



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

1

**THURSDAY 28 NOVEMBER 2024
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY**

Board Members Present:

Councillor L Bruce
Councillor C Cassini
Councillor F Dugdale
Councillor N Gilbert
Councillor G McGuire

Clerk of the Licensing Board:

Mr R Thompson (Acting)

Attending:

Ms K Harling, Licensing Standards Officer
Ms S Fitzpatrick, Team Leader – Licensing & Landlord Registration
Ms G Herkes, Licensing Officer
Ms E Barclay, Committees Assistant
PS S Miller, Police Scotland

Committee Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor J McMillan

Declarations of Interest:

None

The clerk advised that the meeting was being held as a hybrid meeting; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the East Lothian Licensing Board was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for six months from the date of the meeting.

The clerk recorded the attendance of Board members by roll call.

1. MINUTES FOR APPROVAL
East Lothian Licensing Board, 24 October 2024

Board members approved the minutes as an accurate record of the meeting.

2. MAJOR VARIATION
a. East Lothian Co-operative Bowling Club, Blawearie Road, Tranent

An application had been received for a major variation to move from being a members-only club to having an open licence. There had been no objections from any statutory consultees. The Licensing Standards Officer (LSO) had submitted representation.

Lynne Rankin, Club Secretary, spoke to the application. She explained that the application had been submitted following a presentation from the LSO. Ms Rankin said she was new to her role and had had a lot of contact with the LSO. She explained that the one-member-to-six-guests rule for a members-only club had caused challenge at times, so the Committee had decided to apply for an open licence.

The LSO advised that she had made a presentation to clubs in East Lothian, following which, the East Lothian Co-operative Bowling Club had applied to remove the special provision under Section 125 of the Licensing (Scotland) Act 2005 ('the Act'). She described the designated premises manager (DPM), Lynne King, as being very competent. The LSO felt the Club was running well, and pointed out that several members of staff held personal licences. She advised that the day-to-day running of the Club would not change, but the major variation would allow the addition of non-members on special nights. She had no adverse comment to make on the application.

PS Stuart Miller stated that Police Scotland had no adverse comment to make on the application.

The Convener welcomed the application to open the Club's licence, and commented that this was being encouraged in East Lothian. He would support the application.

Councillor McGuire commended the Club's engagement with the LSO. He had attended private functions at the Club, and commented that it was well run and well respected; he was happy to support the application. Councillor Dugdale also echoed Councillor McGuire's comments.

The Convener moved to a roll call vote, and Board members unanimously supported the major variation application.

Decision

The East Lothian Licensing Board granted the major variation.

b. Premier Store, 90 High Street, Haddington (continued application)

An application had been received for a major variation to amend the layout plan and increase the off-sales capacity from 9.32m² to 17.1m². There had been no objections from Police Scotland or the Planning Authority.

The LSO had previously submitted representation detailing a number of issues found on visits to the premises. At the October meeting meeting, Board members had agreed

to continue the application in light of the issues to be addressed, and the LSO had submitted a follow up report for consideration at this meeting.

Alistair Macdonald, the applicant's agent, spoke to the application, and was accompanied by his client, Zain Shah, and Zayed Haider, DPM. Mr Macdonald said that his clients had taken the comments made by the LSO and Board members at the previous meeting seriously, and provided commentary on improvements made. Mr Macdonald had delivered a training session for shop staff, and, since this time, the LSO had provided a more positive updated report. Councillor McGuire's comments regarding the staff's welcome to customers had also been taken on board. Mr Macdonald suggested that staff would now find keeping paperwork in order relatively simple, and he had also spoken with staff about the high standards expected of licence holders. Responding to comments in the updated LSO's report, Mr Macdonald commented: the pricing issue had now been resolved; that it was very regretful if alcohol had been sold on credit, but suggested this could have been the member of staff that had since left; and that there had been improvements made to paperwork, overall standards, and the customer experience.

The LSO reported that she had visited the shop twice since the last Board meeting. She had visited following confirmation that all staff had received Mr Macdonald's training, and reported that staff had been able to produce all necessary paperwork on her first and second visits. She commented that the shop had also been tidier. She had noticed that there was an issue whereby some pricing had not reflected minimum pricing increases. The LSO had received information from a member of the public that alcohol had been given to an intoxicated male on credit, but she advised that the DPM had denied this had happened. On her second visit, the minimum unit pricing issues had been addressed, but there were still some bottles of whisky without prices. The LSO said she would keep an eye on the shop to ensure standards were maintained. She highlighted her recommended condition that a personal licence holder be always on the premises when alcohol was available for sale.

PS Miller was encouraged by the LSO's comments. He had no adverse comment to make on the application, but advised that the premises was on Police Scotland's radar and would be subject to checks.

Councillor Dugdale felt reassured by the LSO's updated report. She asked who would train new staff, and Mr Macdonald advised that Mr Shah or the DPM would train any new staff; Mr Macdonald reassured the Board that they were now aware which areas the training must emphasise.

Councillor McGuire commented on the clear improvement in customer reception, and he had also noticed improvements to the signage. He noted a recent issue on a Friday night where young people were being noisy and dancing on tables outside the shop; Councillor McGuire expected shop staff to have called the police. Mr Haider responded that staff could phone the police if they could see anything outside on their cameras. He noted that since the benches had been placed outside Falko, people treated the spot like a park and brought their own bottles. He said that the large groups that gathered sometimes caused staff to feel scared, and suggested that removal of the benches would help the situation. He also reported that the shop had been able to assist Police Scotland by providing CCTV from outside the shop.

The Convener asked what practical effect the LSO's recommended condition would have on the business. Mr Macdonald suggested that it was not necessary to require a personal licence holder always to be present when alcohol was on sale, and felt it would put a strain on the business; however, the business may send other staff members to obtain personal licences. He would not defend this suggestion if there

were ongoing issues which concerned the Board, but suggested that the condition was unnecessary considering recent improvements.

The Convener reiterated that alcohol must not be sold on credit. He also highlighted the high bar set for licensing standards, and said that holding a licence was a privilege. He appreciated Mr Macdonald's undertaking with regards to ongoing improvements, and suggested that staff maintaining a relationship with the police and LSO would also be important. He agreed that requiring a personal licence holder always be present would be an onerous condition, and suggested that this could be added if further issues arose. He would support the application.

Councillor McGuire concurred with the Convener's comments. As a local resident, he had already seen improvements. He acknowledged that having young people gather outside the shop could cause challenge, but was content this would be dealt with through the proper channels. He would support the application.

Councillor Dugdale was content with the answers given about staff training, and agreed that having a personal licence holder always present would be onerous for the business. She would support the application.

The Convener moved to a roll call vote, and Board members unanimously voted to grant the application.

Decision

The East Lothian Licensing Board granted the major variation.

3. EXTENSION OF PROVISIONAL LICENCE Tracy McDonald, 57 Eskview Terrace, Musselburgh

The licensee's agent had made a request for an extension of the provisional licence, following challenges with obtaining a completion certificate for work done to the premises.

Mr Macdonald spoke to the request on behalf of Tracy McDonald. He referred to a previous request for an extension to the provisional licence, and said that Ms McDonald had been confident at that time that the correct certificates could be obtained. Mr Macdonald explained that issues were around obtaining a completion certificate.

Ms McDonald explained that Building Standards had asked for four pieces of documentation, and she advised that only information related to ventilation remained outstanding. She expressed frustration that her questions could take up to a month to answer. Building Standards had requested a report from her previous engineers, Keenan Consultancy, but the company no longer existed. Ms McDonald hoped her architect may be able to help, but if not, she would employ another engineer.

The LSO had no adverse comment to make, and had brought the occasional licence applications before the Board because the provisional licence was about to expire.

PS Miller advised that Police Scotland had no adverse comment to make.

The Convener commented that others had struggled to obtain timely responses from Building Standards, but was pleased to hear of the actions undertaken. He felt the extension request was understandable, and he was happy to support the extension

and the occasional licence applications. Councillor McGuire later echoed these comments.

The Convener proposed an extension to the provisional licence for a further six months, up to the May meeting of the Licensing Board. This was seconded by Councillor Dugdale.

The Convener then moved to a roll call vote, and Board members unanimously supported the six-month extension.

Decision

The East Lothian Licensing Board granted an extension to the provisional licence for a period of six months.

4. OCCASIONAL LICENCE

a. Tracy McDonald, 57 Eskview Terrace, Musselburgh (OCC749-OCC751/24)

Applications had been received for occasional licences, and came before the Board due to the provisional licence being about to expire; however, the decision at Item 3, had been to extend the provisional licence for a further six months.

Mr Macdonald asked the Board to agree to grant these occasional licences and for further applications for occasional licences to be dealt with under delegated authority.

The LSO and PS Miller both indicated that they had no adverse comment to make.

The Convener moved to a roll call vote, and Board members unanimously agreed to grant the occasional licence applications, and agreed that further applications could be dealt with under delegated authority.

Decision

The East Lothian Licensing Board granted the occasional licences.

b. Louise Proctor, Gilmerton House, Athelstaneford (OCC730 & OCC774/24)

An application for two occasional licences had been received from Louise Proctor on behalf of the Edinburgh Catering Company for two weddings to be hosted at Gilmerton House, Athelstaneford. The applications had come before the Board due to the high number of occasional licence applications coming from the same venue.

Douglas Smith spoke to the application on behalf of Ms Proctor. He advised that the application had been made for two weddings in 2025. He explained that there had been a delay in moving forward with a premises licence because completion certificates were still required. He understood that the application for a provisional licence was coming together, which he was happy to support, but this interim period saw occasional licence applications being called before the Board.

The LSO appreciated Mr Smith's position as part of the catering company. She advised that she had sent Colin Carter Campbell at Gilmerton House information on application processes, and had advised him to seek legal advice, but had not heard any update since this time.

PS Miller advised that Police Scotland had no adverse comment on the application.

The Convener said he had no questions for the Edinburgh Catering Company, but noted that Mr Carter Campbell had made promises about making a provisional licence application at a previous Board meeting. Mr Smith responded that he had pushed Mr Carter Campbell to make the application, but had also applied for the occasional licences well in advance to avoid issue.

The Convener was content to support the occasional licence applications. He said the Board was disappointed that no provisional licence application had been forthcoming, but this disappointment was not aimed at the caterers.

Councillor McGuire wanted to see progress on the provisional licence application before further occasional licence applications were made.

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

Decision

The East Lothian Licensing Board granted the occasional licences.

5. NON-PAYMENT OF ANNUAL FEES – PREMISES LICENCE REVIEW

a. The Stand, 72-74 High Street, Musselburgh

The LSO brought a premises licence review for The Stand, 72-74 High Street, Musselburgh, before the Board on the basis of non-payment of annual fees. Rakhsana Khan, licence holder, could not attend, but had provided a written mandate for her husband, Idris Khan, to speak on her behalf.

The LSO provided some of the licensing history of the premises, and highlighted the salient points from her submitted report. She highlighted that payment of annual fees was a mandatory condition of the premises licence, and advised that the Clerk of the Licensing Board had sent additional reminders to the address. The LSO had found the building unused when she had visited on 13 October to follow up on the non-payment of fees. She noted that a premises licence ceased to have effect if a premises had stopped being used for the sale of alcohol under Section 28(5)(b) of the Act, and advised that the premises closed in 2014. She advised that a planning application for the building had been submitted, but it currently sat as a bare shell. She advised that she had had no communication with Mrs Khan, and had only ever been able to speak to Mr Khan. The LSO also noted that annual fees were always due by 1 October, and had been paid late every year since 2014. She reiterated that it was clear that the premises had not been used for the sale of alcohol since 2014, and late payment of fees had required action from officers on a yearly basis.

PS Miller advised that Police Scotland had nothing to add to the LSO's comments.

Mr Khan apologised for the late payment of fees, and expressed that it would not happen again.

Councillor Cassini enquired as to why the family wished to maintain the premises licence when the building appeared not to be used for anything. She pointed out that The Stand was in a bad state of repair and an eyesore on the high street. Councillors McGuire and Bruce also asked about the Khans' plans for the premises. Mr Khan

responded that there had been plans for the building to become a museum, but this had changed. He advised that work had already begun, and the premises would be ready by next year. Mr Khan provided further information, but it was difficult for Board members to hear what was being said because Mr Khan was making representation over the phone.

The Convener called an adjournment to allow the Board to discuss the matter in private.

Upon the Board's return, the Convener expressed that Board members had struggled to hear Mr Khan's answers to their questions over the phone. The Convener therefore proposed to continue the premises licence reviews for both The Stand and Shish Mahal, since Mr Khan was also going to speak for the Shish Mahal premises licence review at Item 5b. The Convener asked that Mr and Mrs Khan both attend the January Board in person to ensure they received a full hearing. He also asked that Mr and Mrs Khan bring information about their plans for the future of the building at 72-74 High Street to this meeting. This proposal was seconded by Councillor Dugdale.

The Convener then moved to a roll call vote, and Board members unanimously voted in support of the proposal to continue Items 5a and 5b.

Decision

The East Lothian Licensing Board agreed to continue the premises licence review to the January Board, to allow the licence holder to appear at the meeting in person.

b. Shish Mahal, 63a High Street, Musselburgh

The LSO brought a premises licence review for Shish Mahal, 63a High Street, Musselburgh before the Board on the basis of non-payment of annual fees. Due to communication difficulties with Mr Kahn over the phone, Board members agreed to continue the hearing until the January Board meeting to allow Mr Khan to appear in person.

Decision

The East Lothian Licensing Board agreed to continue the premises licence review to the January Board to allow the licence holder to appear at the meeting in person.

6. CHIEF CONSTABLE'S REPORT TO THE EAST LOTHIAN LICENSING BOARD Period 1 April 2023 to 31 March 2024

Police Scotland had submitted the Chief Constable's Report to the East Lothian Licensing Board for the period 1 April 2023 to 31 March 2024.

PS Miller presented the report, and highlighted the salient points. He highlighted staffing changes, including a new licensing police constable (PC) coming into post in East Lothian. He highlighted various statistics and gave details of the numbers of premises which were licensed for on sales and off sales in East Lothian. He drew attention to the significant increase in recorded police incidents, including an increase in theft of alcohol. He discussed the procedural relationship with the LSO. He also highlighted various other crimes involving licensed premises and revocation of

licences. He highlighted the number of police incidents which had an alcohol marker tag, but advised the statistics would not show the full picture because it was not compulsory for officers to add alcohol markers. He highlighted a reduction in antisocial behaviour during the recording period when compared to the previous year. He also highlighted ongoing budget constraints and staffing reductions, but gave reassurance that Police Scotland remained committed to tackling antisocial behaviour and premises issues, and would continue to work with the LSO.

PS Miller responded to questions from Board members. He advised that retail workers were being encouraged to report all assaults, and suggested this might explain the increase in numbers. He would provide a breakdown to inform the Board of how many victims within the retail sector were women and girls. He also agreed to provide information on crimes of violence against the person broken down by geographical area.

The Convener asked PS Miller about recording of crime, specifically relating to the premises which had sold alcohol without a licence. PS Miller explained that it was the position of Police Scotland that criminal intent had to be shown before an incident would be recorded as a crime; police made a determination as to whether an incident merited being recorded as a crime. The Convener disagreed with this position and asserted that any crime committed should be recorded as such.

The Convener asked why reports submitted to licensing boards in other areas contained more detailed information than was provided to the East Lothian Licensing Board. PS Miller pointed out that different areas varied greatly in the numbers of officers available, and East Lothian faced capacity issues. He said the Board could request other information to be included in future iterations of the report. He pointed out that heat maps included in previous reports were more difficult to obtain because of changes to Police Scotland's systems.

Responding to further questions from the Convener, PS Miller advised that the new licensing PC would be able to undertake premises visits alongside the LSO. PS Miller would also find out whether any report had been made to the East Lothian Licensing Board to inform them of the two adults reported to the Procurator Fiscal for buying alcohol for children.

In his comments, the Convener raised concerns about how Police Scotland were addressing licensing matters in East Lothian, including: how crimes were being recorded; resource issues and the quality of the Chief Constable's Report to the Licensing Board; and the turnover of licensing PCs. The Convener would continue to argue for more police resources to be allocated to East Lothian, as a lack of resources undermined the work of the Board. The Convener noted that when he had first joined the East Lothian Licensing Board, an experienced licensing PC had been in place, who had known all the premises operators; however, he was pleased to hear that PC Gibson would be able to accompany the LSO on premises visits. He would write to the Justice Secretary and Chief Constable about the resource issues in East Lothian, as the Board considered licensing matters to be of too great importance to be treated as an afterthought.

Councillor Dugdale drew attention to Police Scotland's work with young people in schools, and thought it was important that officers continued to engage and help to protect young people from the harms of alcohol. She also noted with concern the increase in assaults on people working in retail.

Decision

The East Lothian Licensing Board agreed to note the report.

Signed

Councillor L Bruce
Convener of East Lothian Licensing Board

DRAFT

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EL408



EAST LoTHIAN
LICENSING
BOARD

East Lothian Council
Licensing
31 OCT 2024

Received

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

Greywalls Hotel, Duncur Road, Gullane, East Lothian EH31 2EG

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.

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

Greywalls LLP, Greywalls Hote, Gullane, East Lothian EH31 2EG

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

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

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

Dr Dominic Nelson Hoar,

Johanna Kate Herron Weaver,

* 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)

The premises are a country house situated on the outskirts of the village of

Gullane, and are adjacent to Muirfield Golf Course. The premises consist of 23 bedrooms, kitchen facilities, bar/lounge area, dining room, office space, reception rooms and staff accommodation.

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 Alex Buchan * (see note below)
Alexander Buchan solicitor on behalf of the applicant

Date 31 October 2024

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

Telephone number and email address of signatory _____

Contact: 0131 656 0083 jacqui.birrell@brodies.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 _____

Greywalls Hotel, Duncur Road, Gullane, East Lothian

_____ Post Code EH31 2EG

- 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	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	01:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	12 Midnight

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

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES NO

*If YES – provide details

The premises will operate the extended hours offered by the Licensing Board at Christmas and New Year and any other times the Licensing Board authorises.

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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5a.	Accommodation	YES	N/A	N/A
	Conference facilities	YES	YES	YES
	Restaurant facilities	YES	YES	YES
	Bar meals	YES	YES	YES

Social functions including:

5b.	Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
	Club or other group meetings etc.	YES	YES	YES

Entertainment, including:

5c.	Recorded music – see 5(g)	YES	YES	YES
	Live performances – see 5(g)	YES	YES	YES
	Dance facilities	YES	YES	YES
	Theatre	NO	NO	NO
	Films	YES	YES	YES
	Gaming	NO	NO	NO
	Indoor/outdoor sports	YES	YES	YES
	Televised sport	YES	YES	YES

5d.	Outdoor drinking facilities	YES	YES	YES
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5e.	Adult Entertainment	NO	NO	NO
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Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Each of the activities may be provided outwith core hours as reasonably required to meet customer demand:

- Accommodation - available 24 hours a day, 7 days a week.
- Conference facilities - may be provided prior to 11:00 Monday to Sunday.
- Bar & Restaurant facilities - may be provided prior to 11:00 Monday to Sunday.
- Receptions - may take place prior to 11:00 Monday to Sunday.
- Club or other group meetings - may take place prior to 11:00 Monday to Sunday.
- Recorded music - may be played prior to 11:00 Monday to Sunday.
- Live Performances - may take place prior to 11:00 Monday to Sunday.
- Dance facilities - may be provided prior to 11:00 Monday to Sunday.
- Films - are available in hotel rooms 24 hours a day, 7 days a week.
- Indoor/outdoor sports - may take place prior to 11:00 Monday to Sunday.
- Televised sports - may be shown outwith core hours.
- Outdoor drinking facilities - may be provided prior to 11:00 Monday to Sunday.

No alcohol will be sold to non-residents or their guests outwith core hours without the grant of an extended hours application or during seasonal variations. No activities will take place after core hours without the grant of an extended hours application for persons other than residents and their guests.

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

Activities associated with a premises of this type including but not limited to Charity events, corporate events, community events, BBQs, wedding ceremonies, cookery demonstrations, whisky tasting, gardening tours, gala evenings/dinners, markets/Christmas markets/fayres.

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 access to the premises only when they are accompanied by a responsible adult.

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

0 - 17 years inclusive

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

Children and Young Persons will be allowed access to 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 have access to all public parts of the premises and will not be allowed within 1.5 metres of the bar counter within the lounge bar area.

7. CAPACITY OF PREMISES

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

On sales - 500

Off Sales - 17.43 m2

8. PREMISES MANAGER

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

Full Name Ian Gray

Date of birth [REDACTED]

Contact address [REDACTED]

[REDACTED] Post Code [REDACTED]

Tel. No. [REDACTED] Email address [REDACTED]

Personal licence

Date of issue 22/02/2016

Name of Licensing Board issuing Scottish Borders

Reference no. of personal licence SB/LIQ/12316



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

Luxury country hotel offering accommodation, dining, private and corporate functions, conference facilities, weddings and receptions, live performances, dance facilities, outdoor drinking facilities, televised sports, indoor/outdoor sports.

ON CONSUMPTION

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

On sales are available to residents and customers of the hotel in the bar, dining room, outdoor seating areas and guest bedrooms.

OFF CONSUMPTION

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

Off sales are available to customers including specialist whisky from the whisky room at the hotel.

**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 is available 24 hours a day, 7 days a week.

Conference facilities are available prior to 11:00 Monday to Sunday in accordance with demand.

Restaurant facilities and bar meals are available to residents and non-residents of the hotel and will be available at all times in accordance with demand.

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:

Weddings, birthdays, retirements, will take place according to demand from customers at any time of the year.

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:

Recorded music, live performances, televised sport may be played/take place Monday to Sunday in accordance with customer demand.

Dance facilities may be provided, as above in accordance with customer demand during weddings, birthday/retirement etc.celebrations.

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:

Outdoor drinking facilities will be provided Monday to Sunday with staff supervising customers and the external areas at all times.

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:

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:

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:

Charity events, corporate events, community events, BBQs, wedding ceremonies, cookery demonstrations, whisky tasting, gardening tours, gala evenings/dinners, markets/Christmas markets/fayres will take place in accordance with customer demand.

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 are available on the premises; high chairs are available.

LICENSING OBJECTIVES

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

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

Preventing Crime and Disorder

- 1 Age Verification Policy in place whereby anyone appearing to be under the age of 25 years of age is required to produce appropriate valid I.D. if attempting to purchase alcohol.
- 2 Anyone appearing to be attempting to purchase alcohol on behalf of someone that is underage will be refused service.
- 3 Anyone appearing to be under the influence of alcohol will be refused service.
- 4 All employees receive full training in licensing matters.
- 5 Strict anti-drug policy will be enforced.
- 6 Toilets will be checked on a regular basis.
- 7 Employees will ensure that customers act appropriately on and in the vicinity of the premises.
- 8 Effective and responsible management of the premises at all times.

Securing Public Safety:

- 1 Effective and responsible management of the premises at all times.
- 2 The premises have in place procedures for evacuation in the event of emergency.
- 3 Fire and other safety equipment is on the premises and regularly checked
- 4 Fire doors are regularly checked and exit routes are kept free from obstruction.
- 5 All statutory requirements including provision of necessary signage are complied with.
- 6 There are accident/incident reporting and recording procedures in place.
- 7 There are appropriate fire extinguishers in the premises.
- 8 All employees are provided with appropriate training and supervision to assist in securing customer safety.

Preventing Public Nuisance:

- 1 Age Verification Policy in place whereby anyone appearing to be under the age of 25 years of age is required to produce appropriate valid I.D. if attempting to purchase alcohol.
- 2 Anyone appearing to be attempting to purchase alcohol on behalf of someone that is underage will be refused service.
- 3 Anyone appearing to be under the influence of alcohol will be refused service.
- 4 All employees receive full training in licensing matters.
- 5 Strict anti-drug policy will be enforced.
- 7 Employees will ensure that customers act appropriately on and in the vicinity of the premises.
- 8 Effective and responsible management of the premises at all times.
- 9 Regular inspection and cleaning of external seating areas.
- 3 Management arrangements for the disposal of trade waste and control of operating hours including deliveries.

Protecting and Improving Public Health:

- 1 Effective and responsible management of the premises at all times.
- 2 All members of staff are trained to be aware of the risks of excessive consumption of alcohol and when to refuse service.
- 3 A wide selection of non-alcoholic drinks are available.

Protecting Children and Young Persons From Harm:

- 1 Effective and responsible management of the premises at all times.
- 2 All children and young persons on the premises are closely monitored by staff.
- 3 Employees will ensure that customers act appropriately on and in the vicinity of the premises particularly with regard to children and young persons.
- 4 No adult entertainment is provided on the premises.
- 5 There is no gambling on the premises.
- 6 Children and Young Persons will not be permitted within 1.5 metres of the bar counter.

APPLICATION SUPPORTING COMMENTS

Additional Information

Supporting Comments

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

This historically significant, privately owned and highly reputable hotel and restaurant business operates on the edge of the village of Gullane, East Lothian. Greywalls enjoys an extensive and successful history of servicing local, national and international clients in the golf, leisure and corporate markets for the provision of high quality accommodations and food and beverage. The business financially contributes to the local community directly through the revenue generated into the local economy through its operation, as well as proudly supporting the employment of 30 employees. The business has and continues to be a central part of local community life over a seventy-year period and has been awarded many accolades for its standards and contribution to the tourism sector, thereby underpinning the national strategy behind tourism in Scotland.

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 *Alex Buchan*

Alexander Buchan solicitor on behalf of the applicant

Date 31 October 2024



East Lothian Council

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

SECTION 50 PLANNING CERTIFICATE

APPLICANT:	Greywalls LLP
NAME AND ADDRESS OF PREMISES:	Greywalls Hotel, Duncur Road, Gullane, EH31 2EG

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.

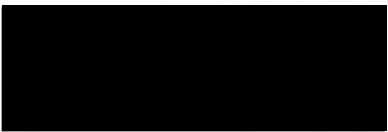
I confirm that planning permission is not required.

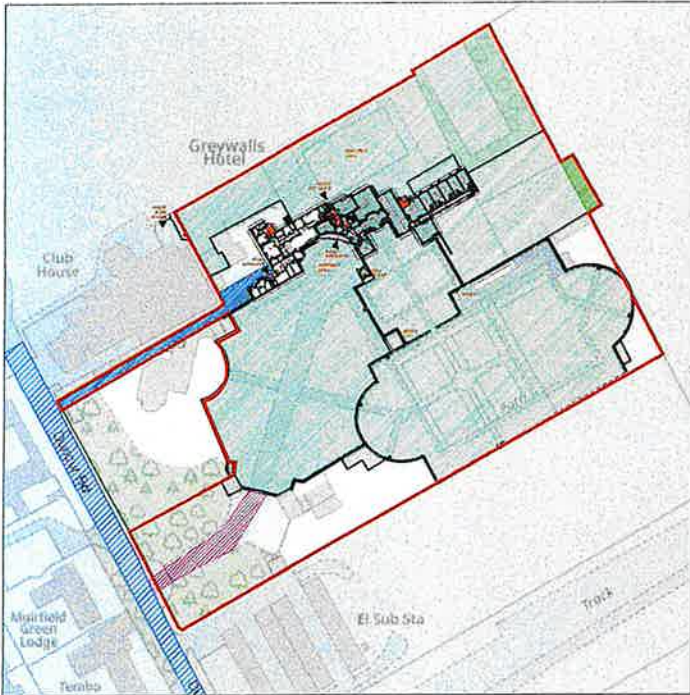
SECTION 50 PROVISIONAL PLANNING CERTIFICATE

I confirm that planning permission (ref: 15/00487/P) 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:	29 th October 2024
Keith Dingwall Service Manager, Planning			



Greywalls Hotel Keyplan
Scale 1:100

LEGEND

- Licensed Premises
- Land loaned owned long term lease
- Escape routes
- Areas to which Children & Young Persons have access
- Protected Zones/Fire Escapes
- Public Access to site
- Staff Access to site
- Shared Road Access from Duncur Road

Room Occupancy Public Areas:

Dining room A	36
Dining room B	60*
Resident's Bar	42
Lounge	38
Library	60*
Sitting Room	46
Whiskey Private Dining Room	24
Tea Room	8
Total	314
Bedrooms: Ground Floor	10
Bedrooms: First floor	24
Bedrooms : Gatehouses	10
Bedroom : Garden House	2
Total	46
Combined Total	360

*An occupancy limit of 60 persons is the limit for a space where an exit door opens inwards

- FE ⊕ Fire Extinguisher - Water
- FE ⊕ Fire Extinguisher - Mist
- FE ⊕ Fire Extinguisher - CO2
- ⊙ Smoke Detector
- ⊙ Heat detector
- 30 min. fire door with self closer without smoke seals
- 30 min. fire door with smoke seals and self closer
- 30 min. fire door with self closer without smoke seals with vision panels
- 30 min. fully glazed fire door with self closer without smoke seals
- ⊞ FD with Hold-Open Device
- ⬮ 60 min. fire door on self closer
- ⊙ Break Glass
- ⊙ Sounder
- ⚡ Fire Alarm Panel
- ⊕ Emergency Light
- EXIT Emergency Exit Sign
- EXIT Lit Emergency Exit Sign, 3 hour maintained.
- ☑ Luminaires :
3 hour non-maintained (Unlicensed areas)
3 hour maintained (Licensed areas)
- 60 Min. fire resistant, Pilkington Pyroshield

Kings Loo Garden House



- A - Accommodation
- C - Conference Facilities
- R - Restaurant Facilities
- Rec - Receptions inc Weddings, Funerals, Birthdays
- C - Club or Group meetings
- RM - Recorded Music
- LP - Live Performances
- F - Films
- I - Indoor/Outdoor Sports
- T - Televised Sports
- O - Outside Drinking

L2 Category A Fire Warning System to comply with BS 5839:Part 1:2002

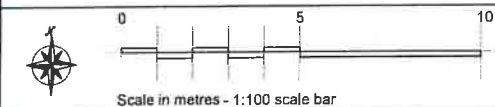
Emergency Lighting system to comply with BS 5266:Part 1: 2005 (Category Maintained 1)

Firefighting Equipment to comply with BS EN3, BS 7863: 1996, BS 5306-3:2003 and BS 5306-8:2000

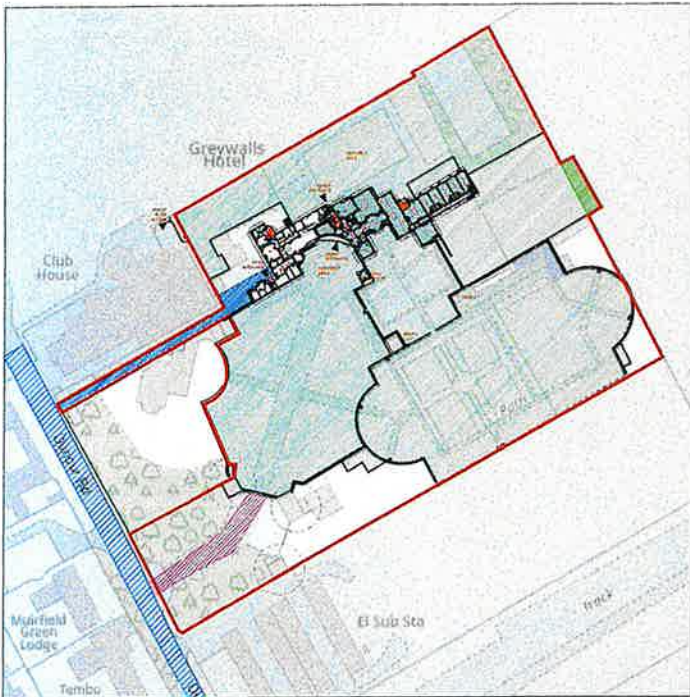
All Signs and Notices to comply with the Health and Safety(Safety Signs and Signals) Regulations 1996 and/or BS 5499:Part 1:2002

The Applicant must ensure that the upholstered furniture satisfies the Cigarette and Match ignitability test specified in British Standard 5852: 2006

Note : Any information provided on this layout plan that is not required by the Licensing (Scotland) Act 2005 or regulations made thereunder is provided purely for the purpose of assistance. Such information specifically does not form part of any Premises Licence



Name Greywalls Hotel		Is the applicant following any special licensing arrangements?		Yes	No
Lic Type L10 Day					
Lic No King's Loo Garden House - An Existing					
Premises Licensing					
Area 1.100 sq m	Height 10.24	Use C1A01 B001	Height 06	Area A	
		48 High Street Haddington East Lothian EH41 3EP t 0146327460 e architecture@fbrseed.com w fbrseed.co.uk			



Greywalls Hotel Reception Scale 1:1000 @ A2

LEGEND :

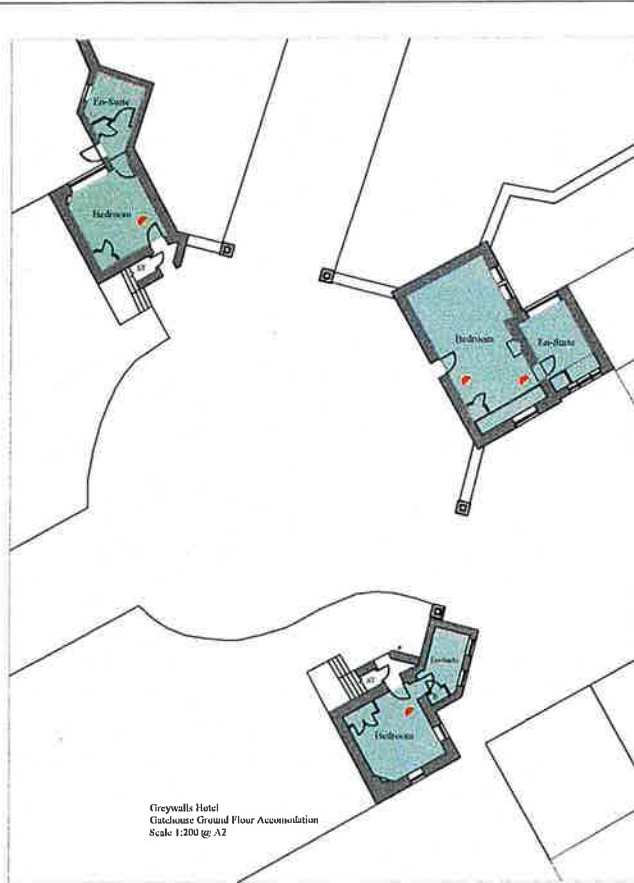
- Licensed Premises
- Land loaned owned long term lease
- Areas to which Children & Young Persons have access
- Protected Zones/Fire Escapes
- Public Access to site
- Staff Access to site
- Shared Road Access from Duncur Road

Room Occupancy Public Areas:

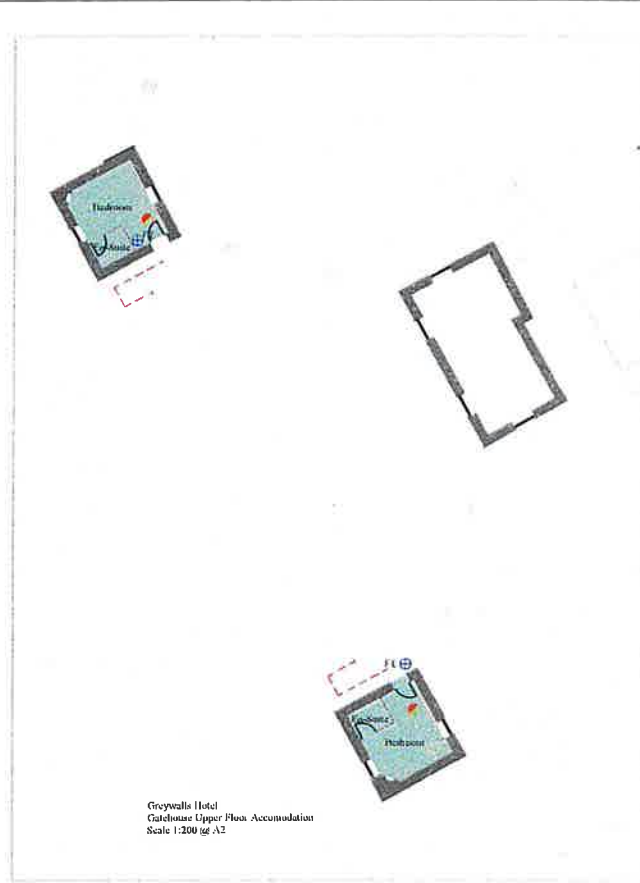
Dining room A	36
Dining room B	60*
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Lounge	38
Library	60*
Sitting Room	46
Whiskey Private Dining Room	24
Tea Room	8
Total	314
Bedrooms: Ground Floor	10
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Bedrooms: Gatehouses	10
Bedroom: Garden House	2
Total	46
Combined Total	360

*An occupancy limit of 60 persons is the limit for a space where an exit door opens inwards

- Fire Extinguisher - Water
- Fire Extinguisher - Mist
- Fire Extinguisher - CO2
- Smoke Detector
- Heat detector
- 30 min. fire door with self closer without smoke seals
- 30 min. fire door with smoke seals and self closer
- 30 min. fire door with self closer without smoke seals with vision panels
- 30 min. fully glazed fire door with self closer without smoke seals
- FD with Hold-Open Device
- 60 min. fire door on self closer
- Break Glass
- Sounder
- Fire Alarm Panel
- Emergency Light
- Emergency Exit Sign
- Lit Emergency Exit Sign 3 hour maintained
- Luminaires:
 - 3 hour non-maintained (Unlicensed areas)
 - 3 hour maintained (Licensed areas)
- 60 Min. fire resistant, Pilkington Pyroshield



Greywalls Hotel Gatehouse Ground Floor Accommodation Scale 1:200 @ A2



Greywalls Hotel Gatehouse Upper Floor Accommodation Scale 1:200 @ A2

- A - Accommodation
- C - Conference Facilities
- R - Restaurant Facilities
- Rec - Receptions inc Weddings, Funerals, Birthdays
- C - Club or Group meetings
- RM - Recorded Music
- LP - Live Performances
- F - Films
- I - Indoor/Outdoor Sports
- T - Televised Sports
- O - Outside Drinking

L2 Category A Fire Warning System to comply with BS 5839:Part 1:2002
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The Applicant must ensure that the upholstered furniture satisfies the Cigarette and Match ignitability test specified in British Standard 5852: 2006

Note : Any information provided on this layout plan that is not required by the Licensing (Scotland) Act 2005 or regulations made thereunder is provided purely for the purpose of assistance. Such information specifically does not form part of any Premises Licence

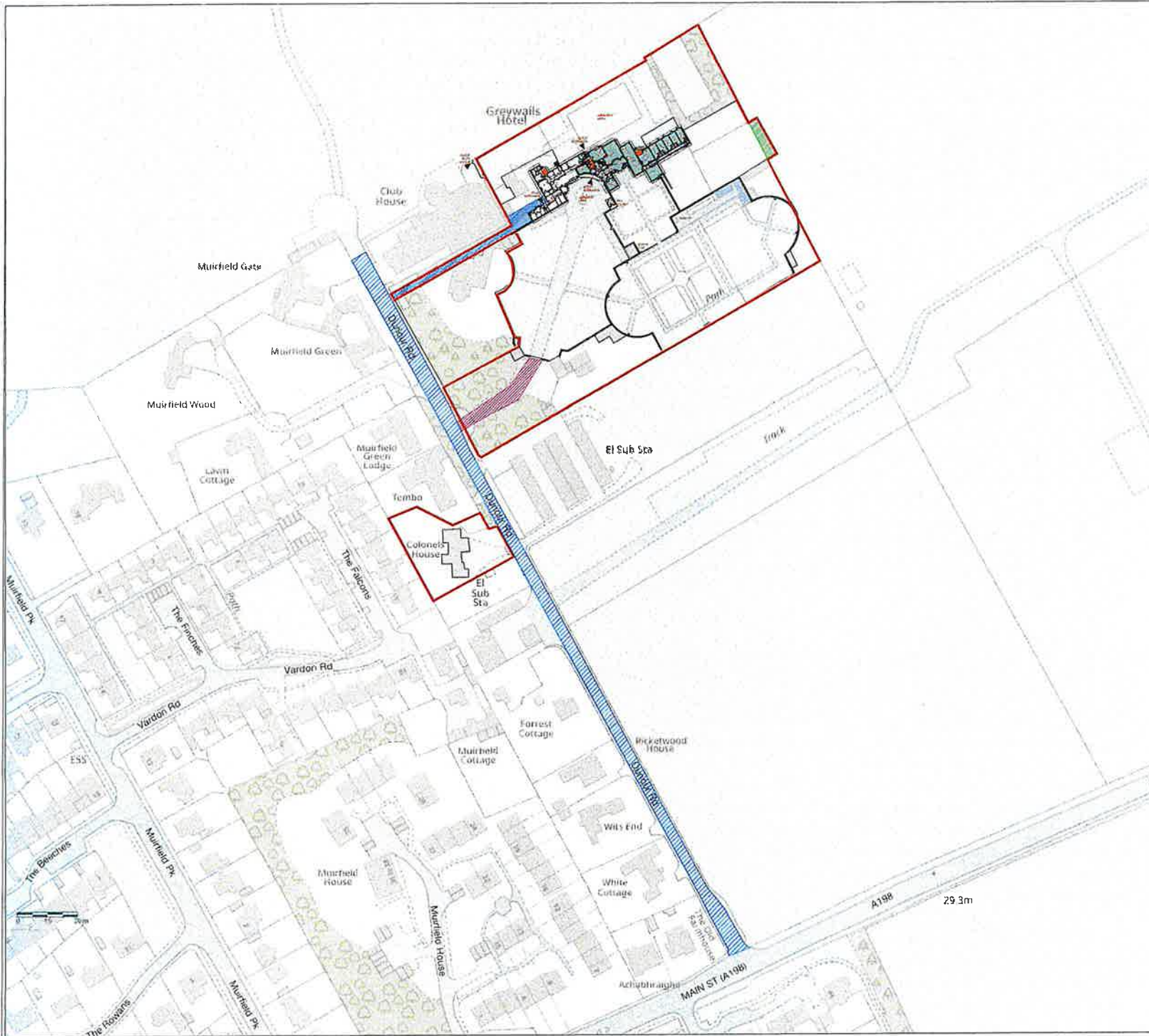







Scale in metres - 1:200 scale bar

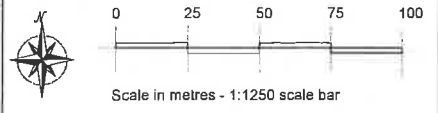
Name: Greywalls Hotel		A		B		C		D		E	
Site Title:											
Site Classification - As Existing:											
Date:											
Licensing:											
Scale: 1:200 @ A2											
Rev: 0024		Project Name:		Date:		Rev:		Rev:		Rev:	
Drawn By: DW		G:RAM01 H001		04		A					

fbrseed

43 High Street | Haddington | East Lothian | EH41 3EF
 t: 013464680 e: info@fbrseed.co.uk w: www.fbrseed.co.uk



- KEY**
-  Licensed Premises
 -  Shared Access from Duncraig Road
 -  Public Access to site
 -  Staff Access to site
 -  Land loaned on long term lease



Project: Greyswails Hotel		Date: 10/24	
Task: Location Plan		Rev: 00	
Client: fbrseed		Scale: 1:1250 @ A3	
Rev: 10/24	Drawn: GRA001 B001	Check: 00	Scale: 1:1250 @ A3
Address: 28 High Street Haddington East Lothian EH41 3JF		© 2024 fbrseed	

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 21st November 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

GREYWALLS HOTEL, DUNCUR ROAD, GULLANE, EAST LoTHIAN EH31 2EG

I refer to the above subject and can confirm that the applicant's agent has liaised with the LSO in relation to this application. I visited the premises, and the site notice was correctly displayed. I spoke with Ian Gray, General Manager, who I found to be experienced and knowledgeable in relation to the hospitality trade and the Licensing (Scotland) Act 2005.

A premises licence was previously held at this premises, however, it ceased to take effect in September 2024 after it was established the premises licence holder was deceased. Full details of the circumstances surrounding this were presented to the Licensing Board in September 2024. The premises licence holder died in 2020, however, the sale of alcohol continued whilst under the control of the applicant Greywalls LLP and management company Inverlochy Castle Management International for over 4 years. Sales of alcohol at this time were unlicensed and an offence under Section 1 of the Licensing (Scotland) Act 2005. This information was passed to police for their action. As such I guide the board to consider if Greywalls LLP are fit and proper to hold a premises licence given occurrence of the above.

The premises has been operating on occasional licences from 27th September. During an inspection the premises was found to be compliant.

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

There is one other premises within an 800m radius:

- The Honourable Company of Edinburgh Golfers, Muirfield Golf Course – On and off sales

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

06/11/2024

Your Ref: GREYWALLS

Our Ref: 874421

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



**POLICE
SCOTLAND**

Keeping people safe

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

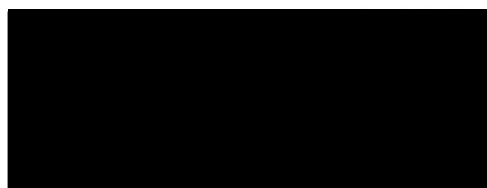
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
GREYWALLS HOTEL, DUNCUR ROAD, GULLANE, EAST LOTHIAN, EH31
2EG.
PREMISES LICENCE HOLDER – GREYWALLS LLP - SO303194,
GREYWALLS HOTEL, GULLANE, EAST LOTHIAN, EH31 2EG**

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



Gregg Banks
Divisional Commander

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

Licensing

From: Robertson, Scott
Sent: 08 November 2024 10:19
To: Licensing
Subject: RE: (GRE3142.2) Greywalls Hotel, Gullane - Provisional Premises Licence application [BRO-D.FID6843151]

Hello,

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

Regards
Scott

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

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

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Wednesday, November 6, 2024 10:39 AM
To: Lothian and 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>; kat.burke@nhs.scot; gaccsecretary@gmail.com
Subject: FW: (GRE3142.2) Greywalls Hotel, Gullane - Provisional Premises Licence application [BRO-D.FID6843151]

Hi

Please find attached Provisional licence for Greywalls, Duncur Road, Gullane for report/representation by 28th November, 2024

Kind regards

Gillian

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

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

410



East Lothian Council
Licensing

12 NOV 2024

Received

APPLICATION FOR PREMISES LICENCE / PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

2b

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

COMPANY BAKERY CAFE

6 Station Road, Musselburgh, East Lothian EH21 7PE

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.

NA

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

NA

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

COMPANY BAKERY LIMITED

SC768646

6 Station Road, Musselburgh, East Lothian, EH21 7PE

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

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

Duncan Findlater

Amy Findlater

Benedict Reade,

Hollie Reid

* 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 NA

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
NONE				

(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)

Bakery and café in the converted Eskmills Campus. Wholesale bakers and café

and event space.

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)

Date 11 November 2024

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

Telephone number and email address of signatory 

Niall Hassard, Solcitor, Hassard Licensing Ltd, 6a Randolph Crescent, Edinburgh, EH3 7TH
niall@hassardlicensing.co.uk

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.



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

Reigning Supreme Champion at the Scottish Bread Championship, the bakery houses the new Company Bakery Cafe.

The café is open 7 days a week from 8.30am-4pm normally and in the evening for special events and private bookings.

The core offer is fresh pastries, sandwiches, cakes, coffee and special evening menus.

There are gifts/souvenirs, limited bakery homeware as well as Sourdough bread to take home with you.

ON CONSUMPTION

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

Alcohol ancillary to food and for events.

OFF CONSUMPTION

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

Alcohol ancillary for food and as part of gifting sets.

**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;

Food is the main focus of the business. With the working bakery element there may be educational tours and industry events/ demonstrations.

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 premises will cater for private functions and events. These will be ancillary to the bakery and café offer and mainly in the evenings at weekends.

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:

Music will be low impact and ancillary.

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:

A small al fresco dining area for the consumption of food and drinks as shown on the layout plan.

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:

NA

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:

As a working bakery and café the premises will open early for production and for the café operation.

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:

All additional elements are ancillary to the bakery and café.

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.

Children of all ages will be permitted.
Baby change is available for under 5s.

LICENSING OBJECTIVES

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

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

Preventing Crime and Disorder

See separate statement attached.

Securing Public Safety:

See separate statement attached.

Preventing Public Nuisance:

See separate statement attached.

Protecting and Improving Public Health:

See separate statement attached.

Protecting Children and Young Persons From Harm:

See separate statement attached.

APPLICATION SUPPORTING COMMENTS

Additional Information

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

The premises is dog friendly, fully accessible and makes provision for gluten free and vegan options.

SIGNATURE AND DECLARATION BY APPLICANT

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

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

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

Signature 

Date 11 November 2024

OPERATING PLAN – COMPANY BAKERY

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

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?	N
1(b) Will alcohol be sold for consumption solely OFF the premises?	N
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	Y
*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	1100	2300
Tuesday	1100	2300
Wednesday	1100	2300
Thursday	1100	2300
Friday	1100	0000
Saturday	1100	0000
Sunday	11.00	2300

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>	1100	2200
<i>Tuesday</i>	1100	2200
<i>Wednesday</i>	1100	2200
<i>Thursday</i>	1100	2200
<i>Friday</i>	1100	2200
<i>Saturday</i>	1100	2200
<i>Sunday</i>	1100	2200

Question 4

SEASONAL VARIATIONS

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

**If YES – provide details*

The premises may take advantage of Board extensions in line with policy.
--

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

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

The premises may open for breakfast, teas/coffees from 08.00 and column 4 activities may commence as ancillary to same.

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 is a working bakery and café. There will be outside catering, takeaways and deliveries. The off-sale of alcohol will only be with food or part of a gifting set.

There may be product launches, demonstrations and sampling/tasting.

Question 5

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

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

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

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a))	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	Y
	*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 shall be accompanied by an adult but young persons may attend unaccompanied.
Both are permitted for a meal, snack or refreshment or to attend a private function.

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

0-17

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

Children until 22.00 unless attending a function when they may remain until the end but never later than midnight.
Young person until midnight.

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

All public parts

Question 7

CAPACITY OF PREMISES

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

60 persons
2 m2

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.

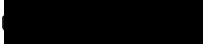
The contents of this operating plan are true to the best of my knowledge and belief.

Signature * (see note below)

Date 11 November 2024

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory niall@hassardlicensing.co.uk

T: 

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

SECTION 50 PLANNING CERTIFICATE

APPLICANT:	COMPANY BAKERY LIMITED
NAME AND ADDRESS OF PREMISES:	6 Station Road, Musselburgh, EH21 7PE

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: 23/00741/P 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:	8 th November 2024
Keith Dingwall Service Manager, Planning			

b

Statement of how the Licensing Objectives will be upheld by Company Bakery

Premises: Company Bakery Café - Eskmills

General

1. The premises are a working bakery and cafe and this is the primary function thus licensed retail and any alcohol consumed on the premises is wholly ancillary to the café and the manufacturing process. There will be high level of staff supervision when the public are on site.

Preventing Crime and Disorder:

1. A suitable and sufficient CCTV system with recording facilities will be in place on site.
2. Relevant staff will be trained with regard to their responsibilities in the retail sale of alcohol and initial training will be supplemented by refresher training. Training records can be made available for inspection upon request.
3. A Challenge 25 policy will be operated at the premises and staff will be trained on the acceptable forms of identification.
4. The licence holder shall display prominent signage confirming the company's Challenge 25 policy.
5. Alcohol will be located at the counter in direct supervision of the staff.

Securing Public Safety:

1. Full risk assessments are in place at the premises and reviewed on an on-going basis.
2. The premises shall be adequately staffed so that the public are supervised whilst on site.
3. Accidents and incidents will be recorded in an incident book which can be inspected upon request.

Preventing Public Nuisance:

1. The premises are situated in an converted business estate. There are limited residences nearby as the area is mainly commercial.
2. There are adequate arrangements in place to deal with litter and trade waste to ensure the surrounding area is kept clean.

Protecting and Improving Public Health:

1. A refusal log will be operated and maintained and can be produced upon request.
2. On-consumption will be ancillary to food served and notwithstanding this fact staff will be trained to spot the signs of overconsumption and act accordingly.

Protecting Children from Harm:

1. The premises is an environment consummate with family access and staff will be trained with regard to their responsibilities in sale of alcohol and preventing access to alcohol by U18s.
2. Training records can be made available for inspection upon request.
3. A refusal log will be operated and can produced upon request.
4. A Challenge 25 policy will be operated at the premises.
5. The licence holder shall display prominent signage confirming the company's Challenge 25 policy.

E. LOTHIAN LICENSING BOARD

DISABLED ACCESS AND FACILITIES STATEMENT

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

Premises Name: COMPANY BAKERY, ESKMILLS

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 a clear and detailed description of how accessible the premises are for disabled people eg. ramps, accessible floors, signage.

Accessible on one level.

There is an accessible toilet.

Signage will confirm assistance animals welcome.

Large print menus / staff on hand to assist those with sight issues.

The main premises is an open plan space with occasional furniture which can be adjusted to accommodate guests with additional mobility needs.

Question 3

Facilities available

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

Accessible on one level.
There is an accessible toilet.
Signage will confirm assistance animals welcome.
Large print menus / staff on hand to assist those with sight issues.
The main premises is an open plan space with occasional furniture which can be adjusted to accommodate guests with additional mobility needs.

Question 4

Other provisions

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

Accessible on one level.
There is an accessible toilet.
Signage will confirm assistance animals welcome.
Large print menus / staff on hand to assist those with sight issues.
The main premises is an open plan space with occasional furniture which can be adjusted to accommodate guests with additional mobility needs.

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: 

Print Name: Niall Hassard

Capacity: APPLICANT/AGENT (delete as appropriate)

Date: 11 November 2024

Telephone number and email address of signatory:

Telephone No:	
E-mail Address:	niall@hassardlicensing.co.uk

Postal Address of Agent (if appropriate)
6A Randolph Crescent, Edinburgh, EH3 7TH

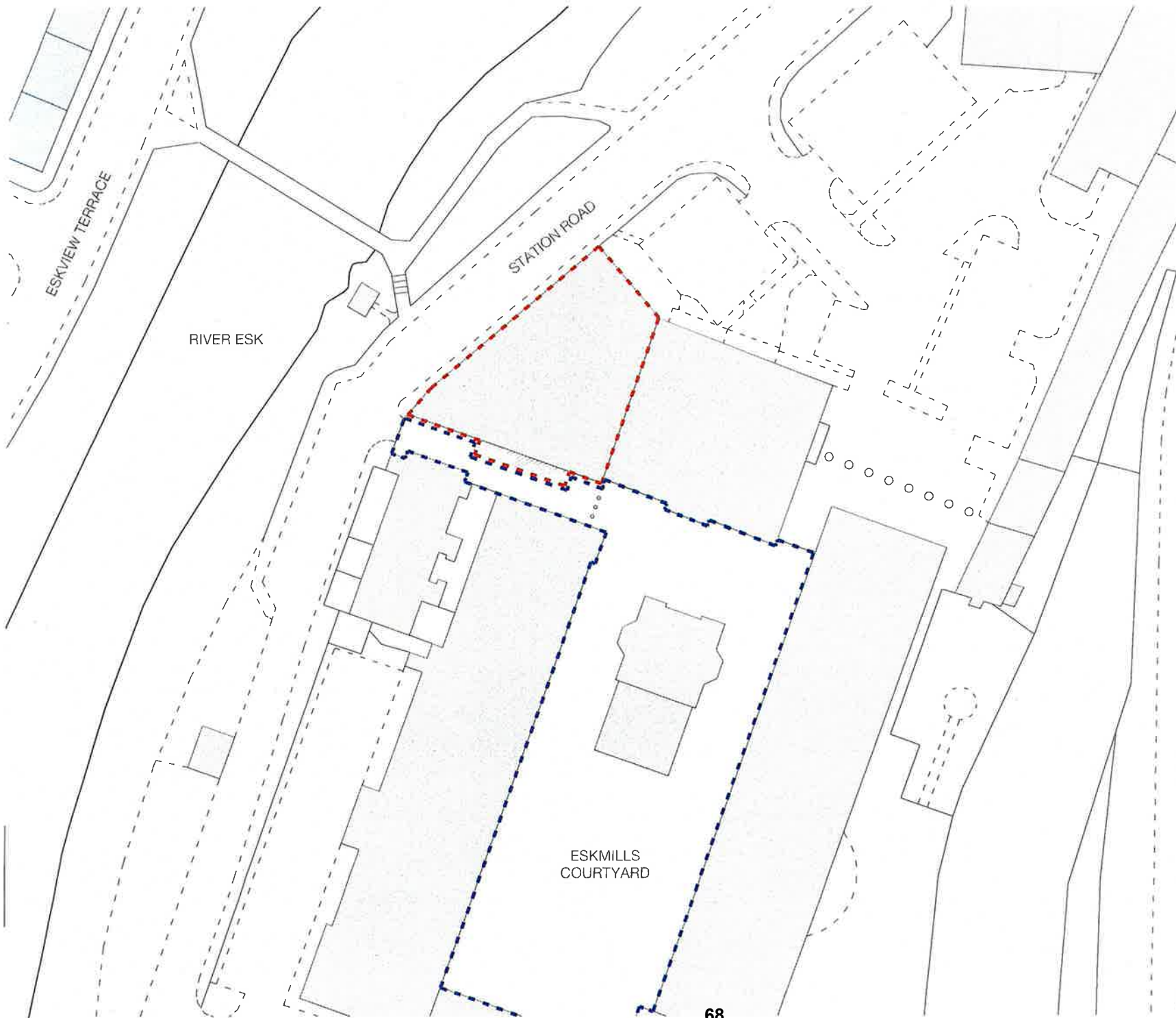
Data Protection Act 1998

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

GUIDANCE NOTES:

Guidance for Completing a Disabled Access and Facilities Statement may be viewed [here](#).

JOHNSTON HARRIS ARCHITECTS
37 SHAIRL EDINBURGH EH6 6JW U.K. 0131 5511151



LEGEND

- existing
- (external) loose seating
- licensed area
- privately owned communal courtyard area

NOTES

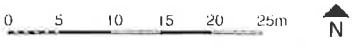
Basic Data:
 Assembly building - occupancy 54
 Factory - occupancy 58

Fire installations:
 Emergency lighting to be installed at every protected lobby, protected corridor, protected zone (including escape stairs) and any other associated escape route - to install 3hr maintained lighting as BS 5266: Pt 1 2005, read in association with BS 5266: Pt 7: 1999 (BS EN 1838: 1999)

Install Grade A, L3 Category M fire detection and alarm system throughout.
 Smoke and heat detectors to be mains powered, with independent circuit at main distribution board and integral standby supply in accordance with BS 5839: Part 1: 2002

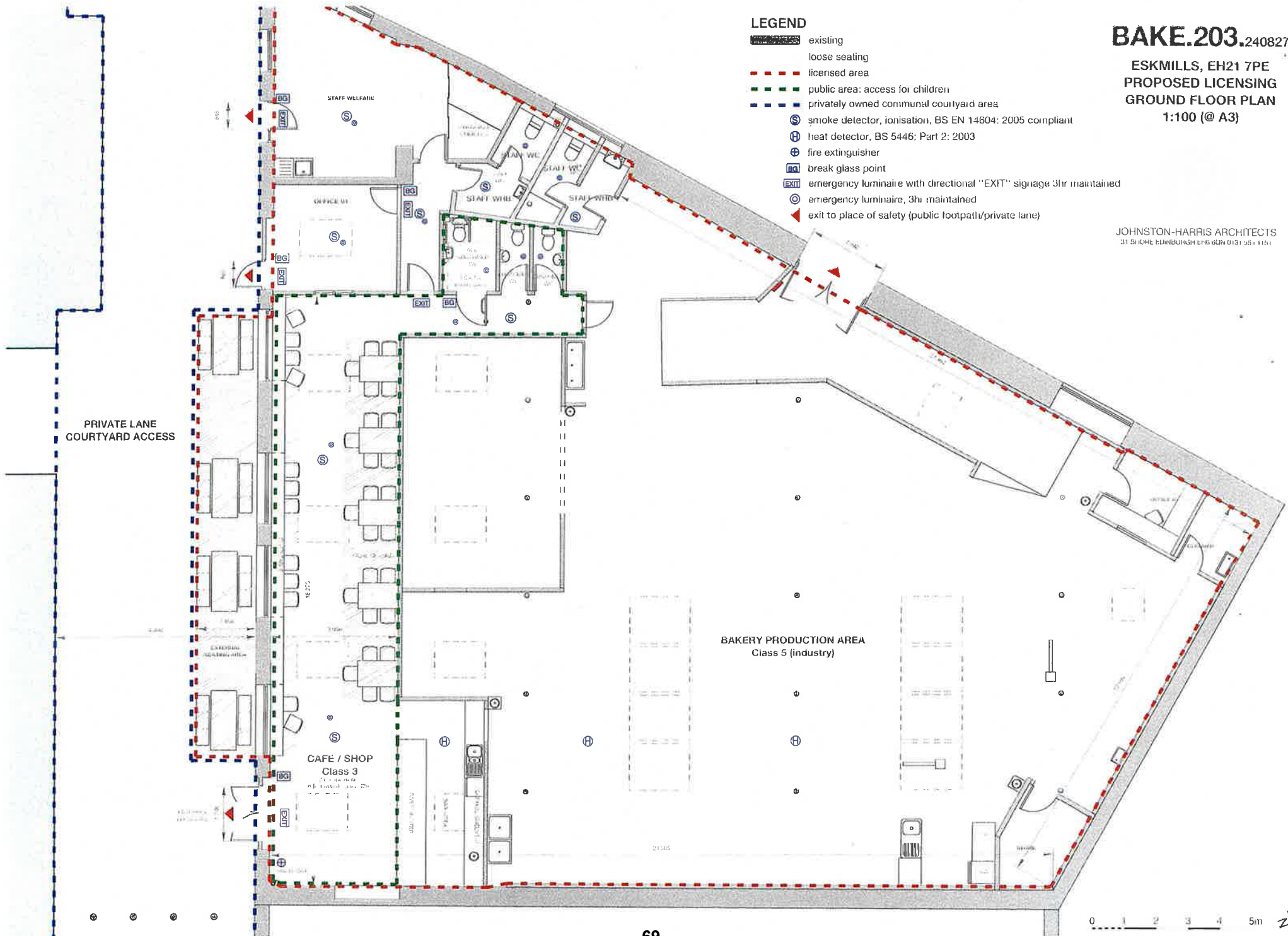
Health and safety:
Signs and Notices to comply with the Health and Safety (Safety Signs and Signals) BS ISO 3864 1-2011 and BS 5499: Part 4: 2013 on graphical symbols, fire safety signs and escape route signing

A certificate of Compliance to the aforementioned British Standards should be issued by a competent person and forwarded to the Fire Authority prior to, or on the date of final inspection of the premises.



LEGEND

- existing
- loose sealing
- licensed area
- public area: access for children
- privately owned communal courtyard area
- smoke detector, ionisation, BS EN 14604: 2005 compliant
- heat detector, BS 5446: Part 2: 2003
- fire extinguisher
- break glass point
- emergency luminaire with directional "EXIT" signage 3hr maintained
- emergency luminaire, 3hr maintained
- exit to place of safety (public footpath/private lane)



EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 2nd December 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

**COMPANY BAKERY CAFE, 6 STATION ROAD, MUSSELBURGH, EAST LoTHIAN EH21
7PE**

I refer to the above subject and can confirm that I have visited the premises, and the site notice was 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.

On my visit the premises was constructed and has recently opened operating as a bakery and café. The premises started selling alcohol using occasional licences from 6th November 2024. I have had no complaints in relation to the premises since this time.

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

As requested by the Board, within an 800m radius there are 35 other premises (excluding Clubs) as follows:

On and Off sales – 18

On sales – 5

Off sales – 12

The closest premises being:

Event Space – on sales

Eskmills Bowling Club - on sales

Crollas Italian - on and off sales

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

21/11/2024

Your Ref: COMPANY
BAKERY LIMITED

Our Ref: 878819

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



**POLICE
SCOTLAND**

Keeping people safe

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

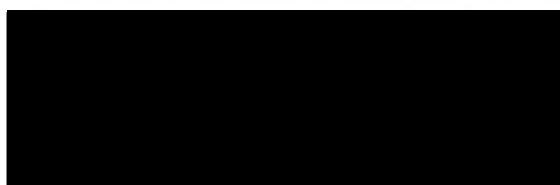
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
COMPANY BAKERY CAFÉ, 6, STATION ROAD, MUSSELBURGH, EAST
LOTHIAN, EH21 7PE.
PREMISES LICENCE HOLDER – COMPANY BAKERY LIMITED – SC768646,
6, STATION ROAD, MUSSELBURGH, EAST LOTHIAN, EH21 7PE.**

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



Gregg Banks
Divisional Commander

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

Herkes, Gillian

From: Muir, Marion
Sent: 22 November 2024 16:27
To: Anshus, Oyunn
Cc: Herkes, Gillian; Licensing
Subject: FW: 24/00100/COM Provisional Premises Licence Application - Company Bakery
Attachments: Company Bakery Objectives Statement.docx; DAFS Company Bakery_cpchecked.pdf; Prov PremisesApplication Company Bakery_cpchecked.pdf; Supplementary Info Company Bakery_cpchecked.pdf; Operating plan Company Bakery Final_cpchecked.pdf; Company Bakery s50 Planning_cpchecked.pdf; BAKE 202 240827.pdf; BAKE 203 240827.pdf

Oyunn

I would agree that there are no objections in relation to this Provisional Licence application and they will no doubt contact us in due course when they look at getting a full licence.
Have copied Licensing/Gillian into this to let them know our position.

I will attach this to Uniform.

Have a good weekend

Marion

From: Anshus, Oyunn <oanshus@eastlothian.gov.uk>
Sent: Friday, November 22, 2024 11:03 AM
To: Muir, Marion <mmuir@eastlothian.gov.uk>
Subject: 24/00100/COM Provisional Premises Licence Application - Company Bakery

Good morning Marion,
FI – provisional alcohol license to serve alcohol in café with food and at events. I am guessing we will get a Section 50 application in due course.
I am thinking no objections as to the provisional unless you have any concerns?
Ta, Oyunn

From: Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>
Sent: Wednesday, November 20, 2024 3:54 PM
To: Anshus, Oyunn <oanshus@eastlothian.gov.uk>
Subject: FW: Provisional Premises Licence Application - Company Bakery

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Wednesday, November 20, 2024 3:46 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 <ehs@eastlothian.gov.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; stewart_m1@sky.com
Subject: FW: Provisional Premises Licence Application - Company Bakery

Licensing

From: Robertson, Scott
Sent: 22 November 2024 10:49
To: Licensing
Subject: RE: Provisional Premises Licence Application - Company Bakery

Hello,

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

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | East Lothian Council | John Muir House | Haddington EH41 3HA
T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Wednesday, November 20, 2024 3:46 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>; [REDACTED]
Subject: FW: Provisional Premises Licence Application - Company Bakery

Good Afternoon

Please find attached Provisional Licence application for the Company Bakery, 6 Station Road, Musselburgh, EH21 7PE for report/representation by 11th December, 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



East Lothian Council
Licensing

22 NOV 2024

Received

CAN 84082

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

3a

1. TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary - (Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0205

2(b) Name and Address of Premises La Dolce Vita, 14 High Street

Haddington, East Lothian

Post Code EH41 3ES Tel. No. 01620 822 615

Email

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

Stefano Marongiu

[REDACTED]

Post Code [REDACTED]

Tel. No. [REDACTED] Email address

3. NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought -

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

Conditions 3, 4 and 5 are deleted.

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

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

To increase on sale hours to 11am to 11pm, Sunday to Thursday and midnight on Friday and Saturday.
To add off sales from 11am to 10pm each day.
To add Receptions and Live Music as Activities.
To add Deliveries and Takeaways as additional Activities.
To provide that the premises may open from 8am for the sale of breakfasts, snacks, tea/ coffee etc, but no alcohol will be sold or supplied before the commencement of licensed hours.
To provide that the premises will sell merchandise, such as coffee cups, pastas, candles etc.
To provide that Young Persons may be on the premises without an adult for the purpose of having a soft drink or a meal. Children will require to be accompanied by an adult.

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

A copy of the proposed Layout Plan must accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.

To substitute a new Layout Plan reflecting certain changes to the layout and the addition of fixed seating.

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence (e.g. Alteration to the description of the premises contained within the Premises Licence)

To amend the description of the premises to - 'Cafe/ Restaurant occupying the ground floor of traditional terraced building within various retail outlets adjacent. It is situated in the main market square of Haddington'.

The premises are now known as 'La Dolce Vita'

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that

(a) the contents of this Application are true to the best of my knowledge and belief; and

(b) (i) the appropriate fee of £ 200.00 is enclosed

(ii) the proposed Operating Plan is enclosed

(iii) the proposed Layout Plan is enclosed

(iv) the Premises 

Signature _____ (See note 5 overleaf)

Date 22/11/11

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

If agent, please provide details

Full name Macdonald Licensing

Address 21a Rutland Square, Edinburgh

Post Code EH1 2BB

Tel. No. 0131 229 6181 Email address alistair@macdonaldlicensing.com

Note 1

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

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

La Dolce Vita 14 High Street Haddington EH41 3ES

Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11am	11pm
<i>Tuesday</i>	11am	11pm
<i>Wednesday</i>	11am	11pm
<i>Thursday</i>	11am	11pm
<i>Friday</i>	11am	Midnight
<i>Saturday</i>	11am	Midnight
<i>Sunday</i>	11am	11pm

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11am	10pm
Tuesday	11am	10pm
Wednesday	11am	10pm
Thursday	11am	10pm
Friday	11am	10pm
Saturday	11am	10pm
Sunday	11am	10pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO
---	----

*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
Accommodation	No	N/A	N/A
Conference facilities	No	No	No
Restaurant facilities	Yes	Yes	Yes
Bar meals	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
Receptions including Weddings, funerals, birthdays, retirements etc.	Yes	Yes	Yes
Club or other group meetings etc.	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
Recorded music – see 5(g)	Yes	Yes	No
Live performances – see 5(g)	Yes	Yes	Yes
Dance facilities	No	No	No
Theatre	No	No	No
Films	No	No	No
Gaming	No	No	No
Indoor/outdoor sports	No	No	No
Televised sport	No	No	No

<i>5(d)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Outdoor drinking</i> <i>facilities</i>	No	No	No
<i>5(e)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>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 8am for the sale of breakfasts, snacks, tea/ coffees etc but no alcohol will be sold or supplied 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.

The premises may sell merchandise such as coffee cups, pastas, candles etc.

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>	N/A
--	-----

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

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
	<i>*Delete as appropriate</i>	

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

Children and young persons are welcome onto the premises. Children will require to be accompanied by an adult. No restriction on young persons.

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

No restriction (0-17 years).

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

Children and Young People will have access at all times during the operation of the premises

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 have access to all public parts of the premises.

Question 7

CAPACITY OF PREMISES

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

On sales - 60

Question 8

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

Personal details

8(a) *Name*

Stefano Marongiu

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address*

[REDACTED]

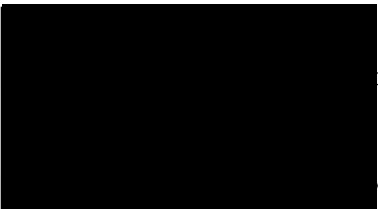
8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
1 November 2024	East Lothian Licensing Board	EL2299

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

Signature  * (see note below)

Date 22/01/09

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

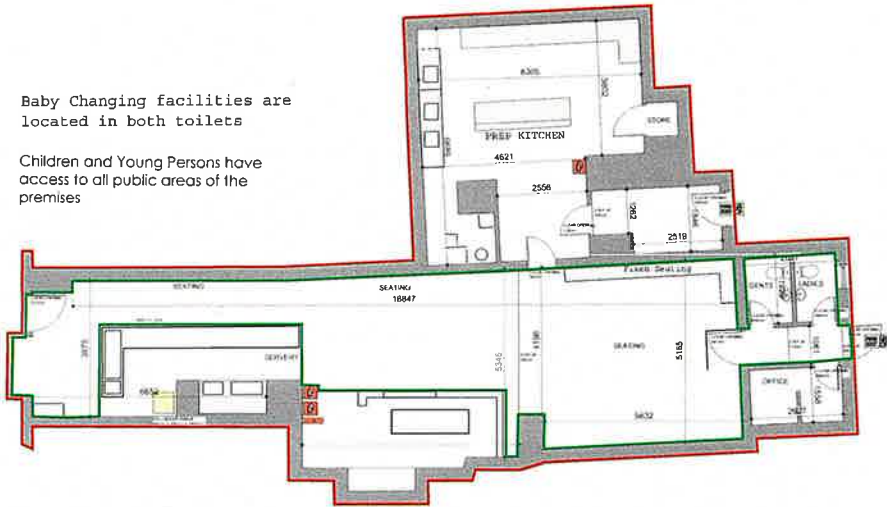
0131 2296181, alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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

Baby Changing facilities are located in both toilets

Children and Young Persons have access to all public areas of the premises



GROUND FLOOR PLAN
scale 1:100



BLOCK PLAN
scale 1:500

DRAWINGS ARE FOR THE PURPOSE OF LIQUOR LICENSE APPLICATION ONLY. DRAWINGS SHOULD NOT BE USED FOR FITOUT PURPOSES AND ANY NON-COMPLIANCE WITH PLANNING AND BUILDING REGULATIONS IS WHOLLY THE RESPONSIBILITY OF THE LICENCE APPLICANT AND IS NOT THE RESPONSIBILITY OF PLANS AND DRAWINGS.COM LTD

HATCHED AREA INDICATES WHERE ALCOHOL IS DISPLAYED AND STORED
PLEASE NOTE SIZING OF ALL SHELVING/ SEATING OUTWITH STORAGE AND DISPLAY OF ALCOHOL IS INDICATIVE ONLY PLEASE DO NOT SCALE FROM DRAWINGS

Red line: Licensed Area
Green line: Access for Children and Young Persons

- FIRE EXTINGUISHER
- FIRE EXIT
- FIRE BLANKET
- SMOKE ALARM
- ALARM SOUNDER
- EMERGENCY LIGHT
- EMERGENCY BREAK GLASS

The liability is the liability of PlansandDrawings.com. Liability is limited by the fact that the drawing is issued on the condition that it is not to be used for fitout purposes and any non-compliance with planning and building regulations is wholly the responsibility of the licence applicant and is not the responsibility of PlansandDrawings.com.

All dimensions between related components and the dimensions should be provided to the surveyor prior to any work being undertaken.

PURPOSE OF ISSUE
The Licensing (Scotland) Act

No.	Date	Revision	By

Do not write from drawings.
All amendments to be indicated on this page by indicating the work and any dimensions affected by PlansandDrawings.com.

This drawing is issued for the purpose of applying for a License. Approval of drawings is not to be regarded as a guarantee of construction. All drawings are to be checked for any errors prior to the drawing being used for construction purposes.

Project
**14 High Street
Haddington
EH41 3ES**

Date
Licensing Act Drawings - November 2024

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 19th December 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0205, LA DOLCE VITA, 14 HIGH STREET, HADDINGTON, EAST LoTHIAN EH41 3ES

I can confirm that the application has been discussed with the premises licence holder and their agent. The premises have been visited in relation to this variation application. The site notice was correctly displayed. I is noted that application for an outside area has been removed from this application.

The changes applied for are:

- A request to delete conditions 3,4 and 5
- To increase the on sales hours to 11am – 11pm Sunday – Thursday and 11am – Midnight Friday and Saturday
- Add off sales 11am-10pm
- Add receptions and live music as activities within and outwith core hours
- Add deliveries and takeaways as activities
- Allowing premises to open from 8am for the sale of breakfasts, snacks, tea/coffee (no alcohol to be supplied until licensed hours)
- Allow the sale of merchandise
- Change young person access to allow 16-17 year olds to be on the premises without an adult to have a meal of soft drink. Children will require to be accompanied by an adult
- Substitute a new layout plan that includes small structural changes within
- To amend the description of the premises

The current licensed hours of the premises are show below:

Licensed hours

Current ON SALES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:00	19:00
<i>Tuesday</i>	11:00	19:00
<i>Wednesday</i>	11:00	19:00
<i>Thursday</i>	11:00	19:00
<i>Friday</i>	11:00	19:00
<i>Saturday</i>	11:00	19:00
<i>Sunday</i>	12:30	19:00

The new hours applied for are, as shown below:

Proposed ON SALES

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

I have received no complaints about the premises. The premises licence holder has been guided to make this variation following the transfer of the premises licence to enable activities not listed on the operating plan to be conducted and alter the licensed hours.

In relation to deliveries, I recommend the following condition:

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

Licensing Standards Officer

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 02 December 2024 10:32
To: Licensing
Subject: MAJOR VARIATION APP - LA DOLCE VITA, 14, HIGH STREET, HADDINGTON, EH41 3ES - STEFANO MARONGIU
Attachments: LIC38 PREMISES VARIATION - NO ADVERSE COMMENT LA DOLCE VITA.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.

Hi all,
No Police objection
Our ref - 879930

Regards
Iain

Licensing

From: Anshus, Oyunn
Sent: 06 December 2024 15:34
To: Licensing
Cc: Environmental Protection; Environment Reception
Subject: 24/00952/LICVAR - New food business registration - La Dolce Vita, 14 High Street, Haddington - Major Variation
Attachments: 14 High St, Haddington- Variation-Major.pdf; 14 High St, Haddington-Operating Plan-Major Variation.pdf; Layout Plan - Amended_cpchecked.pdf; IMG_0492.JPG

Good afternoon,
Marion Muir and I carried out a visit to the premises due to lack of clarity in relation to location of outdoor seating.

To clarify - the area they wish to use for dining outside the restaurant is the slanted area of the pavement outside their premises – see photo. It would need to be levelled to provide a flat surface on which to dine. This is likely to require planning consent and would need to be risk assessed for health and safety.

I have recommended that they may wish to amend their application to exclude outdoor eating at this stage. I would have no objections to their extending opening hours for food service and takeaway.

Kind regards,

Oyunn Anshus
Senior Environmental Health Officer - Business Compliance
East Lothian Council, John Muir House Brewery Park, Haddington, East Lothian, EH41 3HA
M 07855 187997 | E oanshus@eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Tuesday, November 26, 2024 11:40 AM
To: Lothian and 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>; kat.burke@nhs.scot; all@haddingtoncc.org.uk
Subject: FW: La Dolce Vita, 14 High Street, Haddington - Major Variation

Good Morning

Please find attached Major Variation for La Dolce Vita, 14 High Street, Haddington for report/representation by 19th December, 2024.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington

Licensing

From: Robertson, Scott
Sent: 28 November 2024 10:58
To: Licensing
Subject: RE: La Dolce Vita, 14 High Street, Haddington - Major Variation

Hello,

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

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | 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: Tuesday, November 26, 2024 11:40 AM
To: Lothian and 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>; kat.burke@nhs.scot; all@haddingtoncc.org.uk
Subject: FW: La Dolce Vita, 14 High Street, Haddington - Major Variation

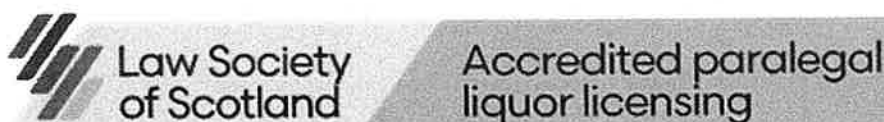
Good Morning

Please find attached Major Variation for La Dolce Vita, 14 High Street, Haddington for report/representation by 19th December, 2024.

Kind regards

Gillian

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



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

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

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

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

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

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

NHS Lothian is submitting the following objection with regards to the premises applications at:
**La Dolce Vita,
14 High Street
Haddington
EH413ES**

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

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

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

Protecting and improving public health

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

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

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

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

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

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

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

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

Protecting children and young persons from harm

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

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

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

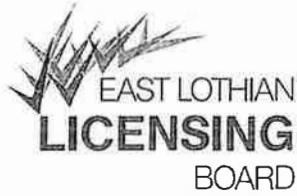
⁴ <https://exilens.stir.ac.uk/>

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

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

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

54 624



East Lothian Council
Licensing
31 OCT 2024
Received

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

3b

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

1. TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary - (Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL334

2(b) Name and Address of Premises 10-12 Court Street

Haddington, East Lothian

Post Code EH41 3JA Tel. No. _____

Email _____

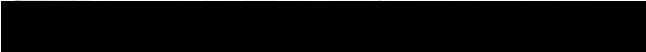
2(c) Full Name and Address of Current Licence Holder

Meucci Ltd

2 Lanark Road, Edinburgh

_____ Post Code EH14 1TQ

Tel. No. Franco Cucchi Email address _____



3. NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought -

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

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

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

To add Outside Drinking as an Activity and to provide that this will be operated in conjunction with the necessary permissions.

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

A copy of the proposed Layout Plan must accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.

To substitute an amended Layout Plan showing the outside area as part of the licensed area.

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence (e.g. Alteration to the description of the premises contained within the Premises Licence)

4. LICENCE TO BE AMENDED (See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because -

- The licence has not yet been issued by the Board
- The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- Other (provide details)

5. FEE PAYABLE

Information on fees can be found at

https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol_licences/2

If submitted with an application for transfer, please specify the order in which the applications are to be considered-

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that

(a) the contents of this Application are true to the best of my knowledge and belief; and

(b) (i) the appropriate fee of £ 200.00 is enclosed



(ii) the proposed Operating Plan is enclosed



(iii) the proposed



(iv) the Premises



Signature _____ (See note 5 overleaf)

Date 31/10/20

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

If agent, please provide details

Full name Macdonald Licensing

Address 21a Rutland Square, Edinburgh

Post Code EH1 2BB

Tel. No. 0131 229 6181 Email address alistair@macdonaldlicensing.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.)

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

10-12 Court Street Haddington East Lothian EH41 3JA
--

Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11:30am	10:00pm
<i>Tuesday</i>	11:30am	10:00pm
<i>Wednesday</i>	11:30am	10:00pm
<i>Thursday</i>	11:30am	10:00pm
<i>Friday</i>	11:30am	10:00pm
<i>Saturday</i>	11:30am	10:00pm
<i>Sunday</i>	11:30am	10:00pm

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11:30am	10:00pm
Tuesday	11:30am	10:00pm
Wednesday	11:30am	10:00pm
Thursday	11:30am	10:00pm
Friday	11:30am	10:00pm
Saturday	11:30am	10:00pm
Sunday	11:30am	10:00pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

**If YES – provide details*

Would like to take advantage of any general extensions granted by the Board, and may apply for extensions for certain events and occasions.

Question 5

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

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

<i>5(d)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Outdoor drinking</i> <i>facilities</i>	YES	YES	YES
<i>5(e)</i> <i>Activity</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>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 6am for the provision of snacks. breakfasts etc. but no alcohol will be sold or supplied outwith Licensed Hours

Activities answered 'yes' in column 4 may take place during Seasonal Variations, during the period referred to the above. with the benefit of an extension of permitted 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.

Takeaways (within Licensed Hours)

Outside Catering

Tastings and Tutorials

The outside area will operate in conjunction with the necessary Permit and be restricted to the time limits contained in this

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>	N/A
--	-----

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

<i>*Delete as appropriate</i>	
-------------------------------	--

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
	<i>*Delete as appropriate</i>	

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

Children and Young Persons are welcomed onto the premises.
Children will be required to be accompanied by an Adult.

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

No Restrictions (0 – 17 years)

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

No Restrictions

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 have access to all public areas.

Question 7

CAPACITY OF PREMISES

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

38

Question 8

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

Personal details

8(a) Name

Gulfiye Aslan

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address and telephone number

[REDACTED]

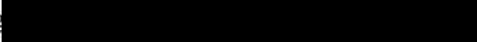
8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
01 October 2024	East Lothian Licensing Board	EL2287

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The  the best of my knowledge and belief.

Signed  (see note below)

Date 21/07/20.....

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh. EH1 2BB

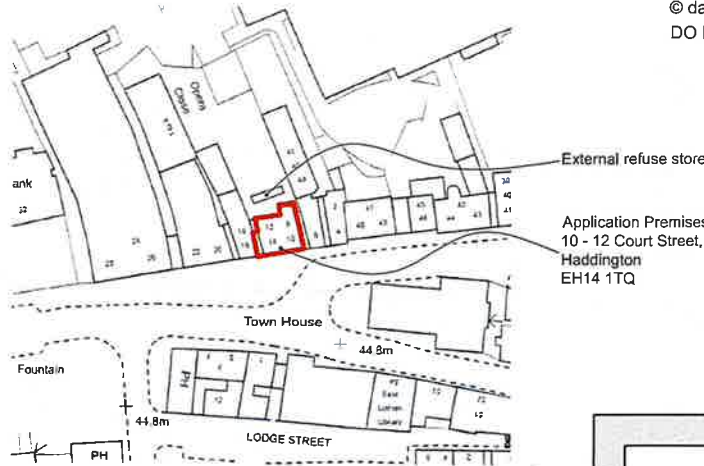
0131 229 6181, alistair@macdonaldlicensing.com

*** 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.

KEY

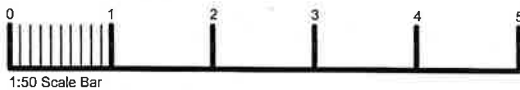
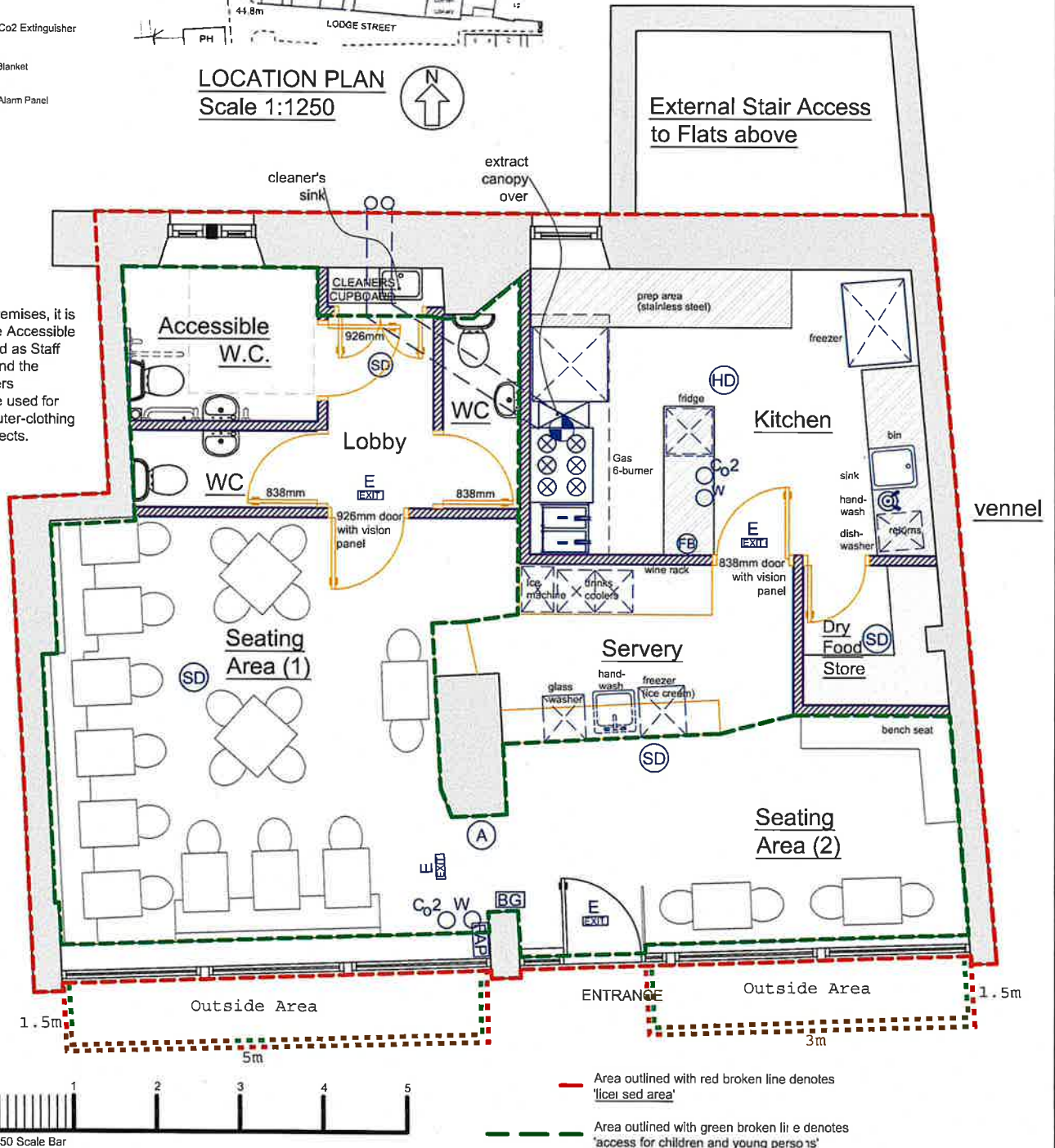
- (HD)** Mains operated (protected supply), ceiling mounted, Heat detector
- (SD)** Mains operated (protected supply), ceiling mounted, Smoke detector
- EXIT E** Directional Illuminated Emergency Exit sign
- BG** Break glass point
- (A)** Audible fire alarm
- W** 9 litre water Extinguisher
- Co2** 4kg Co2 Extinguisher
- (FB)** Fire Blanket
- FAP** Fire Alarm Panel



LOCATION PLAN
Scale 1:1250

PROPOSED FLOOR LAYOUT
Scale 1:50

Note
Due to size of premises, it is intended that the Accessible W.C. will be used as Staff changing area and the Lockable Cleaners Cupboard will be used for the storage of outer-clothing and personal effects.



— Area outlined with red broken line denotes 'licenced area'
- - - Area outlined with green broken line denotes 'access for children and young persons'

CLIENT Franco Cucchi	DATE	February 2022
	DRAWN	MH
DRAWING TITLE Floor Layout & Location Plan	SCALE	As noted @ A3
	Drinks Licence for Bistro at: 10-12 Court Street Haddington, EH41 3JA	

david paton building consultancy
Chartered Architectural Technologists
Established in 1981
13 High Street, Loanhead,
Midlothian, EH20 9RH.
Telephone No. 0131 440 1213
website: www.davidpatonbc.co.uk
e-mail: davidpatonbc@btconnect.com

JOB NO.	15/60
DRAWING NO.	DL01
REVISION	

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 25th November 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL334, OZY'S KITCHEN, 10-12 COURT STREET, HADDINGTON, EAST LoTHIAN EH41 3JA

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

The changes applied for are:

- To add outdoor drinking as an activity within and outwith core hours
- To amend the layout plan to include the outdoor drinking area within the licensed footprint.

It is unclear what the capacity of the outside area is and how many people will be seated outside. On enquiry with the agent the current capacity of 38 for the premises is to remain the same with customers sitting outside instead of inside. The board may wish to clarify this.

The tables and chairs permit allows for 5 sets of tables and chairs in front of the café within the areas detailed on the layout plan.

The premises has been operated by the current tenant since July 2024 and there have been no complaints. I have conducted an inspection at the premises. There were some minor issues with signage which have been rectified.

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

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

A terminal hour of 8pm has been suggested due to the residential nature of the location, however board policy states an hour of 10pm should the board consider this more fitting. I have no adverse comment to make in relation to the changes.

Licensing Standards Officer

06/11/2024

Your Ref: OZYS KITCHEN

Our Ref: 874185

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



**POLICE
SCOTLAND**

Keeping people safe

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
OZYS KITCHEN, 10-12, COURT STREET, HADDINGTON, EH41 3JA.
PREMISES LICENCE HOLDER – MEUCCI LIMITED, 2, LANARK ROAD,
EDINBURGH, EH14 1TQ**

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 the following: -

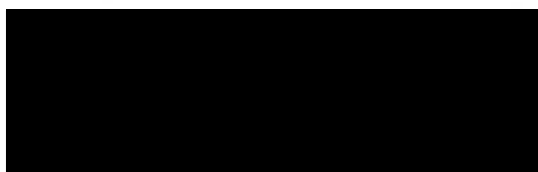
To add outside drinking as an activity to the operating plan and to provide that this will be operated in conjunction with necessary permissions.

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

The applicant should ensure that they adhere to East Lothian Licensing Policy sections 32.1 to 32.11 regarding conditions associated to outdoor areas.

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

Yours faithfully



Licensing

From: Anshus, Oynn
Sent: 07 November 2024 11:30
To: Licensing
Subject: 24/00900/LICVAR Major Variation: 10-12 Court Street, Haddington
Attachments: 10-12 Court St-Major Variation Application.pdf; 10-12 Court St-Operating Plan-Variation-Major.pdf; Layout Plan amended_cpchecked.pdf

Good morning,
No objections as no matter of evident concern from a food and health and safety perspective for this major variation.

Note there may be other concerns related to nuisance noise that my EP colleagues may wish to comment on.

Kind regards,

Oynn Anshus
Senior Environmental Health Officer - Business Compliance
East Lothian Council, John Muir House Brewery Park, Haddington, East Lothian, EH41 3HA
M 07855 187997 | E oanshus@eastlothian.gov.uk

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: Tuesday, November 5, 2024 1:03 PM
To: Anshus, Oynn <oanshus@eastlothian.gov.uk>; Environmental Protection <envprot@eastlothian.gov.uk>
Subject: FW: Major Variation: 10-12 Court Street, Haddington

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Tuesday, November 5, 2024 11:49 AM
To: Lothian and 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>; torquil.cramer@firescotland.gov.uk; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>; all@haddingtoncc.org.uk
Subject: FW: Major Variation: 10-12 Court Street, Haddington

Hi

Please find attached Major Variation for Ozy's Kitchen – 10 -12 Court Street, Haddington to add on Outside licensed area for report/representation by 28th November, 2024.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council

Licensing

From: Robertson, Scott
Sent: 19 November 2024 13:40
To: Licensing
Subject: RE: Major Variation: 10-12 Court Street, Haddington

Hello,

Please note I have no objections to this application.

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | 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: Tuesday, November 5, 2024 11:49 AM
To: Lothian and 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>; torquil.cramer@firescotland.gov.uk; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>; all@haddingtoncc.org.uk
Subject: FW: Major Variation: 10-12 Court Street, Haddington

Hi

Please find attached Major Variation for Ozy's Kitchen – 10 -12 Court Street, Haddington to add on Outside licensed area for report/representation by 28th November, 2024.

Kind regards

Gillian

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



Licensing

From: Gemma Twells-Davison [REDACTED]
Sent: 20 November 2024 20:57
To: Licensing
Cc: Chris Twells-Davison
Subject: Objection to Variation Major-Ozy's Kitchen 10-12 Court Street, Haddington to include outside drinking

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.

F.A.O Carlo Grilli, Clerk of the Licensing Board

Gemma and Christopher Twells-Davison
[REDACTED]

20th November 2024

Licensing Team
East Lothian Council

Dear Sir/Madam,

Re: Objection to Variation Major-Ozy's Kitchen 10-12 Court Street, Haddington to include outside drinking.

We are writing to formally object to the application for a variation major to include outside drinking submitted by Ozy's Kitchen, located at 10-12 Court Street which is situated directly [REDACTED] our flat at [REDACTED]. We have serious concerns regarding the potential negative impact this variation may have on our family, the local environment and the well-being of residents in the area.

Our objections are as follows:

Public nuisance

The proposed outdoor drinking area will likely increase noise levels. Whilst Ozy's are currently operating day time hours only, we understand that they have a license for up to 10pm. We are very concerned about increased noise during the evening and late-night hours, which may disrupt the peace and quiet of the residential flats nearby. Given the proximity of the seating area to our home, we are concerned about the potential for excessive noise from patrons, particularly during weekends or in warmer weather when outdoor seating is likely to be used for extended periods. We feel there is an increased risk of noise and disturbance if Ozy's patrons are consuming alcohol. Our son's bedroom window is situated [REDACTED] the proposed outdoor drinking area. He is six years old and his bedtime is 7.30pm. He currently has a very peaceful and uninterrupted sleep routine and we would be very concerned if this were to change due to the impact of this on his health, wellbeing and education.

We are also very concerned about the impact of this proposed change upon our privacy. The door to our property is [REDACTED] to the proposed outdoor drinking area. Whilst we live in a central Haddington property, we have until now experienced a very private home life. With the proposed changes, we would be next to crowds of people every time we enter and leave our property. There is also the potential of our property access being blocked. We ask you to consider article 8 of the Human Rights Act 1998 which protects the right to respect for private and family life, home, and correspondence. A reduction in privacy would significantly diminish our family's quality of life.

Protecting children from harm

As previously mentioned, we are very concerned about the impact of the proposed changes on our son. His bedroom is [REDACTED] the proposed drinking area. His bedtime routine is very consistent and he sleeps well. We value his sleep as integral to his good health and wellbeing and his very positive experience of education so far. We are also concerned about the impact upon him of passive smoking and observing excessive drinking and we feel that all of these things are a risk if Ozy's operate outdoor drinking in the evenings. We ask you to consider that the best interests of the child should be the primary consideration when making decisions that affect them. This is stated in the UNCRC, which is now protected by Scottish law. The benefits to Ozy's as a business should not be allowed to over-ride the right of our son to be protected from harm. We also bring your attention to the fact that there are families with children in our neighbouring properties who would also be affected.

Litter and Cleanliness

Outdoor seating areas often attract litter, and without proper management and enforcement, this could negatively affect the cleanliness of the surrounding area, including residential properties. This could lead to additional maintenance costs and inconvenience for residents who may have to deal with discarded items such as food packaging, cigarette butts, or other waste.

Public Safety and Pedestrian Access

The placement of outdoor seating will interfere with pedestrian movement. The plans suggest that the proposed area will completely block the pavement. This could pose a safety hazard for pedestrians, including children, the elderly, or people with mobility issues.

In light of these concerns, we respectfully urge the Licensing Team to carefully consider the impact of this proposal on us and the wider residential community.

Thank you for your consideration of our objections.

Please could we ask you to acknowledge receipt of this correspondence.

Yours sincerely,

Gemma and Christopher Twells-Davison

Sent from [Outlook for Android](#)

Licensing

From: Janine claire <[REDACTED]>
Sent: 11 November 2024 09:23
To: Licensing
Subject: Objection

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.

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

Dear Clerk of Licencing board,

I am writing to make a strong objection to the proposal made by Ozzy's restaurant for outdoor drinking.

I own the property [REDACTED] Ozzy's and have already had significant disruption to my daughters and I lives with intrusive noise, smell and passive smoking.

My daughter is due to sit her higher exams this year and given her bedroom faces out to the street will experience further noise and smoking pollution while she is studying and resting in her room. The properties surrounding Ozzy's are mostly families with young children. The addition of alcohol and related socially disinhibited behaviours is an unacceptable addition to what is already a significant disruption to our lives.

I implore you to please deny this request for the sake and my daughter and other young children who live in this area .

Kind regards

Janine Ferguson
[REDACTED]

Sent from [Outlook for iOS](#)



Lothian Council
Licensing
22 NOV 2024
Received

APPLICATION FOR VARIATION CAN 84056 OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

3c

1. TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary - (Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL094

2(b) Name and Address of Premises Lifestyle Express, 32-34 Bridge
Street, Tranent, East Lothian

Post Code EH33 1AL Tel. No. _____

Email _____

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

Zaghum

_____ Post Code _____

Tel. No. _____ Email address _____

3. NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought -

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

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

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

To increase the capacity to 21.15 square metres

To add Recorded Music as an Activity, which will be background music

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

A copy of the proposed Layout Plan must accompany this application. (See Note 2)
In addition please provide details below of the proposed change to the layout of the Premises.

To substitute an amended Layout Plan to reflect the increase in capacity and changes to the counter.

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence (e.g. Alteration to the description of the premises contained within the Premises Licence)

4. LICENCE TO BE AMENDED (See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because –

- The licence has not yet been issued by the Board
- The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- Other (provide details)

5. FEE PAYABLE

Information on fees can be found at

https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol_licences/2

If submitted with an application for transfer, please specify the order in which the applications are to be considered–

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

I confirm that

(a) the contents of this Application are true to the best of my knowledge and belief; and

(b) (i) the appropriate fee of £ 200.00 is enclosed

(ii) the proposed Operating Plan is enclosed

(iii) the proposed Layout Plan is enclosed

(iv) the Premises 

Signature _____

(See note 5 overleaf)

Date 22/04

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

If agent, please provide details

Full name Macdonald Licensing

Address 21a Rutland Square, Edinburgh

Post Code EH1 2BB

Tel. No. 0131 229 6181

Email address alistair@macdonaldlicensing.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.)

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Lifestyle Express 32-34 Bridge Street Tranent East Lothian EH33 1AL

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>	10.00am	22.00pm
<i>Tuesday</i>	10.00am	22.00pm
<i>Wednesday</i>	10.00am	22.00pm
<i>Thursday</i>	10.00am	22.00pm
<i>Friday</i>	10.00am	22.00pm
<i>Saturday</i>	10.00am	22.00pm
<i>Sunday</i>	12.30pm	22.00pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
--	-----------

**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
Accommodation	No	N/A	N/A
Conference facilities	No	No	No
Restaurant facilities	No	No	No
Bar meals	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
Receptions including Weddings, funerals, birthdays, retirements etc.	No	No	No
Club or other group meetings etc.	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
Recorded music – see 5(g)	Yes	Yes	Yes
Live performances – see 5(g)	No	No	No
Dance facilities	No	No	No
Theatre	No	No	No
Films	No	No	No
Gaming	No	No	No
Indoor/outdoor sports	No	No	No
Televised sport	No	No	No

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

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

Back ground music may be played in the shop from opening time

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.

Sale of food, newspapers, and general supplies – 7am to 10pm Monday to Saturday and 9am to 10pm on Sunday.

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*
--	----------------

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

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?

Off Sale capacity 21.15 square metres

Question 8

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

Personal details

8(a) *Name*

Zaghum

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) *Email address and telephone number*

[REDACTED]

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
04 September 2024	East Lothian Licensing Board	EL2275

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The content  to the best of my knowledge and belief.

Signature * (see note below)

Date 22/06/20

Capacity APPLICANT/AGENT (delete as appropriate).

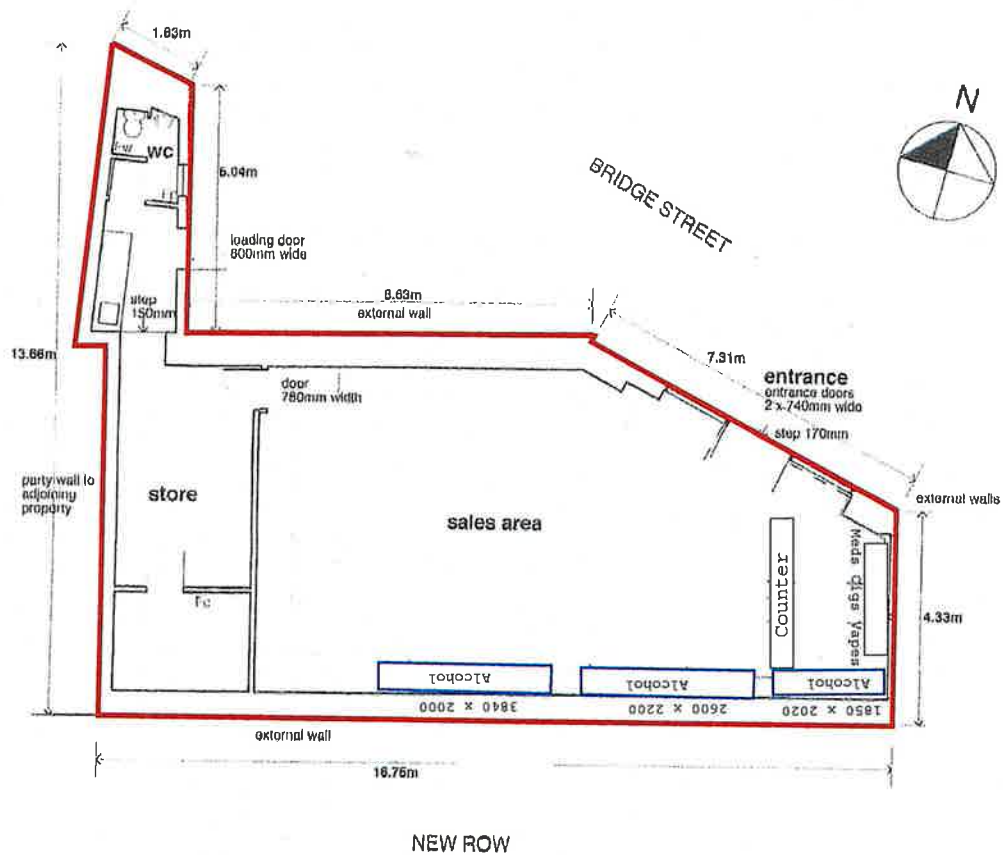
Telephone number and email address of signatory

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.



ACTIVITIES :

General Grocers Store, selling, in addition to alcohol, fresh fruit and vegetables, general groceries, sweets, cigarettes, soft drinks, household cleaning products, toiletries etc

Note : any information provided on this layout plan that is not required by the Licensing (Scotland) Act 2005 or regulations made thereunder is provided purely for the purpose of assistance. Such information specifically does not form part of any Premises Licence

- Fc fire extinguisher Co2
- Fw fire extinguisher water
- Fp fire extinguisher powder

- Alcohol Display
- solid red line shown around entire licensed premises

existing licensed convenience shop :

TRANENT SUPER STORES
32 / 34 BRIDGE STREET
TRANENT, EH33 1AL

scale 1:100 May 2008 revised November 2008

WHITELAW ASSOCIATES
 WHITFIELD, WEST LINTON, EH46 7AX
 telephone 01968 660452

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 10th December 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL094, LIFESTYLE EXPRESS, 32-34 BRIDGE STREET, EAST LoTHIAN EH33 1AL

I can confirm that the premises have been visited in relation to this variation application. The site notice was correctly displayed.

The changes applied for are:

- To increase the off sale capacity to 21.15m²
- To substitute an amended layout plan
- To add recorded music

I have received no complaints about the premises, however the premises licence holder has been guided to make this variation as the display whilst under the control of the previous premises licence holder was over capacity and not consistent with the layout plan.

Licensing Standards Officer

Licensing

From: Iain Anderson <Iain.Anderson3@scotland.police.uk>
Sent: 02 December 2024 09:56
To: Licensing
Subject: MAJOR VARIATION - LIFESTYLE STORE, TRANENT - INCREASE IN ALCOHOL CAPACITY
Attachments: LIC38 PREMISES VARIATION - NO ADVERSE COMMENT LIFESTYLE, 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.

Hi all,
No Police objection
Our ref - 880074

Regards
Iain

Licensing

From: Robertson, Scott
Sent: 28 November 2024 11:07
To: Licensing
Subject: RE: 32-34 High St, Tranent - Major Variation

Hello,

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

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | 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: Tuesday, November 26, 2024 1:40 PM
To: 'Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)' <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <ls@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>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>; tecc.secretary@aol.co.uk
Subject: FW: 32-34 High St, Tranent - Major Variation

Hi

Please find attached Major Variation for the above premises to change layout plan and increase capacity of off sales area. Can I please have reports/representations by 19th December, 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: Johnson, Darren
Sent: 27 November 2024 08:34
To: Licensing
Subject: FW: 32-34 High St, Tranent - Major Variation
Attachments: 32-34 Bridge St, Tranent-Operating Plan-Major Variation.pdf; 32-34 Bridge St, Tranent-Variation-Major.pdf; 32-34 Bridge Street -amended Plan.pdf

Hi

No objections.

Darren

From: Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>
Sent: Tuesday, November 26, 2024 1:51 PM
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: 32-34 High St, Tranent - Major Variation

From: Licensing <licensing@eastlothian.gov.uk>
Sent: Tuesday, November 26, 2024 1:40 PM
To: 'Lothian and 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 <ehs@eastlothian.gov.uk>; 'Fire (torquil.cramer@firescotland.gov.uk)' <torquil.cramer@firescotland.gov.uk>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>; tecc.secretary@aol.co.uk
Subject: FW: 32-34 High St, Tranent - Major Variation

Hi

Please find attached Major Variation for the above premises to change layout plan and increase capacity of off sales area. Can I please have reports/representations by 19th December, 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

OCC 827/24.



Police/L50 - 29/11/24

LICENSING (SCOTLAND) ACT 2005, SECTION 142

Advert 29/11/24

OCCASIONAL LICENCE APPLICATION FORM

18th + 19th February 2025 HCE

Before completing this form please read the guidance notes.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

4

1. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) _____

Personal licence number (if applicable) EL1993

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) Mrs

Surname Corrigan

Forenames Jane

Date of birth (Day / Month / Year) [REDACTED]

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

Brunton Theatre

Brunton Hall, Ladywell Way

Post town Musselburgh Post code EH21 6AF

Telephone Numbers

Daytime Tel. Evening Tel. _____

Mobile No.

Fax No. _____ Email

3. THE PREMISES

Description of premises

Haddington Corn Exchange, Haddington

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

Music concert

standing concert for 750 each evening.

Full postal address of premises which this application refers to _____

Haddington Corn Exchange, 13 Court Street, Haddington EH41 3DS

4. DURATION OF LICENCE

Date: From 18 February 2025 To 19 February 2025

Time: From 19.00 To 23.00

5. Is alcohol to be sold on & off the premises YES NO

✓✓

Provide relevant details as to hours requested when alcohol will be sold on/off the premises.

Times for sale of alcohol for consumption on premises

19.00 - 23.00

Times for sale of alcohol for consumption off premises

No alcohol being sold off premises, only on the premises

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

19.00 - 23.00 performance

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry? YES NO

(If answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry 14-17 years

Times at which children or young persons permitted entry 19.00-23.00(for performance only)

Parts of premises to which children or young persons permitted entry

Children admitted to Venue but only performance area not bar area

7. CHECKLIST

I have (please tick for yes) made or enclosed payment of the fee for the application

YES

8. Signature and declaration by applicant (see note 3)

DECLARATION

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

Signature Jane Corrigan

Date 26/11/2024

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: –

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 2018

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

Music concert - Fish

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Live music

2. Attendance

(a) Approximately how many people are expected to attend?

750 per performance

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

The final number will be dependant on ticket sales

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 - 30

30 - 50

over 50

2. (cont)

- (d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)

Ticket purchased in advance

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

6 stewards plus 7 stewards SIA registered stewards

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

6 trained in Licensing Scotland Act plus 7 SIA registered stewards

4. Layout Plans

Please indicate if –

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application
-
-
-

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December

6. Will alternatives to glass receptacles be provided?

Bar located in a defined area of the Hall. Stewards trained in Licensing Scotland Act.

Personal Licence holder on duty throughout licensed hours

First Aid trained staff on duty throughout. First Aid kit available on site.

Use of plastic glasses

Signage in place re under 18s and Challenge 25.

Refusals policy

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All trained in Licensing Scotland Act

LICENSING OBJECTIVES

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objectives.

8. How will you prevent Crime and Disorder at the event?

Ticketed event, Stewards on duty, ID checks for anyone under 25. Soft drinks available.

bag checks and ID checks at the door

9. How will you secure Public Safety at the event?

Stewards on duty.

Ticketed Event.

Bag checks and ID checks at the door

10. How will you prevent Public Nuisance at the event?

Stewards in attendance throughout, all trained.

Ticketed event

Soft drinks available

11. How will you promote and protect Public Health at the event?

Soft drinks available. First aid trained staff on duty

12. How will you protect Children from harm at the event?

over 14's only, any children attending the event will be accompanied by an adult. Children will not be permitted in the bar area. Stewards on duty throughout event.

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 Jane Corrigan

Date 26/11/2024

OCC830/24.



Police/HSO 27/11/24

LICENSING (SCOTLAND) ACT 2005, SECTION 142

Advert 29/11/24

OCCASIONAL LICENCE APPLICATION FORM

Strn - 18th FEO 2025 Loreto

Before completing this form please read the guidance notes.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) _____

Personal licence number (if applicable) EL2290

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) Ms

Surname Robertson

Forenames Hazel

Date of birth (Day / Month / Year) [REDACTED]

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

Brunton Theatre

Brunton Hall, Ladywell Way

Post town Musselburgh Post code EH21 6AF

Telephone Numbers

Daytime Tel. [REDACTED] Evening Tel. _____

Mobile No. _____

Fax No. _____ Email [REDACTED]

3. THE PREMISES

Description of premises

Loretto School Theatre (bar in Theatre Foyer)

Millhill, Musselburgh

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

Films & Drama.

Maximum number of 200 people expected to attend each evening

Full postal address of premises which this application refers to _____

Loretto School Theatre and foyer, Millhill, Musselburgh

4. DURATION OF LICENCE

Date: From 5 February 2025 To 18 February 2025

Time: From 18.00 To 22.00

5. Is alcohol to be sold on & off the premises

YES NO
✓✓

Provide relevant details as to hours requested when alcohol will be sold on/off the premises.

Times for sale of alcohol for consumption on premises

18.00-22.00

Times for sale of alcohol for consumption off premises

No alcohol being sold off premises, only on the premises

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

19.00- 22.00 performances

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry?

YES NO

(If answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry 5 - 18 years

Times at which children or young persons permitted entry 18.30-22.00(times will vary depending on performance times)

Parts of premises to which children or young persons permitted entry

Theatre

7. CHECKLIST

I have (please tick for yes) made or enclosed payment of the fee for the application

YES

8. Signature and declaration by applicant (see note 3)

DECLARATION

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

Signature Hazel Robertson

Date 25/11/2024

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: –

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 2018

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

**PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM**

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

Films & Drama

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Films & Drama

2. Attendance

(a) Approximately how many people are expected to attend?

Maximum of 200 per performance

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

Ticket sales

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 – 30

30 – 50

over 50

2. (cont)

- (d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)

Ticket purchased in advance

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

Up to 5 Licensing Scotland Act trained Stewards depending on the numbers attending.

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.

5 trained in Licensing Scotland Act

4. Layout Plans

Please indicate if –

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application

(a)

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December

6. Will alternatives to glass receptacles be provided?

Bar located in a defined area of the Theatre ie Theatre Foyer. Stewards trained in Licensing Scotland Act.

Personal Licence holder on duty throughout licensed hours

First Aid trained staff on duty throughout. First Aid kit available on site.

Use of plastic glasses

Signage in place re under 18s and Challenge 25.

Refusals policy

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

All trained in Licensing Scotland Act

LICENSING OBJECTIVES

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objectives.

8. How will you prevent Crime and Disorder at the event?

Stewards on duty, ID checks for anyone under 25. Soft drinks available. Bar open for a short period

9. How will you secure Public Safety at the event?

Stewards on duty.

Ticketed Event.

Bar open only for short periods.

10. How will you prevent Public Nuisance at the event?

Stewards in attendance throughout, all trained.

Ticketed event

Soft drinks available

Bar open only for short periods

Bar is secondary to the performance.

11. How will you promote and protect Public Health at the event?

Soft drinks available. First aid trained staff on duty

12. How will you protect Children from harm at the event?

Children not permitted at the bar, stewards in attendance throughout.

Children attending with parent/carer

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 Hazel Robertson

Date 25/11/2024



THE BRUNTON
THE PLACE TO B

The Brunton
Ladywell Way
Musselburgh
EH21 6AA

Tel: **0131 665 9900**
Email: info@thebrunton.co.uk
www.thebrunton.co.uk

13 January 2025

Dear Licencing Board,

We the undersigned Jane Corrigan, David Hillis and Hazel Robertson give permission for Kirsty Somerville to represent us and act on our behalf at the Licencing Meeting on Thursday 23 January 2025 to discuss the Occasional Licence applications that we have made for activity with the Brunton Theatre Trust between February and March 2025.

Kirsty Somerville is the Team Manager – Arts and General Manager of the Brunton Theatre Trust, and the Line Manager for Jane, David and Hazel.

Yours sincerely,

Jane Corrigan

David Hillis

Hazel Robertson

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 10th December 2024

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) OCC399-406/24

THE BRUNTON THEATRE TRUST, HADDINGTON CORN EXCHANGE AND LORETTO THEATRE, PERSONAL LICENCE HOLDERS JANE CORRIGAN, HAZEL ROBERTSON AND DAVID HILLIS

The applicants are three personal licence holders who have applied for occasional licences in connection with the activities of The Brunton Theatre Trust. The Brunton Theatre Trust previously held a premises licence at The Brunton Theatre, Musselburgh, however following issues with the building the premises licence has been surrendered. Over the last 18 months applications have been made for occasional licences on a regular basis for performances along with alcohol at several venues in East Lothian whilst the original premises was closed.

It is now anticipated that Haddington Corn Exchange and Loretto Theatre will be used over the coming year on a regular basis whilst the Brunton Theatre Trust assesses their options.

Application has been made for 3 occasional licences at Haddington Corn Exchange and 2 occasional licences at Loretto Theatre

The duration of the applications are:

OCC827/24 – Haddington Corn Exchange, 18/02/2025 – 19/02/2025, 1900-2300, applicant Jane Corrigan
OCC830/24 – Loretto Theatre, 05/02/2025–18/02/2025,1900-2200, applicant Hazel Robertson
OCC832/24 – Haddington Corn Exchange, 06/02/2025 – 17/02/2025, 1900-2300, applicant Jane Corrigan
OCC833/24 – Loretto Theatre, 20/02/2025 – 26/02/2025, 1900-2200, applicant Hazel Robertson
OCC834/24 – Haddington Corn Exchange, 21/02/2025 – 02/03/2025, 1900-2300, applicant David Hillis

As these premises have been used on a regular basis over the last 18 months and will continue to be I refer these applications to the licensing board for determination as they are no longer suitable to be granted on delegated powers.

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

Licensing Standards Officer

Our Reference: CG/GH

Date: 29th November 2024

Private & Confidential

Idris Khan



5a

Carlo Grilli
CLERK OF THE LICENSING BOARD

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

Dear Sir/Madam

**LICENSING (SCOTLAND) ACT 2005 – SECTION 37(1)
NOTIFICATION OF PREMISE REVIEW HEARING
IDRIS KHAN, EL0199, SHISH MAHAL, 63A HIGH STREET, MUSSELBURGH, EH21 7BZ**

The Review Hearing was heard at the Licensing Board on **Thursday 28th November, 2024.**

The decision at the meeting was to continue the hearing until the East Lothian Licensing Board on **Thursday 30th January 2025**. The Licensing Board Members have requested that **you must attend in person.**

An Agenda will follow in due course.

Yours faithfully

Carlo Grilli
Clerk to the Licensing Board

Direct Dial : 01620 827664
E-mail : licensing@eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 8th November 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE REVIEW

EL0199, SHISH MAHAL, 63A HIGH STREET, MUSSELBURGH, EAST LoTHIAN EH21 7BZ

On 4th November 2024, I received intimation under Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises for nonpayment of the annual fee.

In terms of Section 38(4) of the Act, I have prepared this report outlining information relevant to the review for the consideration of Licensing Board Members.

Licensing Standards Officer

Premises Licence Review

Shish Mahal
63A High Street, Musselburgh, East Lothian EH21 7BZ

Licensing Board 28th November 2024

Licensing Standards Officer's Report

In 2009 Idris Khan was granted a Premises Licence in respect of the above on conversion from the 1976 Act.

The premises manager named on the licence is Inam Khan.

On 1st August 2024, the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2024. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence. Details of payment methods were included in this letter.

On 8th October 2024, the Clerk to the Board sent additional reminder letters to the premises address. No response was received.

By 30th October 2024, payment of the mandatory annual fee had still not been made. I hand delivered a further reminder for payment from the Clerk to the Board to the premises address and posted it through the door. The premises was not open at this time.

The letter gave a further reminder that the mandatory annual fee had not been paid. As this was a breach of a condition of their Premises Licence, payment of the outstanding fee was required by 1st November 2024, and the premises licence holder may be required to appear at the Licensing Board on 28th November 2024, to explain the reason for the stated breach of premises licence.

On 4th November 2024, the Board resolved to review all premises licences that had failed to pay the annual fee under Section 37(1) of the Licensing (Scotland) Act 2005. I received intimation of this proposal and produced this report.

On 4th November I received a phone call from Mr Khan, premises licence holder and explained the situation and the requirement to pay the fee. He said he would pay, and I gave him details on how to do this. I reminded him that the annual fee is due every year by 1st October and late payment was not acceptable. I informed him that late payment has resulted in follow up by Licensing Officers and visits by the Licensing Standards Officers and this has occurred every year since 2012. I explained the Licensing Board may review the premises licence and that he would be requested to attend the Licensing Board hearing.

On 5th November 2024, payment of the premises licence annual fee was received. This was 35 days late.

Since 2012 the premises licence annual fee has been paid after 1st October (late) on the following dates:

09/10/2012
24/10/2013
03/10/2014
07/10/2015
07/10/2016
03/10/2017
03/10/2018
11/10/2019
06/10/2020
06/10/2021
10/10/2022
27/10/2023
05/11/2024

Each year the payment of the annual fee has been chased by Licensing Officers and the Licensing Standards Officer.

Licensing Board's Powers on Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

(2) Those steps are—

(a) to issue a written warning to the licence holder,

(b) to make a variation of the licence,

(c) to suspend the licence for such period as the Board may determine,

(d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

Licensing Standards Officer

Our Reference: CG/GH

Date: 29th November 2024

Private & Confidential

Rakhsana Khan



5b

Carlo Grilli
CLERK OF THE LICENSING BOARD

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

Dear Sir/Madam

**LICENSING (SCOTLAND) ACT 2005 – SECTION 37(1)
NOTIFICATION OF PREMISE REVIEW HEARING
RAKHSANA KHAN, EL022, THE STAND, 72-74 HIGH STREET, MUSSELBURGH, EH21 7BX**

The Review Hearing was heard at the Licensing Board on **Thursday 28th November, 2024.**

The decision at the meeting was to continue the hearing until the East Lothian Licensing Board on **Thursday 30th January 2025**. The Licensing Board Members have requested that **you must attend in person.**

An Agenda will follow in due course.

Yours faithfully

Carlo Grilli
Clerk to the Licensing Board

**Direct Dial : 01620 827664
E-mail : licensing@eastlothian.gov.uk**

eastlothian.gov.uk

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 8th November 2024

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE REVIEW

EL022, THE STAND, 72-74 HIGH STREET, MUSSELBURGH, EAST LoTHIAN EH21 7BX

On 4th November 2024, I received intimation under Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises for nonpayment of the annual fee.

In terms of Section 38(4) of the Act, I have prepared this report outlining information relevant to the review for the consideration of Licensing Board Members.

Licensing Standards Officer

Premises Licence Review and consideration of Section 28 Licensing (Scotland) Act 2005

The Stand
72-74 High Street, Musselburgh, East Lothian EH21 7BX

Licensing Board 28th November 2024

Licensing Standards Officer's Report

In Aug 2014, the Premises Licence in respect of the above was transferred to Rakhsana Khan.

The premises manager named on the licence at that time was Christopher Townsley.

On 1st August 2024, the Clerk to the East Lothian Licensing Board wrote to all Premises Licence Holders advising of the Annual Fee due in respect of their licence, requesting payment by 1st October 2024. It was intimated at this time that payment was a mandatory condition of the Premises Licence, in terms of Section 27(1) of the Licensing (Scotland) Act 2005 and failure to pay may be treated as a breach of Premises Licence. Details of payment methods were included in this letter.

On 8th October 2024, the Clerk to the Board sent additional reminder letters to the premises address. No response was received.

On 30th October 2024, the fee had not been paid. I visited the premises which was closed and disused. A further reminder for payment from the Clerk to the Board was sent by post to the premises licence holder's personal address.

The letter gave a further reminder that the mandatory annual fee had not been paid. As this was a breach of a condition of their Premises Licence, payment of the outstanding fee was required by 1st November 2024, and the premises licence holder may be required to appear at the Licensing Board on 28th November 2024, to explain the reason for the stated breach of premises licence.

On 4th November 2024, the Board resolved to review all premises licences that had failed to pay the annual fee under Section 37(1) of the Licensing (Scotland) Act 2005. I received intimation of this proposal and produced this report.

In addition, I made some enquiries into this premises and believe that this premises should be considered under section 28(b) – period of effect of premises licence in particular, section 28(5)(b) - the licensed premises in respect of which the licence was issued cease to be used for the sale of alcohol.

The premises known as The Stand closed and has not traded since 2014. There are historic LSO reports to indicate that some building work has been undertaken, however, this has been sporadic. In 2017 a planning application was submitted to change the premises into a restaurant, however this change has not come to fruition.

On visiting the premises, I found it to be a bare shell requiring substantial works. It has sat empty and has not been used for the sale of alcohol for 10 years.

I direct the board to section 36.1 of the statement of licensing policy.

Premises that cease trading in the sale or supply of alcohol must notify the Licensing Board of the reason for closure and the timescale for re-opening. The Board may decide to hold a hearing to determine whether in the circumstances the premises licence has ceased to have effect. If premises have been closed or ceased the sale of alcohol for a period of 18 months or more the Board will consider that the premises licence has ceased to have effect. In making a determination on this matter, the Board may hold a hearing and will consider any representations made by the licence holder as to the circumstances in which the premises closed and the likelihood of them reopening for trade.

The current premises licence has not been varied in any way since 2014 and details a pub. There has been no communication from Rakhsana Khan for a number of years. I attempted to contact her last year through her husband Mr Khan who did not return my calls. I have since spoken to Mr Khan about the premises, but he was unable to detail any plans or development of the premises on the phone. He simply said there is work to be done. I have been unable to speak with the premises licence holder Rakhsana Khan.

On 4th November I received a phone call from Mr Khan, the premises licence holder's husband and explained the situation that the failure to pay the annual fee and that the lack of use and development of the premises was inconsistent with the premises retaining a premises licence. He said he would pay, and I gave him details on how to do this. I reminded him that the annual fee is due every year by 1st October and late payment was not acceptable. I informed him that late payment has resulted in follow up by Licensing Officers and visits by the Licensing Standards Officers and this has occurred every year since 2014. I explained the Licensing Board may review the premises licence and that Mrs Khan would be requested to attend the Licensing Board hearing. I also explained that I would present the circumstances that the premises has cease to be used for the sale of alcohol since 2014 for the board to consider under the Act. I asked that he pass this on to his wife Rakhsana Khan.

On 5th November 2024, payment of the premises licence annual fee was received. This was 35 days late.

Since 2014 the premises licence annual fee has been paid after 1st October (late) on the following dates:

03/10/2014
07/10/2015
08/10/2016
03/10/2017
31/10/2018
11/10/2019
06/10/2020
06/10/2021
12/10/2022
07/11/2023
05/11/2024

Each year the payment of the annual fee has been chased by Licensing Officers and the Licensing Standards Officer.

Licensing Board's Powers on Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is established (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

(2) Those steps are—

(a) to issue a written warning to the licence holder,

(b) to make a variation of the licence,

(c) to suspend the licence for such period as the Board may determine,

(d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

28 Period of effect of premises licence

(1) A premises licence—

(a) takes effect on such date as the Licensing Board issuing it may determine, and

(b) ceases to have effect on the occurrence of any of the events mentioned in subsection (5).

(5) The events referred to in subsection (1)(b) are—

(b) the licensed premises in respect of which the licence was issued cease to be used for the sale of alcohol,

It is quite clear, that in all the circumstances the premises have ceased to be used for the sale of alcohol since 2014 and I would recommend that East Lothian Licensing Board note the content of this report and confirms by declaration that premises licence No. EL022 – The Stand, now ceases to have effect, and that they notify the premises licence holder accordingly.

In this case there would be no premises licence to review.

Licensing Standards Officer

REPORT TO: East Lothian Licensing Board

MEETING DATE: 30 January 2025

BY: Clerk of the Licensing Board

SUBJECT: Statement of Principles, 2025 to 2028 – Gambling Act 2005

6

1 PURPOSE

- 1.1 To report to East Lothian Licensing Board (the Board) on the results of the consultation exercise for the review of the Board's Statement of Licensing Principles (the Gambling Policy/the policy);
- 1.2 To ask that the Board considers the consultation responses (Appendix 1) and decides if any amendments are required to the draft policy; and
- 1.3 To ask that the Board approves and adopts the attached Gambling Policy (Appendix 2), subject to any agreed amendments.

2 RECOMMENDATIONS

That East Lothian Licensing Board:

- 2.1 Approves and adopts the draft Gambling Policy for the period 2025 – 2028, subject to any agreed amendments; and
- 2.2 Delegates to the Clerk of the Board to finalise the policy in respect of any amendments required to the draft consultation version of the policy.

3 BACKGROUND

- 3.1 Section 349 of the Gambling Act 2005 requires all licensing authorities to prepare and publish a Gambling Policy under which the Board will exercise its statutory functions for the next three years.
- 3.2 The Board's current Gambling Policy expired on 31 January 2025. The policy for the period 2025 to 2028 has been drafted and has been subject to a statutory consultation with responsible authorities and other key stakeholders. The consultation was also open to the general public via East Lothian Council's consultation hub, from 2 December 2024 to 31 December 2024.

- 3.3 The list of consultees is at Appendix 3.
- 3.4 There have been three responses to the consultation received via the consultation hub. One of these responses included comments.
- 3.5 Once the Board has adopted the 2025-2028 policy, there is a statutory requirement to publish this on the Council's website for 28 days before it can come into force. The policy will be published as soon as practicable after today's Board meeting and will come into force 28 days later.
- 3.6 The Integrated Impact Assessment (IIA) was last updated in 2022 following an update to the Gambling Commission's guidance. The review of the Statement of Principles 2025 to 2028 does not require the IIA to be re-assessed.

4 POLICY IMPLICATIONS

- 4.1 Once agreed and adopted, the Statement of Principles will become the Gambling Policy for East Lothian Licensing Board.

5 INTIGRATED IMPACT ASSESSMENT

- 5.1 An Integrated Impact Assessment (Appendix 4) has been completed and has been published on East Lothian Council's website.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none.
- 6.2 Personnel – none.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 None

Appendix 1 – Consultation Response

Appendix 2 – Draft Policy

Appendix 3 – List of consultees

Appendix 4 – Integrated Impact Assessment

AUTHOR'S NAME	Carlo Grilli
DESIGNATION	Clerk of the Licensing Board
CONTACT INFO	Ext. 7770
DATE	16 January 2025

Response ID ANON-SUVU-6485-8

Submitted to Licensing Board - Consultation on Gambling Statement of Principles (2025 - 2028)
Submitted on 2024-12-06 14:26:00

Introduction

1 What is your name?

Name:
Dr R Anne Pearson

2 What is your email address?

Email:

3 What is your organisation?

Organisation:
Dunpender Community Council

Your comments

4 Provide your views on the Statement of Principles

If you are responding on behalf of an organisation please indicate which one.:

Dunpender Community Council are happy with this detailed document. Given we have very few gambling sites in East Lothian and not in our area we are pleased with the Statement of Principles. I enjoy a day at the races too!

Response ID ANON-SUVU-6486-B

Submitted to Licensing Board - Consultation on Gambling Statement of Principles (2025 - 2028)

Submitted on 2024-12-16 11:27:38

Introduction

1 What is your name?

Name:

David L Girrity

2 What is your email address?

Email:

david.girrity@firescotland.gov.uk

3 What is your organisation?

Organisation:

Scottish Fire Rescue Service

Your comments

4 Provide your views on the Statement of Principles

If you are responding on behalf of an organisation please indicate which one.:

Scottish Fire Rescue Service

Response ID ANON-SUVU-648Z-F

Submitted to Licensing Board - Consultation on Gambling Statement of Principles (2025 - 2028)
Submitted on 2024-12-06 15:26:43

Introduction

1 What is your name?

Name:

Eric Martin

2 What is your email address?

Email:

[REDACTED]

3 What is your organisation?

Organisation:

Your comments

4 Provide your views on the Statement of Principles

If you are responding on behalf of an organisation please indicate which one.:



GAMBLING ACT 2005

STATEMENT OF PRINCIPLES

JANUARY 2025 – JANUARY 2028

TABLE OF CONTENTS		
SECTION	ITEM	PAGE
1	Introduction	4
1.1	Declaration	5
1.2	Geographic area	5
1.3	Licensing Board Functions	6
1.4	Licensing Objectives	6
1.5	Responsible Authorities	7
1.6	Interested Parties	8
1.7	Consultation	9
2	Consideration of Applications	9
3	Local Risk Assessments	10
3.1	The Local Risk Assessment and Risk Management Measures	10
3.2	Local Area Profile	10
4	Scheme of Delegation	12
5	Enforcement	12
6	Equality and Diversity	13
7	Premises Licenses	13
7.1	General Principles	13
7.2	Decision-making	13
7.3	Definition of 'premises'	14
7.4	Premises 'ready for gambling'	15
7.5	Location	15
7.6	Duplication with other regulatory regimes	16
7.7	Provisional Statements (Provisional Licenses)	16
7.8	Licence Conditions	17
7.9	Door Supervision	18
7.10	Register of Licenses and Exchange of Information	18
7.11	Complaints against Licensed Premises	19
7.12	Licence Reviews	19
8	Licensable Premises	19
8.1	Casinos	19
8.2	Bingo premises	20
8.3	Betting premises	20
8.4	Tracks	21
8.5	Adult Gaming Centres	22
8.6	(Licensed) Family Entertainment Centres	22
8.7	Travelling Fairs	23
9	Permits and Temporary/Occasional Use Notices	23
9.1	(Alcohol) Licensed Premises Gaming Machine Permits	23
9.2	(Unlicensed) Family Entertainment Centres Gaming Machine Permits	23
9.3	Prize Gaming Permit	24
9.4	Club Gaming and Club Machines Permit	24
9.5	Temporary Use Notices	25
9.6	Occasional Use Notices	25

9.7	Small Society Lotteries	26
Appendix 1	Responsible Authorities Contact Details	27
Appendix 2	Consultation Responses	28
Appendix 3	Scheme of Delegation	29
Appendix 4	Categories of Gaming Machines	30

1 Introduction

The Gambling Act 2005 (the Act) is an Act of UK Parliament and is designed to control all forms of gambling. The Act transfers authority for the licensing of gambling activities to Scottish licensing boards, and also created the Gambling Commission (the Commission).

The Commission works in partnership with licensing authorities and licensing boards to regulate gambling. The Commission will tend to focus on operators and issues of national or regional significance, and licensing boards will take the lead on regulating gambling locally.

Section 349(1) of the Act requires East Lothian Licensing Board (The Board) to publish a Statement of Principles (the Policy) to be applied in exercising the authority's functions under the Act.

The Policy will come into effect on 31 January 2025 and will remain in place for a maximum period of three years to 31 January 2028. The Policy will be reviewed, updated and modified as and when the Board considers it appropriate, and at least every three years.

The function of the Policy is to reflect local specific gambling concerns. It also sets out the expectations of gambling operators who have premises in the Board's area and for people who are applying for a premises licence in the Board's area.

Nothing in this Policy will override the right of any person to make an application under the Act or to have the application considered on its individual merits, undermine the right of any person to make representations on an application, or to seek a review of a licence where they have a legal basis to do so.

The Policy is intended to be a general statement of the Board's gambling licensing principles. Applicants and other parties should have regard to codes of practice issued by the Gambling Commission.

The Gambling Commission is an independent public body and is the main advisory body to national and local government on gambling. The Commission has responsibility for granting operating and personal licenses for commercial gambling operators and personnel working in the industry.

East Lothian Licensing Board is responsible for issuing gambling licenses and permits for premises.

There are four principles to inform the Board as to how it carries out its duties:

- Gambling Commission Code of Practice
- Gambling Commission Guidance to licensing authorities/licensing boards
- The licensing objectives as set out in the Act (see section 1.4)
- The Board's own Statement of Principles (Policy)

1.1 Declaration

In producing this statement, the Board declare it will have regard to the licensing objectives of the Act, the Guidance issued by the Gambling Commission and responses from those consulted.

1.2 Geographical Area



East Lothian had an estimated population of 112,450¹ in 2022 in an area of 679.1 square kilometres². East Lothian shares borders with the City of Edinburgh, Midlothian and Scottish Borders.

Although East Lothian's largest town is Musselburgh, which lies on the border with the City of Edinburgh, the administrative centre of East Lothian Council is in Haddington.

¹ The National Records of Scotland Statistics, 2022

² Scottish Government Statistics, 2011

1.3 Licensing Board Functions

This Board will make decisions upon applications or notifications made for:

- Premises licences
- Temporary Use Notices
- Occasional Use Notices
- Permits as required under the Act and
- Registrations as required under the Act

This Policy relates to all licensable premises, notices, permits and registrations that fall within the provisions of the Act. These are:

- Casinos
- Bingo premises
- Betting premises
- Adult gaming centres
- Tracks
- Licensed family entertainment centres
- Unlicensed family entertainment centres
- Club gaming permits
- Prize gaming and prize gaming permits
- Occasional use notices
- Temporary use notices
- Registration of small society lotteries
- Travelling fairs

The Board will not be involved in licensing remote gambling as defined in Section 4 (1) of the Act. Regulation of remote gambling is the responsibility of the Gambling Commission.

1.4 Licensing Objectives

In exercising its functions under the Act, the Board intends its licensing policy to have regard to the statutory licensing objectives as set in the Act, namely:

- Preventing gambling from being a source of crime or disorder, being associated with crime or being used to support crime,

This Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that Licensing Authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.

- Ensuring that gambling is conducted in a fair and open way, and

This Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is, however, more of a role with regard to tracks which is explained in more detail in the ‘tracks’ section below.

- Protecting children and other vulnerable persons from being harmed or exploited by gambling

This Licensing Authority has noted that the Gambling Commission’s Guidance states that this objective means preventing children from taking part in gambling, (as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children). The Licensing Authority also expects that other gambling related issues will be a consideration and as suggested in the Gambling Commission’s Guidance, will take all such matters into account when deciding whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

1.5 Responsible Authorities

Responsible Authorities are public bodies that must be notified about applications. Responsible Authorities are entitled to make representations to the Board in relation to existing premises licenses, and applications for premises licenses.

Section 157 of the Act details the Responsible Authorities. In the Board’s area, these are:

- The Gambling Commission
- The Chief Constable, Police Scotland
- The Chief Fire Officer, Scottish Fire and Rescue
- East Lothian and Midlothian Public Protection Committee
- East Lothian Council Licensing Board
- The Planning Authority, East Lothian Council
- Environmental Health Authority, East Lothian Council
- HM Revenue and Customs

Full contact details are available at Appendix 1.

The public health body is not a Responsible Authority; however, the Board will include NHS Lothian in all notifications about licence applications and on all Policy consultations. This is also the situation for Midlothian and East Lothian Drugs & Alcohol Partnership (MELDAP), which will also be included in all notifications and consultations.

In addition to the above, the Board is required under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Board about the protection of children from harm. The Licensing Authority designates the East Lothian

and Midlothian Public Protection Committee.

1.6 Interested Parties

Interested parties can make representations about licence applications, or apply to the Board for a review, of an existing licence.

Section 158 of the Act defines these parties:

“A person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy (a) or (b)”.

In determining whether any person is an interested party in relation to a particular licence or application, as required by regulation, the Board must state the principles it will apply.

The Board will determine each case on its merits. The following factors are likely to be relevant but not necessarily decisive and will not apply a rigid rule:

- Nature of activities taking place
- Size of the premises
- Location of the premises and the character of the surrounding area
- Likely business hours of the premises concerned

The Board will consider the examples provided in the Gambling Commission’s Guidance to Licensing Authorities.

Interested parties can be persons who are democratically elected such as Councillors and MPs and MSP’s. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP/MSP represents the ward or constituency likely to be affected. Likewise, Community Councils likely to be affected, will be considered interested parties. Other than these however, the Board will require written evidence that a person/body “represents” someone who is defined in the Act as an interested party as either (a) or (b) above. A letter from one of those persons is sufficient or a statement that they are their legal representative, whether Solicitor or Advocate.

Any written representations submitted to the Board in relation to an application or premises will be made available to the licence holder or applicant and if a hearing is held, will form part of the public documents.

1.7 Consultation

In terms of section 349(3) of the Act, the Board has consulted with the Responsible Authorities listed at 1.5, together with the following parties, before finalising this Policy:

- NHS Scotland
- MELDAP
- The General Manager, Musselburgh Racecourse
- Ladbrokes, William Hill, Coral Racing, Scotbet, and BetFred,
- East Lothian Licensing Forum
- Gamblers Anonymous
- East Lothian Area Partnerships
- Local MP
- Local MSP
- All Community Councils in East Lothian
- All Parent Councils in East Lothian
- All Schools in East Lothian
- Head of Communities and Partnerships, East Lothian Council
- Head of Children and Adult Services, East Lothian Council
- Head of Education, East Lothian Council
- Licensing Standards Officer, East Lothian Council
- The general public, via publication on East Lothian Council's Consultation hub/website

There was one response to the consultation and this is attached at appendix 2.

2 Consideration of Applications

The Board shall in making decisions concerning premises licenses and temporary use notices have regard to Section 153 of the Act which requires it to permit the use of the premises for gambling in so far as it thinks it is:

- in accordance with any relevant Code of Practice issued by the Gambling Commission
- in accordance with any relevant Guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives
- in accordance with the Statement of Principles in this licensing policy

Nothing in this Statement will:

- override the right of any person to make an application under the Act or to have that application considered on its individual merits,
- undermine the right of any person to make representations on an application or to seek a review of a licence where there is a legal power to do so.

In terms of the Act, unmet demand is not a criterion for a Licensing Authority in considering an application and in accordance with Gambling Commission Guidance for Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences"

Therefore, the Board will consider any application in accordance with the Act, on its own merits, without regard to demand or moral objection to gambling in general.

The Board may, under Section 155, of the Act arrange for the delegation of its functions to a Committee of the Board, the Clerk or other appropriate person appointed to assist the Clerk, and the Board will delegate certain powers where it considers that appropriate in the interests of efficiency and in recognition of the largely administrative nature of certain of the procedures.

The Board recognises that the likelihood, or not, of planning permission being granted or building regulation approval being given, are not criteria that the Board may take into account when determining an application (Section 210 of the Act).

Fire or health and safety risks do not form part of the consideration when determining a premises licence as these issues fall under other statutory regimes.

However, the Board can consider the impact of planning and/or building control restrictions (if any) on a licence holder's ability to comply with any conditions that the Board may attach to the licence.

3 Local Risk Assessments

3.1 The Local Risk Assessment and Risk Management Measures

The Board is entitled to request such information from operators as it requires to make effective licensing decisions. Although the Act requires that an application must be accompanied by a minimum level of information, the Board agrees with the Gambling Commission's view that this does not preclude reasonable requests from the Board for additional information may include, for example, details of the operator's business plan.

The Board welcomes the implementation, from 6 April 2016, of the Social Responsibility Code provision 10.1.1 (which must be followed and has the force of a licence condition). The Code requires applicants and licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises. Applicants and licensees must also have policies, procedures and control measures in place to mitigate against those risks.

A local risk assessment must be fully documented and included as part of a premises licence application. Once a licence has been granted, the completed local risk assessment must be retained on the premises.

As a minimum, the Board expects the local risk assessment to address the following, and include details of the measures that will be put in place to manage any identified risks:

- The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather, in relation to the premises

- The location of residential areas with a high proportion of young families
- The location of hospitals, doctors' surgeries and gambling or addiction support or treatment centres and other areas where vulnerable groups may be present or congregate
- The level of crime and/or disorder in the area where the premises are located
- Age verification policies
- Preventing children and young person's entering premises unnoticed or unchallenged
- Line of sight from the counter to gambling machines
- Security of premises and cash
- Security of staff
- Gaming trends that may reflect benefit payments
- Administration of the self-exclusion process, maintaining its effectiveness, and preventing breaches
- Arrangements for localised exchange of information regarding self-exclusions and gaming trends
- Identifying and reporting attempts to launder money on the premises
- Protecting vulnerable people and those with gambling dependencies
- Dealing with complaints about the outcome of gambling
- Providing information on responsible gambling to players

The Local Risk Assessment must include a description of the risk being assessed, the level of risk (low/medium/high), the impact of the risk, the control system that has been put in place for each risk, risk management procedures, and the review date for each risk being assessed. The Local Risk Assessment must be signed and dated by the licence holder.

Existing licensees must also update their Local Risk Assessment:

- When there is an application for a variation to a premises licence; the updated local risk assessment must be included with the application paperwork
- To take account of significant changes in local circumstances, including any listed in the Board's Policy statement
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks

3.2 Local Area Profile

A Local Area Profile for East Lothian would include deprivation statistics, data about crime hot spots, locations of local education facilities, gambling premises and addiction centres, and anti- social behaviour figures.

The Board does not currently have a Local Area Profile as referenced in the Gambling Commission's Guidance to Local Authorities. However, the Board is committed to ensuring that children and vulnerable persons are not harmed by gambling. The Board will therefore expect applicants to research and understand the local environment in which they wish to operate and to demonstrate, via a local risk assessment as outlined at 3.1, that they have effective and robust measures in place to promote this licensing

objective and mitigate any risks related to it. The Board will take appropriate action where this does not appear to be the case.

4 Scheme of Delegation

In terms of Section 155 of the Act, the Board may delegate some of its functions to a Committee of the Board, or members of the Board, the Clerk to the Board, or any person appointed to assist the Clerk. However, the Board cannot delegate all of its functions. The scheme of delegation for East Lothian Licensing Board is attached at Appendix 3. The Board reserves the right to determine all applications and relevant matters under the Act.

5 Enforcement

The Board has powers under Part 15 of the Act to inspect premises, to monitor compliance with the provisions of the Act, and to investigate suspected offences. The Board shall be guided by the Guidance, and the Board's approach to compliance and enforcement will be:

- Proportionate – regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised
- Accountable – regulators must be able to justify decisions and be subject to public scrutiny
- Consistent – rules and standards must be implemented fairly
- Transparent – regulators should be open, and keep regulations simple and user friendly
- Targeted – regulation should be focused on the problem, and minimise side effects.

The Board's main enforcement and compliance role in terms of the Act is to ensure compliance with premises licenses and associated conditions and other issues relating to the premises themselves. The Gambling Commission is the enforcement body for the operating and personal licenses. Concerns about manufacture, supply or repair of gaming machines are also dealt with by the Gambling Commission.

The Board has noted the terms of the Commission's advice note entitled The Role of Authorised Persons in Scotland, which relates to the regulatory and enforcement functions of local authorities. As stated in the advice note, East Lothian Council's Licensing Standards Officer (LSO) is not, simply by virtue of the role, an authorised person for the purposes of Section 304 of the Act. That means that the LSO in Scotland has no powers to enter premises to carry out inspections and compliance visits.

6 Equality and Diversity

East Lothian Licensing Board is committed to promoting equal opportunities, valuing diversity and tackling social exclusion. The Board aims to provide opportunities that meet the diverse needs of all residents of East Lothian by ensuring that services are accessible to all. Every person making an application to, or appearing before the Board, will be treated fairly and with respect.

East Lothian Licensing Board has completed an Integrated Impact Assessment in respect of this Gambling Policy. This will be published on the Council's website before the Statement of Principles is published.

The Board expects all applicants, operators, permit holders and licence holders within East Lothian to be fully aware of its equality agenda and to ensure that applications support the Board's commitment to equality and diversity.

7 Premises Licenses

7.1 General Principles

Premises licenses will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

Premises licence holders shall comply with relevant Codes of Practice issued by the Commission together with any relevant Guidance. The following may also be of assistance: 'The Commission's 'Licence Conditions and Codes of Practice' ('LCCP') October 2020. This document is available at: www.gamblingcommission.gov.uk

7.2 Decision-making

This Licensing Authority is aware that in making decisions about premises licenses it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant Guidance issued by the Gambling Commission ;
- reasonably consistent with the licensing objectives; and
- in accordance with this statement of licensing principles.

It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral or ethical objections to gambling are not a valid reason to reject applications for premises licenses" (except as regards any 'no casino resolution' - see section on Casinos below) and also that unmet demand is not a criterion for a Licensing Authority.

The Licensing Authority also notes Gambling Commission Guidance on ensuring that betting

is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

In making this determination, this Licensing Authority will have regard to the six indicators of betting as a primary gambling activity:

- The offer of established core products (including live event pictures and bet range)
- The provision of information on products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

7.3 Definition of Premises

Premises is defined in the Act as “any place”. Different premises licenses cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises, for example by ropes or moveable partitions.

This Licensing Authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that:

- Licensing Authorities should take particular care in considering applications for multiple licenses for a building and those relating to a discrete part of a building used for other (non- gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licenses should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. The plan of the premises should clearly denote entrances and exits. In this content, it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Licensing Authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.
- Premises should be configured so that children are not invited to participate in, have

accidental access to, or closely observe gambling where they are prohibited from participating.

- Customers should be able to participate in the activity named on the premises licence.

The Guidance also give a list of factors which licensing authorities should be aware of, which may include:

- Do the premises have separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

7.4 Premises 'ready for gambling'

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling.
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at Part 7 of the Guidance.

7.5 Location

The Licensing Authority is aware that the expected demand for the facilities proposed to be provided cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can.

As per the Gambling Commission's Guidance, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon

as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how potential concerns can be overcome.

The Board will consider individual risk assessments, in particular the Board is mindful of Part 6 of the Guidance in regard to local area profiling to assist licence holders and applicants in preparing locally linked risk assessments for their premises. Taking into account the low volume of licensed gambling premises in the East Lothian, the Board does not consider there to be a high risk of adverse impact on the objectives at the current time therefore will continue to consider each application on its merits.

7.6 Duplication with other regulatory regimes

The Board seeks to avoid any duplication with other statutory regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, the Board will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and most not form part of the consideration for the premises licence.

7.7 Provisional Statements (Provisional Licenses)

Section 204 of the Act, states that a person may make an application for a provisional statement for premises that they expect to be constructed, to be altered or acquire a right to occupy. The Board notes the Guidance which states that: "Developers may wish to apply for provisional statements before they enter into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence."

Applicants for a premises licence must fulfil certain criteria; however, these requirements do not apply to applications for provisional statements. An applicant for a provisional statement does not require to hold an operating licence and they do not need to have acquired a right to occupy the premises that the application relates to. If a provisional statement is granted by the Board, the Board is aware that it is constrained in the matters it may consider when an application for a full premises licence is subsequently made for the same premises. If any representations are made in respect of a full licence application, the Board will disregard these unless it thinks that the representations:

- address matters that could not have been addressed at the time of the application for the provisional statement, or
- reflect a change in the applicant's circumstances.

The Board may refuse a subsequent (full) premises licence application (or grant it with conditions not included in the provisional statement), only if there are matters:

- which could not have been addressed in representations at the provisional statement stage
- which, in the Board's opinion, reflect a change in the operator's circumstances
- where the premises have not been constructed in accordance with the plan and information submitted with the provisional statement application.

7.8 Licence Conditions

Any conditions attached to licenses will be proportionate and will be:

- relevant to the need to make the premises suitable as a gambling facility,
- directly related to the premises and the type of licence applied for,
- fairly and reasonably related to the scale and type of premises,
- reasonable in all other aspects.

Decisions on individual conditions will be made on a case-by-case basis. The control measures, which the Board may consider using, include door supervisors, appropriate signage for adult only areas etc. Licence applicants will be expected to offer their own suggestions as to ways in which the licensing objectives can be effectively met.

The Board may consider specific measures for buildings that are subject to multiple premises licenses. Such measures may include the supervision of entrances, segregation of gambling and non-gambling areas frequented by children, the supervision of gaming machines in non-adult gambling specific premises and the display of notices regarding age restriction. These matters are in accordance with the Gambling Commission's Guidance.

The Board will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- All machines are located in an area of the premise which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18 years.

These considerations will apply to premises including buildings where multiple premises licenses are applicable.

This Board is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

7.9 Door Supervision

The Gambling Commission advises in its Guidance to Licensing Authorities that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition on a premises licence to this effect.

Door supervision shall have the meaning as set out in Section 178 of the Act. The Board notes that the Guidance states that:

- door staff employed by the operator at casino or bingo premises do not require to be licensed by the Security Industry Authority
- if a door supervisor is required by the Private Security Industry Act 2001 (section 178) to hold a licence under that Act, then that requirement shall be treated as if it were a condition of the premises licence

7.10 Register of Licenses and Exchange of Information

The Board will maintain a register of all premises licenses and permits issued. This register is available for public inspection at all reasonable times.

If required by the Commission, under Section 29 of the Act, the Board will exchange any information it receives through the application process with the Commission and other regulatory bodies, in accordance with its obligations and functions under the Act. The information to be exchanged must form part of the Board's register and must be in the Board's possession prior to disclosure. This obligation is subject to data protection and

freedom of information legislation.

7.11 Complaints against Licensed Premises

The Board may investigate complaints against licensed premises relating to the licensing objectives.

Any complaints received about a particular premises or a class of premises, could have an impact on the general risk rating of those premises. Complaints received by the Board in relation to particular premises or a class of premises may also initiate the Board's right to review the premises licence under Section 200 of the Act.

7.12 Licence Reviews

Requests for a review of a premises licence can be made by interested parties or Responsible Authorities; however, it is for the Board to decide whether the review is to be carried out. This will be based on the whether the request is reasonably consistent with the licensing objectives; relates to a relevant Code of Practice or Guidance issued by the Commission; is in accordance with the Board's Policy; is not frivolous or vexatious; will not cause the Board to seek to alter/revoke/suspend the licence; and/or if the request is substantially the same as previous representations or requests for a review.

The Board can initiate a review of a premises licence on the basis of any reason that it considers to be appropriate. Once an application for a review has been deemed competent, there are statutory timescales for seeking representations from Responsible Authorities and interested parties; and for conducting the review.

The purpose of the review is to determine if the Board should take any action in relation to the licence. Actions available to the Board are to:

- Add, remove or amend a licence condition imposed by the Board
- Exclude a default condition attached to the licence under Section 269 of the Act
- Suspend the premises licence for a period not exceeding three months
- Revoke the premises licence

8 Licensable Premises

8.1 Casinos

There are currently no casinos operating in the Board's licensing area. However, the Board has not passed a 'no casino' resolution under section 166 of the Act. The Board reserves its right to review this at any time in the future and shall update this Policy with any changes.

8.2 Bingo premises

There is no statutory definition of ‘bingo’ in terms of the Act other than “any version of the game irrespective of by what means it is described”. A bingo premises licence holder may generally be able to offer any type of bingo game, whether it be cash bingo or prize bingo.

The Board notes that the Gambling Commission Guidance states that Licensing Authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. The Board is aware that from July 2011, a holder of bingo premises licenses may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. A variation of licence must be applied for if operators wish to take advantage of this change to the legislation.

The Board notes that it will need to satisfy itself that bingo can be played in any bingo premises for which it issues a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its licence and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

The Board is aware of the Guidance at paragraph 18.8 is where an existing bingo premises covered by one premises can apply to vary the licence to split the premises into more than one separate licensed premises. In these circumstances, the Commission’s position is that it is not permissible for all of the gaming machines to be grouped together in only one of the licensed premises.

Children and young persons are allowed into bingo premises but they are not permitted to participate in the bingo activity. If category B and/or C machines (Appendix 2) are made available for use these must be separated from areas where children and young people are allowed access.

In accordance with the licensing objective ‘protecting children and other vulnerable persons from being harmed or exploited by gambling’, the Board may require an applicant to prove that sufficient measures are in place to prevent children, young persons and vulnerable persons from having access to Category B and C machines (Appendix 2).

8.3 Betting premises

The Act contains a single class of licence for betting premises licence, which enables betting to take place on the premises and for the licence holder to make available up to four gaming machines, subject to certain restrictions.

It is noted that the Gambling Commission Guidance for Local Authorities states, “Section 181 contains an express power for Licensing Authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino)”

When considering whether to impose conditions to restrict the betting machines in particular premises, the Board will take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of machines. No children and young persons will be allowed entry to premises with a betting premises licence at any time.

8.4 Tracks

Tracks are premises which include horse racecourses, dog tracks or other tracks where sporting events may take place. The Act does not define what may constitute a sporting event or race and the Board notes the Guidance that the Board may determine what constitutes a sporting event or race, on a case-by-case basis.

Musselburgh Racecourse (horse racing) is the only track within the Board’s licensing area.

A track premises licence allows facilities for betting on the premises. If the licence holder wishes to provide a casino, bingo or other type of gambling on the track, a separate premises licence will be required. Tracks may therefore be subject to more than one premises licence.

If the operator wishes to use the premises temporarily for gambling and the premises are not licensed, the Board may issue a Temporary Use Notice (Section 9.5).

Where there is betting on a track on eight days or less in a calendar year, an Occasional Use Notice (Section 9.6) may be issued by the Board to permit betting on the premises.

An applicant for a premises licence does not need to hold an operating licence issued by the Gambling Commission as the betting that is provided on the track is provided by third party operators. However, third party operators require to hold an operating licence issued by the Commission.

Children and young persons are permitted to enter track areas whilst betting is taking place, although they are still prevented from entering area where gaming machines (other than category D machines) are provided. The Board will therefore carefully consider any potential impact an accumulation of premises licences may have on the licensing objective of protecting children from being harmed or exploited by gambling.

The Board agrees with the Guidance that it is sometimes difficult to define the precise location of betting areas on tracks. The applicant therefore needs to submit a detailed plan defining the site, any area to be used for temporary “on course” betting facilities

and, in the case of dog tracks and horse racecourses, any mobile pool betting facilities as well as any other proposed gambling facilities.

In accordance with Gambling Commission Guidance, the Board will attach a condition to track premises licenses requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public.

The Board requires each applicant to demonstrate that they have measures in place to achieve all three licensing objectives.

8.5 Adult Gaming Centres

An Adult Gaming Centre premises licence authorises the licence holder to make available for use a number of category B (see Appendix 2) gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines.

No persons under the age of 18 years are allowed to enter an Adult Gaming Centre. The Board shall have particular regard to the location of, and entry to, an Adult Gaming Centre to ensure that opportunities for children to have access are minimised. The Board will therefore expect applicants to offer their own measures to protect children and other vulnerable persons from being harmed or exploited by gambling. Examples of appropriate measures or licence conditions that may be attached to protect children and young persons are;

- proof of age scheme
- the provision of CCTV
- supervision of entrances
- physical security measures on the premises
- physical separation of areas
- self-exclusion schemes
- the display of notices and signage
- appropriately trained members of staff

8.6 (Licensed) Family Entertainment Centres

A Licensed Family Entertainment Centre is a premises where a licence is granted to provide any number of category C and D (Appendix 2) gaming machines. Persons under 18 years of age are allowed to enter the premises, but no persons under 18 years of age are permitted access to areas where category C gaming machines are situated. The Board requires that category C machines are situated in a separate area to ensure the segregation and supervision of machines that may only be played by those over 18 years of age.

8.7 Travelling Fairs

The Board will consider whether the applicant falls within the statutory definition of a travelling fair. Where category D machines and/or equal chance prize gaming without a permit are to be made available for use at travelling fairs, it will fall to the Board to decide whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair, is met.

The 27 day statutory maximum for the land being used for a fair is per calendar year and applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fair, occupying the land.

9 Permits and Temporary/Occasional Use Notices

9.1 (Alcohol) Licensed Premises Gaming Machine Permits

On written notification to the Board, premises licensed to sell alcohol for consumption on the premises have an automatic entitlement to two gaming machines of category C or D (Appendix 2) under Section 282 of the Act.

The Board has no discretion to consider the notification or refuse it. However, if the Board gives the licensee at least 21 days' notice, the Board may remove this automatic entitlement if it thinks that:

- provision of the machines is not reasonably consistent with the licensing objectives
- gaming has taken place on the premises that breaches a condition of Section 282 of the Act
- the premises are mainly used for gaming
- an offence under the Gambling Act 2005 has been committed on the premises

If a premises is looking to have more than two gaming machines, then it needs to apply for a Gaming Machine Permit and the Board must consider that application based upon the licensing objectives, the Guidance and "such matters as it thinks relevant". Generally "such matters" will include the need to protect children and vulnerable people from harm and exploitation, access arrangements, signage, and the provision of information leaflets for organisations such as Gamblers Anonymous Scotland and other support organisations.

The Board can decide to grant the application with a smaller number of machines and/or a different category of machines that those applied for. No other conditions can be attached to the licence.

9.2 (Unlicensed) Family Entertainment Centres Gaming Machine Permits

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Board for a Gaming Machine Permit. The applicant must

show that the premises will be wholly or mainly used for gaming machines.

Unlicensed Family Entertainment Centres are able to offer only category D (Appendix 2) machines under the gaming machine permit. Any number of category D machines can be made available with such a permit, subject to other considerations such as fire regulations and health and safety. Permits cannot be issued in respect of vessels or vehicles.

The Board may grant or refuse a permit but cannot attach conditions. Applicants will be expected to demonstrate that they have policies and procedures in place to protect children from harm.

9.3 Prize Gaming Permit

Section 288 of the Act defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The applicant should set out:

- the types of gaming that they intend to offer
- should be able to demonstrate an understanding of the limits to stakes and prizes that are set out in regulations, and
- should demonstrate that the gaming offered is within the law

A Prize Gaming Permit is a permit issued by the Board authorising a person to provide facilities for gaming with prizes on specified premises. Permit holders must comply with conditions set out in Section 293 of the Act but the Board cannot attach local conditions to the permit.

9.4 Club Gaming and Club Machines Permit

Members Clubs and Miners Welfare Institutes (but not Commercial Clubs as defined in the Act) may apply for a Club Gaming Permit. This will enable the premises to provide no more than three gaming machines of categories B, C or D (appendix 2), equal chance gaming and other games of chance as prescribed in the Regulations.

If a Members' Club does not wish to have the full range of facilities permitted by a Club Gaming Permit, or if they are a commercial club, they may apply to the Board for a Club Machine Permit. A Club Machine Permit allows the holder to have up to three gaming machines of categories B3A, B4, C and D (Appendix 2). Section 273 of the Act states that a Club Machine Permit is subject to the condition that no child or young person may use a category B or C gaming machine on the premises.

The Gambling Commission's Guidance, which requires the Licensing Authority to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. These include the constitution of the club, the frequency of gaming and ensuring there are more than 25 members. The club must be conducted "wholly or mainly" for

purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

The Board may grant or refuse a permit, but it cannot attach any conditions. The Board expects all permit holders to adhere to the conditions specified in the Commission's Code of Practice on Gaming Machine Permits and to follow these best practice guidelines.

9.5 Temporary Use Notices

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. A Temporary Use Notice may only be granted to a person or company that holds a gambling operating licence.

A set of premises may not use a Temporary Use Notice for more than 21 days in a period of 12 months, although it could use several Notices during a 12 month period provided that the total does not exceed 21 days. In determining what may constitute a set of premises for the purposes of a Temporary Use Notice, the Board notes the Commission's Guidance that this is a question of fact regarding the particular circumstances of each Notice that is given. In considering if a place falls within the definition of a set of premises, the Board will look at, amongst other things, the ownership/occupation and control of the premises.

An application for a Temporary Use Notice must be submitted to the Board not less than three months in advance of the date it is required. A copy of the Notice must be served on the Gambling Commission, the Chief Constable (Police Scotland), and HM Revenue and Customs.

Each application for the grant of a Temporary Use Notice will be considered and determined on a case-by-case basis.

9.6 Occasional Use Notices

Where there is betting on a track on eight days or less in a calendar year betting may be permitted by an Occasional Use Notice without the need for a full premises licence.

In determining an application for an Occasional Use Notice the Board will consider the definition of a 'track' and whether the applicant qualifies for an Occasional Use Notice.

A Notice must be given in writing to the Board and be copied to the Chief Constable, Police Scotland. The Notice must be given only by a person who is responsible for the administration of events on the track, or by an occupier of the track. The Notice must specify the day on which it has effect, and may relate to consecutive days providing the overall statutory limit of eight days is not exceeded in a calendar year. The Board will maintain records to ensure this statutory limit is not exceeded.

9.7 Small Society Lotteries

Small Society Lotteries are non-commercial societies that run a lottery where the income is below certain specified thresholds and that are established and conducted for charitable purposes. These societies could also be established to enable participation in/provide support for sport, athletics or a cultural activity; or for any other non-commercial purpose other than private gain.

Small Society Lotteries whose principal office is located within the East Lothian area require to register with the Board.

All applications for registration must be made in the form specified by Scottish Ministers, and accompanied by all necessary documents specified by Scottish Ministers or required by the Board. When considering an application for registration the Board may request further information from an applicant.

The financial limits that apply to these societies are that the proceeds from one individual lottery cannot exceed £20,000, and in a calendar year the total proceeds cannot exceed £250,000. If these limits are likely to be exceeded, then the Society must apply to the Gambling Commission for a Lottery Operating Licence, at which point its registration with the Board would cease. Societies cannot hold both a Board registration and Gambling Commission licence at the same time.

Appendix One – Responsible Authorities Contact Details

- The Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP
- The Chief Constable, Police Scotland, Fettes Avenue, Edinburgh, EH4 1AQ
- The Chief Fire Officer, Scottish Fire and Rescue Service, Lauriston Place, Edinburgh, EH3 9DE
- East Lothian and Midlothian Public Protection Committee, East Lothian Council, F28-29 Brunton Hall, Ladywell Way, Musselburgh, EH21 6AP
- East Lothian Council as a council constituted under the Local Government etc (Scotland) Act 1994, John Muir House, Haddington, EH41 3HA
- East Lothian Council as Planning Authority, John Muir House, Haddington, EH41 3HA
- East Lothian Council as Environmental Health Authority, John Muir House, Haddington, EH41 3HA
- H.M. Revenue and Customs, National Registration Unit, Portcullis House, 21 India Street, Glasgow, G2 4PZ

Appendix Two - Consultation Responses

There was one response to the public consultation which was open between 2 and 31 December 2024, and asked for views and comments on the draft statement:

Dunpender Community Council are happy with this detailed document. Given we have very few gambling sites in East Lothian and not in our area we are pleased with the Statement of Principles. I enjoy a day at the races too!

**Appendix Three - East Lothian Licensing Board,
Scheme of Delegation**

1.0 INTRODUCTION

1.1 This scheme of delegation sets out the powers under the Gambling Act 2005 delegated by East Lothian Licensing Board to the Clerk and Depute Clerk.

1.2 In any particular case where powers are delegated to an officer under this scheme of delegation, if it appears to them that it is appropriate for the power to be exercised by the Board itself then they shall be entitled to refer the case to the Board for the exercise of the power.

2.0 POWERS DELEGATED UNDER THE GAMBLING ACT 2005

2.1 The following powers are delegated to and exercisable by the Clerk or Depute Clerk:-

- Determining an application premises licence application where no objection or representation has been received.
- Determining an application for the transfer of a premises licence where no objection or representation has been received.
- Determining an application for a variation of a Premises Licence where no objection or representation has been received.
- Determining an application for a Provisional Statement where no objection or representation has been received.
- Decision as to whether or not a request for a review can be rejected in terms of the regulations.
- Determining a Gaming Machine Permit in premises that hold an alcohol licence where no objection or representation has been received.
- Determining a Family Entertainment Centre Gaming Machine Permit where no objection or representation has been received

Appendix Four – Categories of Gaming Machines

Machine category	Maximum stake	Maximum prize
A	Unlimited	Unlimited
B1	£5	£10,000(with option of max £20,000 linked progressive jackpot on a premises basis only)
B2	£2	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D non-money prize (other than crane grab machine)	30p	£8
D non-money prize (crane grab machine)	£1	£50
D money prize	10p	£5
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

Number and Category of Gaming Machines Allowed

Premises Type	Permissions
Large Casino (table/machine ratio of 5-1 up to maximum)	Maximum of 150 machines. Any combination of machines in categories B to D , (except B3A machines) within the total limit of 150 (subject to table ratio)
Small Casino (table/machine ratio of 2-1 up to maximum)	Maximum of 80 machines. Any combination of machines in categories B to D , (except B3A machines) within the total limit of 80 (subject to table ratio)
Pre 2005 Act Casinos (no table/machine ratio)	Maximum of 20 machines, categories B to D or C or D (except B3A machines) machines instead
Betting premises and tracks occupied by Pool Betting	Maximum of 4 machines, categories B2 to D
Bingo Premises	Maximum of 20% of the total number of gaming machines which are available for use on the premises, categories B3 or B4 .** No limit on C or D machines
Adult Gaming Centre	Maximum of 20% of the total number of gaming machines which are available for use on the premises,, categories B3 or B4 .** No limit on C or D machines
Family Entertainment Centre (with premise licence)	No limit on category C or D machines
Family Entertainment Centre (with permit)	No limit on category D machines
Clubs or Miners' Institutes with permits	Maximum of 3 machines in categories B3A or B4 to D *
Qualifying Alcohol Licensed Premises	1 or 2 machines of category C or D automatic upon notification
Qualifying Alcohol Licensed Premises with Gaming Machine Permits	Number of category C-D machines are specified on permit.
Travelling Fair	No limit on category D Machines

*It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in Categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in Categories B4 to D

** Adult gaming centre and bingo premises are entitled to make available a number category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises . Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre) or eight (bingo premises) category B gaming machines or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only.

Community Councils

Cockenzie & Port Seton Community Council
 Dunbar Community Council
 Dunpender Community Council
 East Lammermuir Community Council
 Garvald & Morham Community Council
 Gifford Community Council
 Gullane Area Community Council
 Haddington & District Community Council
 Humble, East & West Saltoun, Bolton Community Council
 Longniddry Community Council
 MacMerry & Gladsmuir Community Council
 Musselburgh & Inveresk Community Council
 North Berwick Community Council
 Ormiston Community Council
 Pencaitland Community Council
 Prestonpans Community Council
 Tranent & Elphinstone Community Council
 Wallyford Community Council
 West Barns Community Council
 Whitecraig Community Council
 Douglas Haig
 Diann Govenlock
 Simon Davie
 Stuart Baxter

Emma Brown

Bruce Lachlan
 Jeremy Findlay
 George McGuire
 Shona McIntosh
 Brooke Ritchie
 Lee-Anne Menzies
 Colin Yorkston
 Shamin Akhtar
 Fiona Dugdale
 Andrew Forrest
 Kenny McLeod
 Tom Trotter
 Neil Gilbert
 Colin McGinn
 John McMillan
 Liz Allan
 Ruairidh Bennett
 Donna Collins
 Cher Cassini
 Lynn Jardine
 Carol McFarlane
 Fiona Elliot
 Carol Grandison
 Penny Short

Chief Fire Officer
 Chief Constable
 Gambling Commission
 Parent Council

East & MidLothian Public Protection Committee
 EL Licensing Board
 Planning Authority
 EH Authority
 HM Revenues & Customs
 NHS Scotland
 MELDAP
 Musselburgh Race Course

EL Licensing Forum
 Gamblers Anon.
 EL Area Partnerships
 MP
 MSP
 All Schools
 Head of Communities & Partnerships
 Head of Children Services
 Head of Adult Services (General Manager Adult Social Work & Head of Operations, ELHSCP)
 Head of Education
 LSO

Betting shops

Ladbrokes
 William Hill
 Coral Racing
 BetFred



Supporting Good Decisions

Promoting Equality & Human Rights, Reducing Inequality and Protecting the Environment

Integrated Impact Assessment Form

Integrated Impact Assessment Form
Promoting Equality, Human Rights and Sustainability

Title of Policy/ Proposal	East Lothian Licensing Board Statement of Gambling Principles
Timescale for Implementation	31 January 2025
IIA Completion Date	9 January 2025
Completed by	Sheila Fitzpatrick, Team Leader – Licensing and Landlord Registration
Lead officer	Sheila Fitzpatrick, Team Leader – Licensing and Landlord Registration

Section 1: Screening

1.1 Briefly describe the Policy/proposal/activity you are assessing.

Set out a clear understanding of the purpose of the Policy/ proposal/ activity being developed or reviewed (e.g. objectives, aims) including the context within which it will operate.

Every three years, there is a statutory requirement (Gambling Act 2005) for each Scottish (Local Authority) Licensing Board to review, consult on and publish a Statement of its Gambling Principles (The Policy). The current Policy covers the period 31 January 2022 to 30 January 2025.

This Policy supports the licensing legislation and guidance which regulates the operation of gambling premises such as casinos, bingo halls, betting shops and adult gaming centres. The Policy will inform East Lothian Licensing Board (the Board), applicants, individuals, and statutory authorities on the issue of gambling licences and permits.

The revised Policy will be effective from 31 January 2025 to 30 January 2028. Changes in the Gambling Commission Guidance and local demographic factors have been taken into account in the revised Policy. The final draft of the Policy will be presented to East Lothian Licensing Board on 30 January 2025 for approval and adoption.

What will change as a result of this Policy?

There are no material changes in the 2025/28 Statement of Gambling Principles.

The primary role and responsibilities of East Lothian Licensing Board in relation to gambling are to support and uphold the three national licensing objectives of:

- 1) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- 2) Ensuring that gambling is conducted in a fair and open way
- 3) Protecting children and other vulnerable persons from being harmed or exploited by gambling

These national objectives are underpinned by the Policy.

1.2 Deciding if a full Impact Assessment is needed.

Please answer the following questions:

	Yes	No
1. The Policy/ proposal has consequences for or affects people e.g. how they can access a service?		✓
2. The Policy/proposal has potential to make a significant impact on equality?		✓
3. The Policy/proposal is likely to have a significant environmental impact?		✓
4. The Policy/ proposal has implications for the storage/ collection of personal data?		✓

- If you have answered yes to questions 1 and 2 above, please proceed to complete the Integrated Impact Assessment. If you have answered No then an IIA does not need to be completed. Please keep a copy of the screening paperwork.
- If you have identified that your project will have a significant environmental impact, please proceed to complete the Integrated Impact Assessment. You will also need to consider whether you need to complete a Strategic Environmental Assessment. Please contact
- If you have answered yes to question 4, please seek further advice from the Data Protection Officer.