The Board aims to protect and maintain the amenity of residents and occupiers of other business premises from any adverse consequences of the operation of licensed premises whilst also recognising the valuable cultural, social and business importance that such premises provide."

The policy goes on to say that "15.3 Although interpretation is ultimately a matter for the courts, the Board intends to interpret "public nuisance" widely to include such issues as noise, light, odour, litter and antisocial behaviour where these have an impact on the local community."

There were a number of conditions attaching to the planning application that we consider have a bearing on the Provisional Premises Licence application. These relate to the amenity of nearby residential properties:

Number 11 was that planning permission would only be granted for one year for the use of the conference centre/ auditorium for amplified music. This was to enable the planning authority to monitor the noise impact.

Number 12 related to ventilation for the conference centre/ auditorium with the condition that it was via a fully mechanical system that does not require openable vents in the roof space.

Number 13 related to sound insulation for the conference centre / auditorium.

Number 14 requires that the windows and glazed doors within the conference centre / auditorium should be maintained in a closed position during events that involve amplified music and/ or speech.

Number 15 set limits on any light trespass (onto windows) of neighbouring residential properties.

Number 16 External lighting was to be approved by the planning authority – this was for both the amenity of the area and wildlife.

Planning placed a strong emphasis on the amenity for neighbouring properties especially in relation to the auditorium. However, the Operating Plan indicates that alcohol will be available in the café and restaurant as well as most (if not all spaces) and that amplified music will be played in the café and restaurant and sometimes in the library and gallery. In addressing the Licensing Objectives the applicant has stated that “Noise will be monitored to ensure residents to the premises and the public are not disturbed.” However, they do not give any detail on how this will be done and there is no information on whether these areas to be sound proofed and mechanically ventilated and the type of tests to be undertaken to monitor volume levels.

The applicant has indicated that there will be outdoor drinking facilities including for alcoholic drinks, though outdoor areas will not be used for consumption of alcohol after 10pm. They have said there will be no amplified music played in the grounds but do not mention unamplified music except for stating that The Scottish Chamber Orchestra may play live unamplified performances but it is not clear if this would be inside or outside or indeed both. Again, the applicant has not addressed how it would monitor noise and volume levels. And though it states that alcohol cannot be consumed outside after 10pm it does not say that the outdoor area will be closed at that time.

The applicant has not mentioned the use of a marquee for alcohol or music though availability of a marquee does appear on their website.

Our concerns / objections:

**Securing Public Safety:** Unless access to the site of the premises meets the original planning conditions then we feel that increased traffic levels due to on and off licence availability endangers those visiting and working at the premises as well as other road users.

**Preventing Public Nuisance:** Indoor areas - We believe that the indoor areas (where alcohol is to be available and amplified music is played) should be appropriately designed with soundproofing and mechanical ventilation and there should be ongoing monitoring of sound levels etc as would be the case for the auditorium. Otherwise, we consider the premises would not be suitable for the purpose.

We consider that the intended operating hours for on licence are unreasonable and could cause noise nuisance to neighbours with people, cars or other vehicles entering or leaving the site at late hours.

We consider that the availability for off licence could also cause noise nuisance and we question whether it is compatible with the original plans for Papple. We consider the premises are not suitable for this activity.

Preventing Public Nuisance: Outdoor areas (including possible use of a marquee) – We wholly object to this aspect of the application. Papple while situated in a rural area does have residential and agricultural neighbours. There are no natural sound absorbing barriers between Papple and neighbouring properties. Although the plan is to use courtyards these can have the effect of amplifying sound rather than absorbing it. And weather conditions can also affect the way sound travels. We also have concerns for the farm animals and wildlife in the area. The World Health Organisation has indicated that noise pollution is one of the most hazardous forms of pollution. Results of various studies have shown that noise pollutions affect all groups of species – amphibians, birds, fish, mammals etc. We consider the outdoor areas of the premises are not suitable for the purpose.

#### Conclusions:

As we said at the start we are sympathetic to Papple seeking to continue its commercial side. However, we seek modifications to the Operating Plan and certain conditions to be imposed as follows:

- There should be no outside facilities (including in a marquee) for the consumption of alcohol.
- There should be no off licence available
- On Licence hours should be restricted to 10.00pm Monday to Sunday
- The areas where alcohol is to be served should be sound proofed and mechanically ventilated (in line with the original planning application decision for the auditorium)

We do however recognise that Papple may want to apply for occasional variations to some of these conditions (as they do now in applying for an occasional license for certain events) and this should be considered on a case by case basis.

#### Privacy Notice:

I have read and understood the privacy notice.

Signed: [REDACTED]

Date: 1 July 2024

**Secretary**  
**Dunpender Community Council**

OBJECTION

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to:

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

East Lothian Council  
Licensing

24 JUN 2024

Received

**Section 1 – Application Details:**

This objection/representation relates to the following Application:

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	Verity Sinclair	
Name & Address of premises:	Papple Steading Papple EH41 4QD	
This Application is for	• Premises Licence	FORMCHECKBOX
	• <b>Provisional Premises Licence</b>	<b>Error! Bookmark not defined.</b>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)	Not known – not available on line.	

OBJECTION

**Section 2 – Objector/Representer Details:**

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	Constable
First Name(s)	Fiona
Address (including postcode):	████████████████████ ██████████ ██████████ ██ ██████████ ██████████

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	

East Lothian Council

Licensing

24 JUN 2024

Received

Address of Organisation (including postcode):	
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**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where: -

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both - .

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
Preventing crime and disorder	

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

	<u>Objective</u>	<u>Explanation</u>
	<b>Securing public safety</b>	



<u>Objective</u>	<u>Explanation</u>
Preventing public nuisance	
<u>Objective</u>	<u>Explanation</u>
Protecting and improving public health	
<u>Objective</u>	<u>Explanation</u>

	<b>Protecting children and young persons from harm</b>	
--	--	--

- (d) **The premises are unsuitable for use for the sale of alcohol**, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

Please explain why:

The applicant (Verity Sinclair) who will manage the development has stated the nature of possible activities as:

*Premises offering alcohol for consumption on and off premises and offering accommodation, conferencing, restaurant facilities, bar meals, receptions, such as weddings, funerals, birthdays, retirement etc, live performances, theatre, films, indoor/outdoor sports, outdoor drinking facilities."*

The background of the development at Papple Steading is relevant here.

The owner (Ms Sinclair's employer) has developed the steading in two phases. The first phase of the development has been let out since summer 22 and offers 4 holiday lets for up to 20 people. **Alcohol has been served on several occasions under an "Occasional Licence". This has not been without instances of noise and rowdy behaviour representing a significant loss of amenity for the residents which will only be scaled up in phase two.**

Phase two (**under consideration here**) was granted planning permission (with conditions) for a further 9 holiday lets, a shop, a café for over 50 people, a sui generis bar, an auditorium to seat 150 people, conference facilities and a museum.

There have been two plans put forward for phase two. In the **first application**, the **primary function** of the development was an **agricultural museum**. Consent was granted as the committee reacted positively to the idea put forward by the owner about a **community-based attraction** which connected to the agricultural and social history of this **deeply rural area of East Lothian** recognized by the council as a **special landscape area rich in biodiversity**.

The second planning application **barely mentions the museum function** and the development has morphed into a **licensed commercial venture** with facilities which lend themselves to a **wedding venue**, and this is **one of the many activities which are part of the alcohol license application**, but the **design of the premises is targeted towards the wedding market**.

The **nature** of activities such as weddings and similar hospitality events is celebratory, but guests drinking all day and night can contribute to unwanted **behaviours**. Guests are not invested in the local area and are unlikely to consider the consequences of their behaviour. A premise license would enable such unwanted behaviours to occur 365 days a year until late at night. **This is unacceptable loss of amenity in a peaceful rural area.**

The **character of the premises is problematic** as there are **several outdoor courtyards from which sound carries, particularly as stone or equivalent hard surfaces may amplify noises and cause echo**. A noise survey from Sandy Brown in April 2022 measured the **current background sound level as 22dB which is described as 'barely audible'** - 15 decibels is the sound of a pin dropping. Currently, residents

can clearly hear all manner of noise from the steading, loud voices, dog barking, machinery, cars, and delivery lorries coming and going, so allowing a license for outdoor **open courtyards** is a real concern in terms of the noise and anti-social behaviour it will bring.

There have already had private parties at which **fireworks** were in evidence and large **bonfires**, and a **firepit in the adjacent Papple Woods**. Allowing a license for **outdoor events** would permit drinking in the woods, BBQs, fireworks etc. – all of which are totally out of place in this setting which is noted (or was) for its biodiversity. Both nearby wildlife and domestic livestock will experience the stress from noise and unwanted behaviours too.

**Off sales** are another concern with residents able to drink day and night. Off sales will add to the **attraction of the premises hen and stage parties** with the associated unwanted noise and anti-social behaviours completely unsuited to the local area.

The shift in function from a **community based agricultural museum to a purely commercial licensed hospitality development** is also **completely unsuitable to the location of the development**.

Papple Steading is in an agricultural area. All the fields surrounding the development are owned by Papple Farm. The steading has no land around it, so it is contained within its boundaries (unlike other wedding venues on estates where surrounding land acts as a buffer to noise and anti-social behaviour). Nearby residences surround the steading (mostly less than 100 metres away), so they would be subject to the effects of alcohol on up to 150 people celebrating seven days a week every day of the year up to 1am at the weekend. The steading is located within a Special Landscape Area – the Whittingehame to Deuchrie SLA (8) - as designated by East Lothian Council, and the development is adjacent to Papple Woods which form part of Biel Water Biodiversity Site. **A licensed commercial hospitality venue is completely incongruent to this setting.**

The constant presence of strangers under the effects of alcohol in an isolated rural area is threatening to privacy and security and undermines the social cohesion of the local rural community. **Papple Steading has extremely limited space within its boundary and the likelihood of anti-social behaviour overspilling onto the surrounding roads is high. There are no streetlights so the presence of drunk strangers on our doorstep is threatening and generates unwanted anxiety.**

The **isolated rural location** means that there is **no way of arriving or leaving the steading by public transport** so people under the effect of alcohol will have to call taxis (nearest of which are in Haddington or East Linton). The complete darkness in narrow country roads poses a danger to drivers. The possibility of drinking and driving is a real concern here. There are no pavements and local residents, and their children will be at risk by the increased traffic night and day. Alcohol is a draw to people especially on the weekend in summer and road safety in rural areas is high on the council's list of priorities.

**So, in terms of the frequency and duration of celebratory activities, the design of the premises, the location of the premises, issuing a provisional premise license is completely unjustified and not merited given the original function of the premises was an agricultural museum.**

(e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

As to modifications which should be made to the Operating Plan

As to conditions which should be imposed.

Other representations	
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**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

*Previous communications about the development are a matter of public record.*

Please attach supporting documents/further pages as necessary. Please number all extra pages

I have read and understood the attached privacy notice

Your Signature



Date

19.06.24.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

**GDPR**

**Any person who has supplied personal information as part of this application MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**



OBJECTION

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	VERITY SINCLAIR	
Name & Address of premises:	Papple Steading Papple EH41 4QD	
This Application is for	• Premises Licence	FORMCHECKBOX <input type="checkbox"/>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)	Not known – not available on line.	

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss X <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	WADDLE
First Name(s)	EMMA
Address (including postcode):	██████████ ████████████████████ ██████████

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where:-

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, o Section 65(3) or both - .

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<b><u>Objective</u></b>	<b><u>Explanation</u></b>
<b>Preventing crime and disorder</b>	

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<u>Objective</u>	<u>Explanation</u>
<b>Securing public safety</b>	

<u>Objective</u>	<u>Explanation</u>
<b>Preventing public nuisance</b>	
<u>Objective</u>	<u>Explanation</u>
<b>Protecting and improving public health</b>	

<u>Objective</u>	<u>Explanation</u>
<b>Protecting children and young persons from harm</b>	

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

Please explain why : Guests drinking all day and night will allow unwanted behaviour and excessive noise without any concern for the local residents of Papple. A premise license will enable unwanted behaviours to occur 365 days a year until all hours. Where is the thought and consideration for us that live here and have bought our homes here in Papple because of how quiet it is. The area is so quiet which only amplifies the noise from the steading as the sound carries. We can quite clearly hear all of the noise from the steading, loud voices, the radio playing, dogs barking, cars, and delivery lorries, singing loudly, howling in the woods from party goers.

Allowing a license will allow unsociable drinking in the woods, BBQs, fireworks etc. – all of which are totally out of place in this setting affecting wildlife and our domestic livestock.

I personally will feel unsafe with hundreds of strangers under the effects of alcohol in an isolated rural area. It is highly likely we will endure antisocial behaviour with people arriving on our doorsteps and looking into our homes and gardens this is already happening with people staying at the steading looking into our gardens and walking up our little lane which already causes me anxiety, I moved here to help with my mental health and I feel like all of this will be too much for this very rural location and its small amount of residents.

We have no public transport here so this will without doubt lead to people driving whilst under the influence of alcohol. We are in complete darkness with extremely narrow almost single track roads with very few passing places and no footpaths considering road safety in rural areas is high on the council's list of priorities this will be a disaster not only for pedestrians but the local wildlife.

Considering the rural location of the steading, granting a premise license is completely unjustified and given the original function of the premises was an agricultural museum this should be DENIED.

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<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

(e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

**PART B – REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

As to modifications which should be made to the Operating Plan



As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

They state they operated a hospitality business at the Steading for three years and served alcohol on several occasions without incident, NOT TRUE.

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	Emma Waddle
Date	01/07/2024

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

OBJECTION

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

East Lothian Council  
Licensing

02 JUL 2024

Received

**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	Verity Sinclair	
Name & Address of premises:	Papple Steading Papple Farm Haddington	
This Application is for	• Premises Licence	<input type="checkbox"/>
	• Provisional Premises Licence	x <input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr x <input checked="" type="checkbox"/> Mrs x <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	Kinnaird
First Name(s)	Andrew
Address (including postcode): [REDACTED] [REDACTED] [REDACTED] [REDACTED]	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	

Address of Organisation (including postcode):	
---	--

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where:-

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, o Section 65(3) or both - .

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<b><u>Objective</u></b>	<b><u>Explanation</u></b>
-------------------------	---------------------------

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<p><b>Preventing crime and disorder</b></p>	<ul style="list-style-type: none"> <li>• Consumption of alcohol on site will potentially lead to anti-social behaviour which will be difficult to contain and lead to further issues.</li> <li>• There have been only a limited number of events held over the last few years and yet there have been several incidents of excess noise and disrespectful behaviour. Drunken youths were observed in Papple Wood, creating a disturbance after one such event No management was on site to help control and manage this.</li> </ul>
<p><b><u>Objective</u></b></p>	<p><b><u>Explanation</u></b></p>
<p><b>Securing public safety</b></p>	<p>Distance of property from emergency services is cause for concern should a worst-case scenario arise, risking further harm to individuals and/or property.</p> <p>The potential for people to wander off-site presents a security and safety risk to individuals and property. Roads are narrow and unlit</p> <ul style="list-style-type: none"> <li>• Breeding livestock will be in surrounding and adjacent fields to the steading, unnecessary noise or people wandering through fields could be catastrophic.</li> </ul> <p>Allowing alcohol to be sold up to 1.00 am would mean busy rural roads in the dark creating an unnecessary hazard</p>

	<u>Objective</u>	<u>Explanation</u>
	<p><b>Preventing public nuisance</b></p>	<ul style="list-style-type: none"> <li>• Distance of property from emergency services is cause for concern should a worst-case scenario arise, risking further harm to individuals and/or property.</li>   <li>• Being a rural setting noise travels MUCH further distances, disturbing residents over quite a large area.</li> </ul> <p>No management residing on or close by to the site, means they are unable to alleviate or mitigate any of the above concerns</p>



- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

For several reasons, Papple Steading is a completely inappropriate venue for a provisional premises alcohol licence.

Since its original application the purpose and intended use of the steading has been inconsistent and consistently changing. Papple Steading is steeped in history and as the applicant states on their website, it has been sympathetically restored to how it once looked. From the beginning as an agricultural museum, it has morphed into a potential party venue that will in no way benefit the local community. It seems to be trying to cater for differing markets, some of which contradict themselves.

Holiday home residents at the steading development can bring their own alcohol for consumption on-site. Allowing the sale of alcohol on site would make it more like a holiday park than a relaxing rural retreat, which contradicts their promotion tagline: "Papple Steading is a luxurious and environmentally sensitive retreat for holidays, corporate functions, and events." Corporate events are linked to self-catering accommodation, so the sale of alcohol is unnecessary and excessive. The sale of alcohol encourages excessive drinking which has the potential to extend beyond 1.00 am.

Corporate events that have taken place in Phase One, which includes the Farmhouse and other holiday homes, have been limited in size and scale when alcohol was consumed under an occasional licence. This has helped to keep the number of attendees small and manageable.

Phase two is a long way from completion, which raises concerns about why an application for a provisional licence is being applied for now. The events being referred to in the application cannot be compared to previous functions held under an occasional licence as the new licence refers to drinking in outdoor spaces and will involve significantly larger volumes of people.

Papple Steading is surrounded by land that is not within its ownership and the granting of a provisional licence will significantly impact the surrounding environment, neighbours, livestock and rural ambience.

There is no management resident or permanently on site, meaning no one is immediately available should problems arise.

It is because of this and the following reasons that we object to the licence being granted:

- Consumption of alcohol on site will potentially lead to anti-social behaviour which will be difficult to contain and lead to further issues.
- Distance of property from emergency services is cause for concern should a worst-case scenario arise, risking further harm to individuals and/or property.
- The potential for people to wander off-site presents a security and safety risk to individuals and property. Roads are narrow and unlit
- There have been only a limited number of events held over the last few years and yet there have been several incidents of excess noise and disrespectful behaviour. Drunken youths were observed in Papple Wood, creating a disturbance after one such event No management was on site to help control and manage this.
- Being a rural setting noise travels much further distances, disturbing residents over quite a large area.

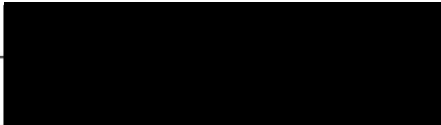
<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

- Breeding livestock will be in surrounding and adjacent fields to the steading, unnecessary noise or people wandering through fields could be catastrophic. Growing crops could be trampled and damaged.
- Traffic surveys and plans submitted and approved previously, indicate that peak traffic would only be during the day.
- Allowing alcohol to be sold up to 1.00 am would mean busy rural roads in the dark creating an unnecessary hazard. This increase in traffic negates the whole carbon footprint of the operation and East Lothian Council's policy on reducing emissions by 2030.
- Taxis have already disturbed local neighbours at unsociable hours trying to locate the steading.
- Due to its secluded location, Issues concerning public safety, public nuisance and crime and disorder will occur beyond the times specified on the licence request.
- No management residing on or close by to the site, means they are unable to alleviate or mitigate any of the above concerns and cannot fully commit to preventing public nuisance. Therefore, the inability to prevent crime and disorder is a risk to public safety and local property.
- Papple Steading is a historical building marketed as a luxurious and environmentally sensitive retreat. The nature of the activities proposed to be carried on in the subject premises and granting a provisional premises alcohol licence contradicts this statement completely.

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

**I have read and understood the attached privacy notice**

Your Signature	
Date	01/07/2024

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

Support

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

**YES**  Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

- (a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or
- (b) Make representations to the Board concerning the application

- If you are **OBJECTING**, please complete **Part A** of this form.
- If you are **MAKING REPRESENTATIONS**, please complete **Part B** of this form.
- **All parties** should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

East Lothian Council  
Licensing

25 JUN 2024

Received

**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**


Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	Verity Sinclair Manager Papple Steading	
Name & Address of premises:	Papple Steading, Haddington, East Lothian, EH41 4QD	
This Application is for	• Premises Licence	<input type="checkbox"/>
	• Provisional Premises Licence	YES <input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

East Lothian Council  
Licencing  
15 JUN 2024  
Received

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input type="checkbox"/> _____ delete/complete as appropriate
Surname	Boot
First Name(s)	Adrian
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where:-

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, o Section 65(3) or both - .

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
Preventing crime and disorder	

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

Objective	Explanation
Securing public safety	

Objective	Explanation
Preventing public nuisance	
Objective	Explanation
Protecting and improving public health	



	Objective	Explanation
	Protecting children and young persons from harm	
(d)	<p>The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—</p> <ul style="list-style-type: none"> <li>(i) the nature of the activities proposed to be carried on in the subject premises,</li> <li>(ii) the location, character and condition of the premises, and</li> <li>(iii) the persons likely to frequent the premises.</li> </ul> <p>Please explain why : .....</p> <p>.....</p> <p>.....</p>	
(e)	<p>Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—</p> <ul style="list-style-type: none"> <li>(i) licensed premises, or</li> <li>(ii) licensed premises of the same or similar description as the subject premises,</li> </ul> <p>Please explain why: .....</p> <p>.....</p> <p>.....</p>	

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

I am in support of this application, as it plays a key role in the future development of a new world-class destination in rural East Lothian.

The East Lothian coast is well known and visited by locals and tourists generating revenue, employment and sustaining livelihoods.

However this is not the case for inland rural East Lothian. Papple Steading is clearly committed to developing a world-class destination that will create new jobs, and bring new revenue into the County.

I have observed that Papple works with, and focuses on using local suppliers, products and produce at every level, supporting local artisans, businesses and entrepreneurs. This will only increase as their project grows, and is to be supported and applauded. Granting of a PPL will greatly enable the future success of this incredible East Lothian business, and in turn its local suppliers, local partners and local employees.

It is relevant that the application for a Provisional Premises License will also allow Papple to use and promote the local artisan company Buck and Birch who work closely with Papple and create spirits and liquors from plants foraged in the County.

Visitors from across the world would be able to experience these unique East Lothian flavors and experiences under a PPL.

There are numerous other young local businesses that will be able to flourish as the Papple project develops to its full potential.

As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	Adrian Boot
Date	25 June 2024

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are **OBJECTING**, please complete **Part A** of this form.
- If you are **MAKING REPRESENTATIONS**, please complete **Part B** of this form.
- **All parties** should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

East Lothian Council  
Licensing

25 JUN 2024

Received

**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	George Mackintosh	
Name & Address of premises:	Papple Steading Haddington EH41 4QD	
This Application is for	• Premises Licence	<input checked="" type="checkbox"/>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr
Surname	Miller
First Name(s)	Andrew
Address (including postcode): [REDACTED] [REDACTED] [REDACTED] [REDACTED]	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	

Address of Organisation (including postcode):	
---	--

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where:-

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, o Section 65(3) or both - .

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
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<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.



<p><b>Preventing crime and disorder</b></p>	
<p><u>Objective</u></p>	<p><u>Explanation</u></p>
<p><b>Securing public safety</b></p>	

<p><u>Objective</u></p>	<p><u>Explanation</u></p>
<p><b>Preventing public nuisance</b></p>	
<p><u>Objective</u></p>	<p><u>Explanation</u></p>

	<b>Protecting and improving public health</b>	
	<u>Objective</u>	<u>Explanation</u>
	<b>Protecting children and young persons from harm</b>	
<p>(d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—</p> <ul style="list-style-type: none"> <li>(i) the nature of the activities proposed to be carried on in the subject premises,</li> <li>(ii) the location, character and condition of the premises, and</li> <li>(iii) the persons likely to frequent the premises.</li> </ul> <p>Please explain why : .....</p> <p>.....</p> <p>.....</p>		

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<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

(e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

- (i) licensed premises, or
- (ii) licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

I think the development of Papple Steading has been an admirable undertaking. It has brought employment and enhanced the locale. Events have been held over the last few years with no impact or disturbance, The license in my opinion will merely add to Papple Steadings options for the future. This will encourage visitors to the area and also bring employment opportunities for the café/bar and other events that may take place.

Local businesses could also benefit, namely NB Gin and Thistley Cross products.

As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	Andrew Miller
Date	14/6/2024

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

# Support Application

## Licensing (Scotland) Act 2005, section 22

### Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are **OBJECTING**, please complete **Part A** of this form.
- If you are **MAKING REPRESENTATIONS**, please complete **Part B** of this form.
- **All parties** should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

East Lothian Council  
Licensing

25 JUN 2024

received

**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	Papple Steading Ltd	
Name & Address of premises:	Papple Steading. Haddington EH41 4QD	
This Application is for	• Premises Licence	x
	• Provisional Premises Licence	
	• Variation of an existing Premises Licence	
	• Occasional Licence	
Application Number (if known)		


**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address (including postcode):	

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr
Surname	Chisholm
First Name(s)	Thomas
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	Buck & Birch Ltd
Nature of Organisation e.g. resident's association, ward councilor, trade association	Limited Company
Address of Organisation (including postcode):	Unit 9. Macmerry Industrial Estate. Tranent. EH33 1ET



**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where:-

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, o Section 65(3) or both - .

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
<b>Preventing crime and disorder</b>	

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<u>Objective</u>	<u>Explanation</u>
Securing public safety	

<u>Objective</u>	<u>Explanation</u>
Preventing public nuisance	
<u>Objective</u>	<u>Explanation</u>
Protecting and improving public health	

	<u>Objective</u>	<u>Explanation</u>
	<b>Protecting children and young persons from harm</b>	
<p>(d)</p>	<p>The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—</p> <ul style="list-style-type: none"> <li>(i) the nature of the activities proposed to be carried on in the subject premises,</li> <li>(ii) the location, character and condition of the premises, and</li> <li>(iii) the persons likely to frequent the premises.</li> </ul> <p>Please explain why : .....</p> <p>.....</p> <p>.....</p>	
<p>(e)</p>	<p>Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—</p> <ul style="list-style-type: none"> <li>(i) licensed premises, or</li> <li>(ii) licensed premises of the same or similar description as the subject premises,</li> </ul> <p>Please explain why: .....</p> <p>.....</p> <p>.....</p>	

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

We at Buck&Birch support this application.  
As explained in the Papple Steading operating plan, Buck & Birch products will be on sale in their licensed premises, we will run drinks tastings and we expect to offer fine dining experiences.

As to modifications which should be made to the Operating Plan

As to conditions which should be imposed.

Other representations

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Having worked with the Papple Steading team on various events we can attest to the fact that they operate to the highest professional and conscientious standards, ensuring quality and safe experiences for guests and visitors at all times.

We have never had any issues arising from the events and have had a multitude of positive feedback from our patrons as to their experience.

We are excited to grow our offering and partnership at Papple, an integral part of which will be the granting of the premises license.

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	Thomas Chisholm
Date	14/06/2024

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**



## Licensing

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**From:** Susan thomson [REDACTED] >  
**Sent:** 02 July 2024 09:52  
**To:** Licensing  
**Subject:** Extension of Provisional Premises Licence Thomson's of Tranent

3

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.

Dear Sir/Madam

We have contacted Building Control this morning to request an extension to Building Warrant 17/00137/DW. I would like to request an extension to the Provisional Premises Licence to make sure all relevant outstanding Building Control Issues can be resolved and a Permanent License granted.

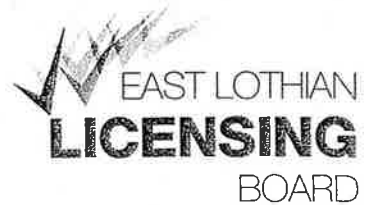
Regards

Susan

Sent from my iPad

Our Ref: CG/gh/EN/L/L1  
Your Ref:

Date: 4 June 2024



Partnership of George Thomson and Susan Thomson  
Thomson's of Tranent



Carlo Grilli  
CLERK OF THE LICENSING BOARD

John Muir House  
Haddington  
East Lothian  
EH41 3HA  
licensing@eastlothian.gov.uk

Dear Mr & Mrs Thomson

As Clerk to the Licensing Board I was in recent discussions with Building Standards Colleagues regarding provisional licence applications which are awaiting Building Warrants and noted that your Provisional Licence is still outstanding. Please note that I have not discussed in detail your application and would advise that you should be in contact with Building Standards to progress this.

I would point out that the legislation provides that the Board shall only extend provisional licenses in situations whereby:

*"That matter is that—*

*(a) completion of the construction or conversion of the premises to which the licence relates has been delayed, and*

*(b) the delay has been caused by factors outwith the premises licence holder's control."*

It would clearly be best for all involved if the Building Warrant for the premises could be issued and should you require any assistance from licensing the licensing team would be happy to help.

Yours faithfully,



Clerk to the Licensing Board

Email [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)