EAST LOTHIAN LICENSING BOARD

2b

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

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

SECTION 1: TYP	E OF VARIATION
	for Variation other than a Minor Variation of Premises Licence is made under the Licensing (Scotland) Act 2005 in order to vary- t boxes)
⊠ A	ny of the Conditions to which the Premises Licence is subject
⊠ A	ny of the information contained within the Operating Plan
Т	he Layout Plan
	ny other information contained or referred to in the licence (including any addition, eletion or other modification).
(I	Provide Details)Change of description
31.7	
SECTION 2: PRE	MISES LICENCE DETAILS
2(a) Licence Nu	mber of Premises
EL0120	
2(h) Nama and	Address of Premises
	tillery Visitor Centre
Glenkinchie Dis	
Glenkinchie	
Pencaitland	
Tranent	
Post Code E	H34 5ET Phone No. 01875 342004
2(c) Full Name	and Address of Current Licence Holder
Diageo Scotland	
11 Lochside Plac	ce
Edinburgh	0.750)
(Reg. No. SC00	0/50)
Post Code E	H12 9HA Phone No.

Complete the relevant section(s) regarding the variations sought:-
3(a) Variation to the Conditions to which the Premises Licence is subject
Provide details of the Condition(s) to be varied and the variation being sought
3(b) Variation to the information contained within the Operating Plan of the Premises Licence
Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1
Inclusion of Dance facilities and televised sports as permitted activities.
2. In 5(f) inclusion of activities to include: use for charity events, talks, lectures, cookery and oth
demonstrations; arts, crafts and creative demonstrations, workshops and related activities; holistic wellbeing activities including Yoga and Pilates; ceilidhs; use for starting/ finishing
point or as a refreshment or support point for running and cycling races and events and as a a
venue for festival and community events. 3. Increase of on sale capacity by 200 for cycling and running events
4. Increase of off sale capacity to 57.446m2
3(c) Variation to the Layout Plan of the Premises Licence
7 Copies of the proposed Layout Plan must accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.
Inclusion of retail display units on second floor and reconfiguration of shelving on ground floor.
3(d) Variation to any other information contained or referred to in the licence
Provide details below of any other variation sought to the Premises Licence
(e.g. Alteration to the description of the premises contained within the Premises Licence)

SECTION 3: NATURE OF VARIATION

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £ is enclosed.

Signature (See note 5 below)

Date 23/07/2024

Capacity: AGENT

If agent, please provide name, address, phone number and (if applicable) email address

David Hossack
Morton Fraser MacRoberts LLP
Quartermile Two
2 Lister Square
Edinburgh, EH3 9GL
DDI: 0131 247 1024
david.hossack@mfmac.com

Note 1:

Please note that the proposed Operating Plan must contain any aspects of the current Operating Plan that are to be preserved should the variation be granted, (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2:

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:

Data Protection Act 1998

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:

East Lothian Licensing Board

Licensing Office

John Muir House

John Man House

Haddington, East Lothian

EH413HA

Phone: 01620 827217 / 827867 / 820114

Fax: 01620 827253

Email: licensing@eastlothian.gov.uk

	FOR OFFICE USE ONLY	
Received & Receipt No.	System Updated	Licence Issued
Titotives & Receipt No.	System opunea	Licence Issueu

SECTION 4: L (See note 3 be	ICENCE TO BE AMENDED
Does the appr	opriate Premises Licence accompany this application?
\boxtimes YES	□NO
If the answer	is NO, please provide an explanation.
I am unable to	produce the Premises Licence because
	The licence has not yet been issued by the Board
	The licence has already been returned to the Board in respect of an earlier application for variation or transfer
	Other (provide details)
SECTION 5: F	EE PAYABLE
The fee payab	ple in respect of the application for variation is £150
	tion is submitted alongside an application for Transfer of Premises Licence then the for both applications will be £170 (see note 4 below)
If submitted v	with an application for transfer, please specify the order in which the applications are red-
	Application for Transfer of Premises Licence followed by Application for Variation
	Application for Variation followed by Application for Transfer of Premises Licence

EAST LOTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Glenkinchie Distillery
Glenkinchie
Pencaitland
East Lothian
EH34 5ET

Question 1

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

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

Question 2

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

Day	ON Consumption		
	Opening time	Terminal hour	
Monday	09:00	22:00	
Tuesday	09:00	22:00	
Wednesday	09:00	22:00	
Thursday	09:00	23:00	
Friday	09:00	23:00	
Saturday	09:00	23:00	
Sunday	09:00	23:00	

Question 3

STATEMENT OF \pmb{CORE} TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION \pmb{OFF} PREMISES

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

Question 4

SEASONAL VARIATIONS

VENTION AND A DESCRIPTION OF THE PARTY OF		E1 = 2 ± 5 1 (
Does the applicant intend	to operate according to seasonal demand	YES

^{*}If YES-provide details

The premises may close outwith the times stated in light of customer demand or weather conditions.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE

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

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

5(d) Activity	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
Outdoor drinking facilities	YES	YES	YES
5(e) Activity	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
Adult entertainment	NO	NO	NO

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

Restaurant and Bar meals: - the premises may be used for dining before core hours.

Conferences, receptions/club meetings may take place before core hours.

Recorded music may be played in the premises during the entire hours of operation.

Live performances, theatre presentations and film performances may take place on the premises often but not exclusively related to the premises licence holder's products and may commence prior to core hours.

Indoor/outdoor sports: a range of external sports may take place on the external areas and may commence prior to core hours.

External drinking areas the external licensed areas may be used for consumption of alcoholic and other beverages but no alcoholic beverages may be consumed on these areas outwith core hours.

No alcohol will be served outwith core hours for any activity unless an extended hours application is made.

5(f) any other activities

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

The premises form an integral part of distillery tours run from the premises. All areas of the premises may be used in connection with tours and for other educational activities related to the production of whisky and other alcoholic products.

Such activities may include guided tours, exhibitions, talks, workshops and demonstrations by Diageo and others.

The premises will be used for the taking and dispatch of orders including by electronic commerce.

The premises may be used for tastings/sampling of whisky/ other alcoholic products.

The visitor shop may sell a wide variety of products other than alcohol products.

The premises may host markets both within and outwith the building.

The premises may be used of charity events, talks and lectures and cookery and other demonstrations.

The premises may be used for arts, crafts and creative demonstrations, workshops and related activities.

Light food offerings may be provided.

The premises may be used for a wide variety of functions, dinners and meetings.

The premises may be used for a whole range of office functions at all times.

The external areas may be used for a variety of recreational purposes including displays and demonstrations of all natures including Falconry.

Both internal and external areas may be used for a range of holistic wellbeing activities including Yoga and Pilates.

The premises may be used for ceilidhs.

The premises may be involved as a starting/ finishing point or as a refreshment or support point for running and cycling races and events.

The premises may be used as a venue for festival and community events.

The walkway next to the lagoons will be used for walks, nature and wildlife tours and generally as part of the distillery tours. Samples of alcohol may be provided as part of such tours.

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

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

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

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

Children will be permitted entry into the premises only when accompanied by an adult. Young persons will be permitted into the premises without being accompanied by an adult.

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

All ages of children and young persons will be permitted entry.

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

Children and young persons will be permitted entry 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 permitted into all public areas.

Question 7

CAPACITY OF PREMISES

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

On sales

405 persons with an additional 200 for cycling and running events

Breakdown:

- 1. External Garden Area 150
- 2. Lagoon area 10
- 3. Visitor Centre 170
- 4. Filling Store 25

Office Building - 50

Off sales:

57.446 m2

Question 8

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

Personal details

8(a) Name

Jocelyn Elizabeth Williamson

8(b)	Date of birth		
8(c)	Contact address		
8(0)	Comaci quaress		
8(d)	Email address and	telephone number	
8(e) P	ersonal licence		
	Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
31/12/2015		Edinburgh Licensing Board	316031

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.

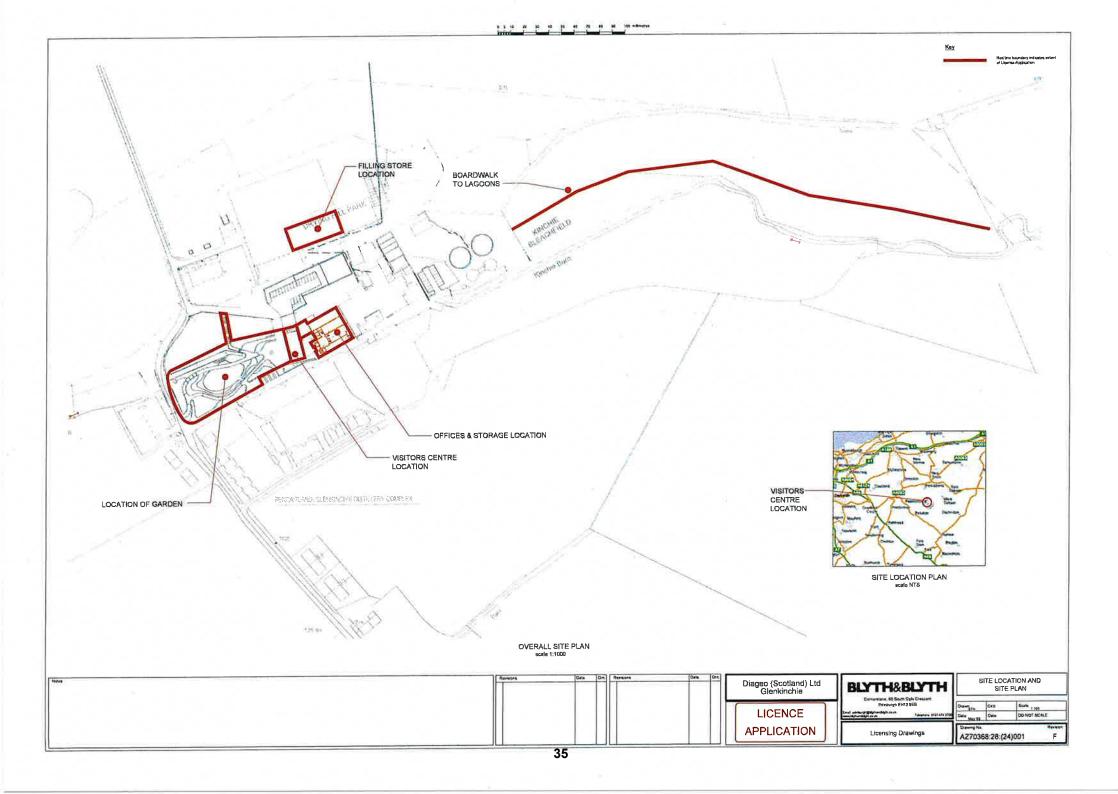
Signature .		 * (see note below)
Date	23/07/2024	

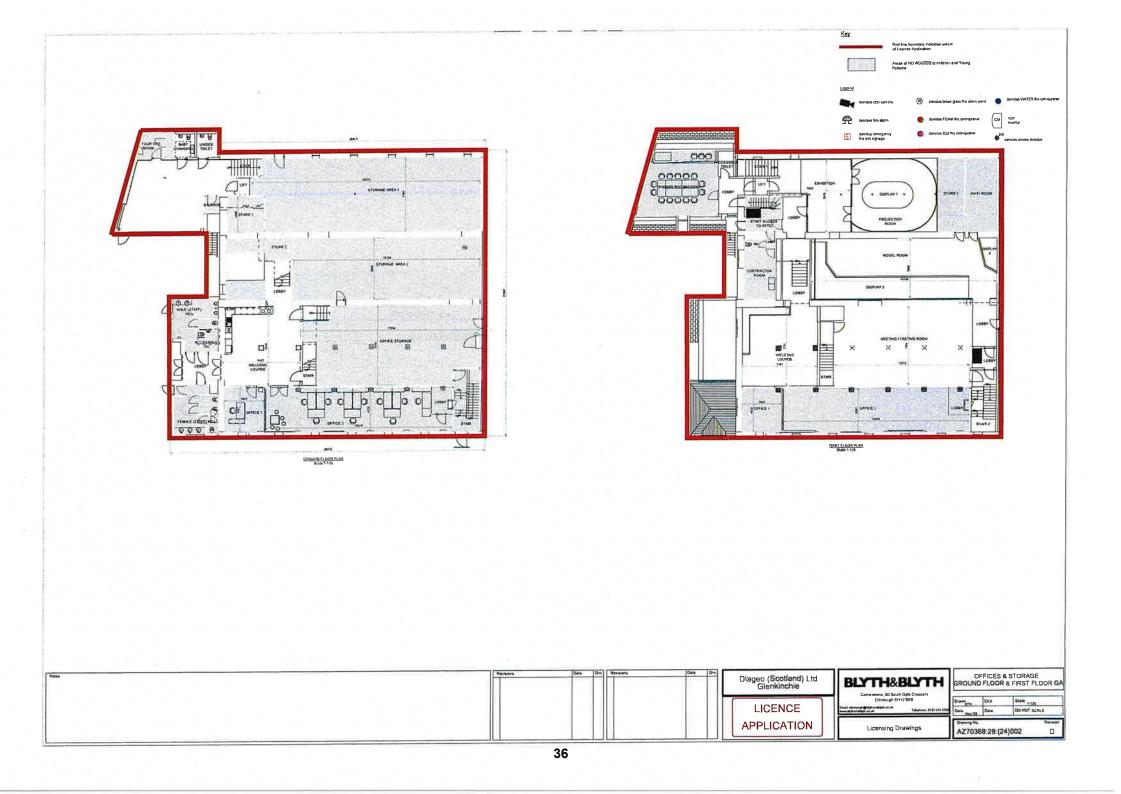
Capacity: AGENT

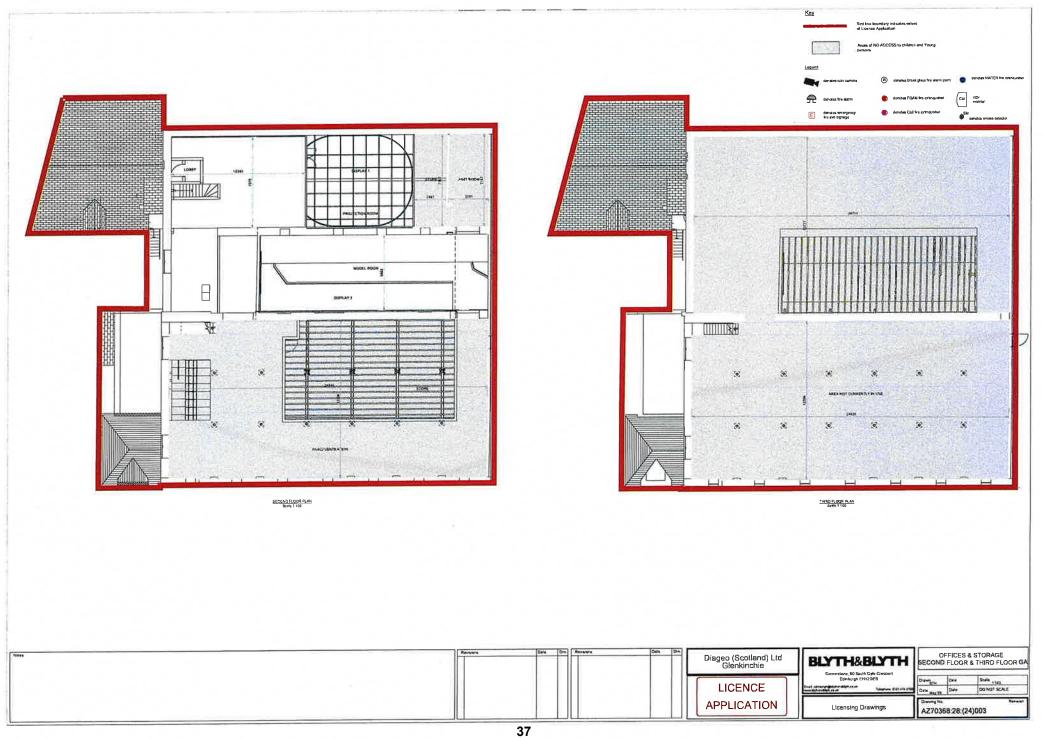
Telephone number and email address of signatory: 0131 2471024; david.hossack@mfmac.com

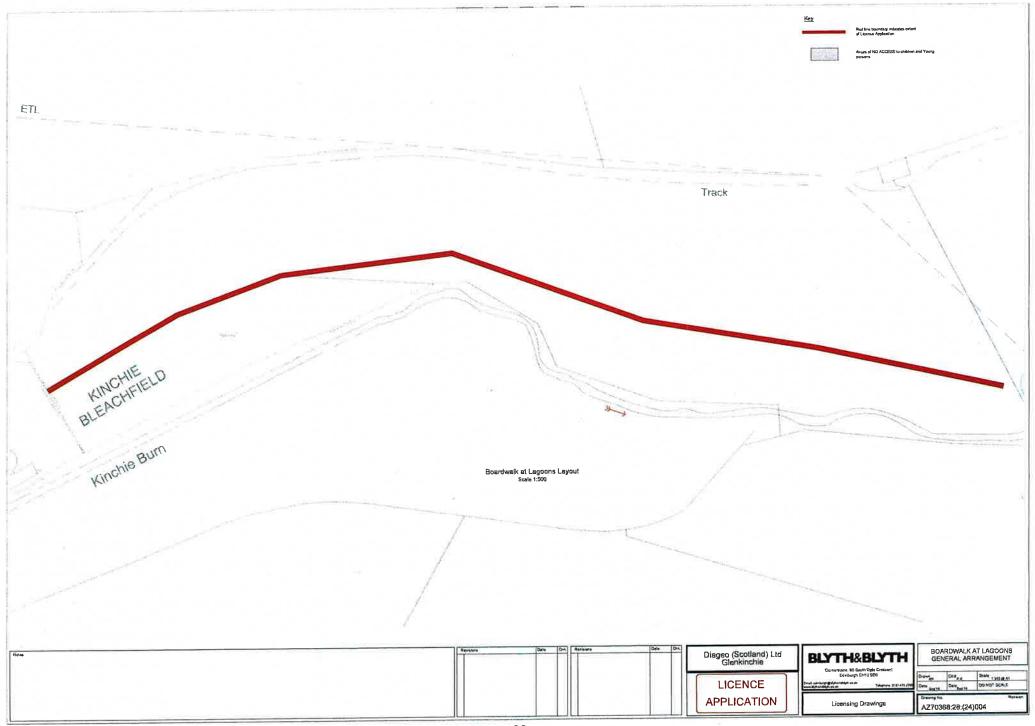
* Data Protection Act 1998

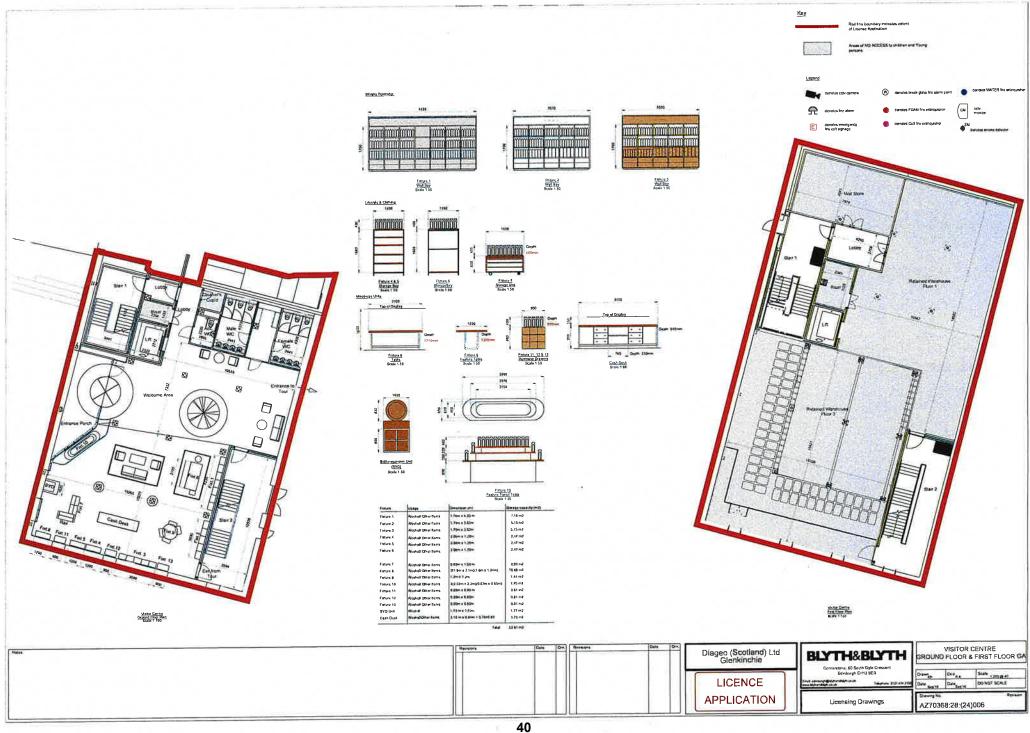
The information on this form may be held on an electronic public register which may be available to members of the public on request.

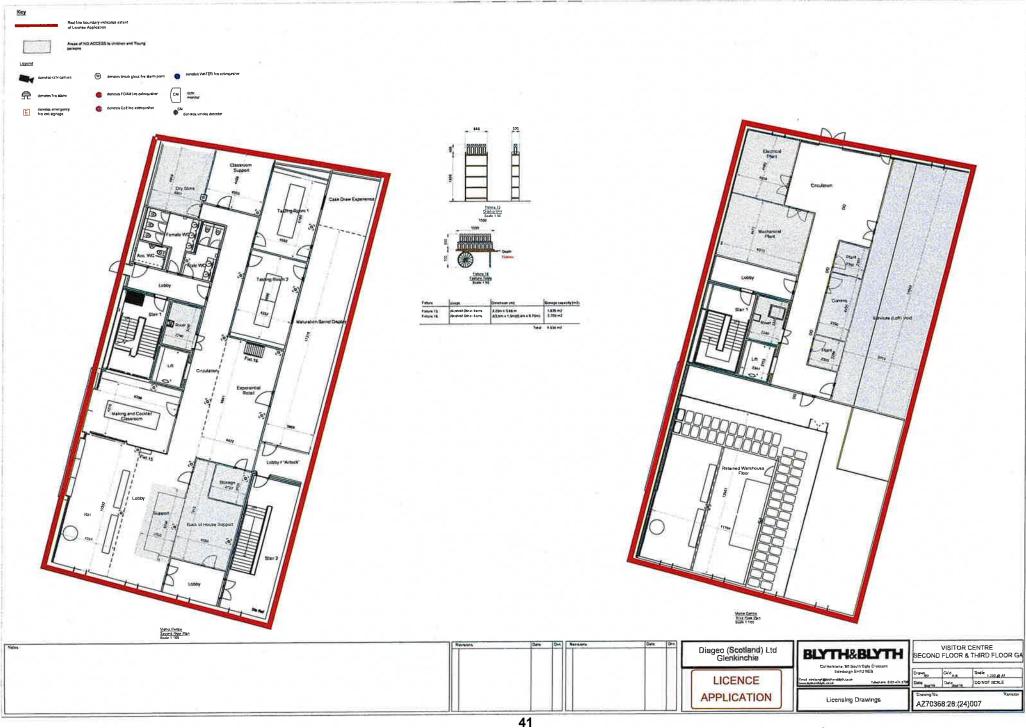


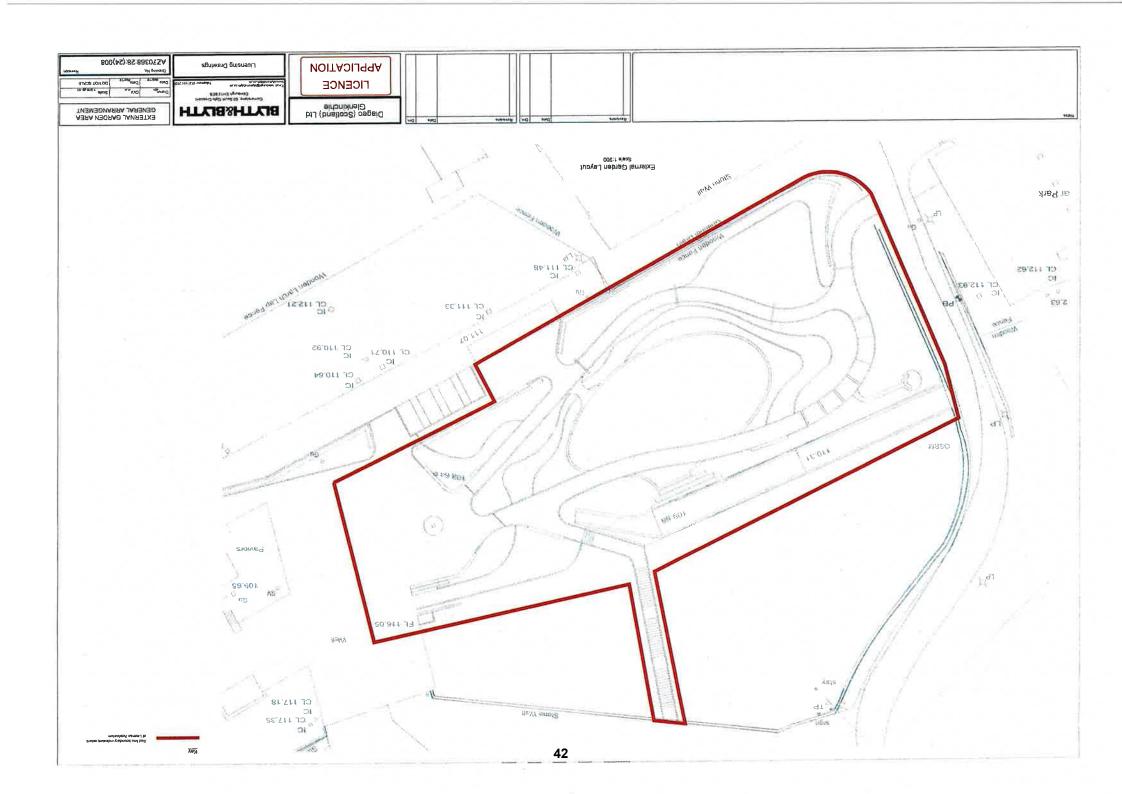












EAST LOTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer To: C. Grilli

Clerk to the Licensing Board

Date: 23rd August 2024

Subject:

LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0120, GLENKINCHIE DISTILLERY VISITOR CENTRE, GLENKINCHIE DISTILLERY,

GLENKINCHIE, PENCAITLAND, EAST LOTHIAN EH34 5ET

I can confirm that the application has been discussed with David Hossack who represents the applicant and premises have been visited in relation to this variation application. The site notice was correctly displayed.

The changes applied for are:

- Inclusion of dance facilities
- Inclusion of activities use for charity events, talks, lectures, cookery and other demonstrations; arts, crafts and creative demonstrations, workshops and related activities; holistic wellbeing activities including Yoga and Pilates; ceilidhs; use for starting/finishing point or as a refreshment or support point for running and cycling races and events and as a venue for festival and community events
- Increase in on sale capacity by 200 for cycling and running events
- Increase of off same capacity to 57.446m²

I have received no complaints about the premises and found it to be well run when I have visited. I welcome this application with additional information about activities planned to take place allowing the premises to be used to its full potential.

Licensing Standards Officer

05/08/2024

Your Ref: GLENKINCHIE

Our Ref: 848940

The Clerk of the Licensing Board East Lothian Council John Muir House Haddington East Lothian EH41 3HA



Gregg Banks
Chief Superintendent
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

Dear Sir/Madam,

LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
GLENKINCHIE DISTILLERY VISITOR CENTRE, ORMISTON, EAST LOTHIAN,
EH34 5ET.

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

The variation requested consists of:

- Inclusion of dance facilities and televised sports as permitted activities
- In 5(f) inclusion of activities to include: use for charity events, talks, lectures, cookery and other demonstrations; arts, crafts and creative demonstrations, workshops and related activities; holistic wellbeing activities including yoga and pilates; ceilidhs; use for starting / finishing point or as a refreshment or support point for running and cycling races and eventsand as a venue for festival and community events.
- Increase of on sale capacity by 200 for cycling and running events
- Increase of off sale capacity to 57.446m2

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

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

OFFICIAL

Yours faithfully



Gregg Banks Chief Superintendent

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

Licensing

From:

Robertson, Scott

Sent:

06 August 2024 10:35

To:

Licensing

Subject:

RE: Major Variation - Glenkinchie Distillery Visitor Centre, Glenkinchie, Pencaitland -

EL0120

Hello,

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

Regards

Scott

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

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

From: Licensing < licensing@eastlothian.gov.uk>

Sent: Thursday, August 1, 2024 4:12 PM

To: 'Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)'
<lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer
<lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental
Health/Trading Standards <ehts@eastlothian.gov.uk>; 'Fire (torquil.cramer@firescotland.gov.uk)'
<torquil.cramer@firescotland.gov.uk>; 'licensing@nhslothian.scot.nhs.uk' secretary@pencaitland.org; tecc.secretary@aol.co.uk

Subject: Major Variation - Glenkinchie Distillery Visitor Centre, Glenkinchie, Pencaitland - EL0120

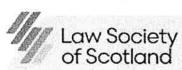
Hi All

Please find attached Major Variation for the above premises Can I please have reports/representations by 25th August 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:

Mary Munro

Sent:

27 August 2024 14:17

To:

Licensing; Road Services

Subject:

Glenkinchie Distillery

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.

Some people who received this message don't often get email from I trust you will accept this response.

Learn why this is important

I am a close neighbour of Glenkinchie Distillery and wish to register my opposition to the proposed variation to their Licence.

We have already objected to this type of thing the first time round and nothing has changed regarding the potential disturbance that would be created should they be permitted to run ceilidhs and the vast selection of events listed in their application. The noise and litter are already a problem. I take particular exception to the proposal to become involved with cycling and running events as not only will they have large numbers of people and vehicles on site but these will also cause congestion and dangerous driving conditions in the surrounding areas.

I will petition our local councillor on this matter but please note this objection.

Yours faithfully

Mary Munro