EAST LOTHIAN LICENSING BOARD

STAN STAN

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

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

SECTION 1: TYPE OF VARIATION					
This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary- (Tick all relevant boxes)					
×	Any of the Condition	s to which the Pren	nises Licence is subject		
€	Any of the information	on contained within	the Operating Plan		
×	The Layout Plan				
	Any other information deletion or other mod		rred to in the licence (including any addition,		
	(Provide Details)				
SECTION 2: 1	Premises Licence De	TAILS	East Lothian Council Licensing		
2(a) Licence	Number of Premises		# 7 OCT 2021		
EL504			Received		
2(b) Name a	nd Address of Premises	ĭ			
Hallhill Spor Kellie Road Dunbar					
	te .	ä	F = -		
Post Code EH42 1RF Phone No. 01368864011					
2(c) Full Name and Address of Current Licence Holder					
Robert John I	Peters				
Post Code		Phone No.	G.		

SECTION 3: NATURE OF VARIATION

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

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

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

	We would request to change the ON consumption on a Sunday from 12.30 to 11.00 this would allow customers watching live television sport that starts before 12.30 to have an alcoholic drink.
	We would also request permission to operate off sales from 11.00 – 22.00 Monday – Sunday
	3(b) Variation to the information contained within the Operating Plan of the Premises Licence
9	Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)
	We would request to change the on consumption on a Sunday from 12.30 to 11.00 this would allow customers watching live television sport that starts before 12.30 to have an alcoholic drink.
	We would also request permission to operate off sales from 11.00 – 22.00 Monday – Sunday
	× × ·

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

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

We seek to extend the lounge/social space within the facility as the use of the facility has grown with the towns expansion.

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

	ails below of any other variation sought to the Premises Licence tion to the description of the premises contained within the Premises Licence)
	equest that the premises name would change from Hallhill Healthy Living Centre to
SECTION 4: (See note 3 b	LICENCE TO BE AMENDED pelow)
Does the app	propriate Premises Licence accompany this application?
YES	□NO
If the answer	is NO, please provide an explanation.
I am unable t	to produce the Premises Licence because
	The licence has not yet been issued by the Board
	The licence has already been returned to the Board in respect of an earlier application for variation or transfer
	Other (provide details)
SECTION 5: F	TEE PAYABLE
The fee payal	ole in respect of the application for variation is £150
	tion is submitted alongside an application for Transfer of Premises Licence then the for both applications will be £170 (see note 4 below)
If submitted v to be consider	vith an application for transfer, please specify the order in which the applications are red-
	Application for Transfer of Premises Licence followed by Application for Variation
	Application for Variation followed by Application for Transfer of Premises Licence

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 trans (b) the appropriate fee of £ is enclosed.	ue to the best of my knowledge and belief;
Signature	(See note 5 below)
Date 7# OCT 2021	
Capacity: APPLICANT Facility Manager	
If agent, please provide name, address, phone number and (if applicable) email address	

Note 1:

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

Note 2:

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

Note 3:

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

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

Note 4:

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

Note 5:

Data Protection Act 1998

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

Contact Us:

East Lothian Licensing Board

Phone: 01620 827217 / 827867 / 820114

Licensing Office

Fax: 01620 827253

John Muir House Haddington, East Lothian Email: licensing@eastlothian.gov.uk

EH41 3HA

《主页报题·据经验》(1985年)。 1980年(1986年)	FOR OFFICE USE ONLY	自然,加加阿斯国教 ,第2条18
Received & Receipt No.	System Updated	Licence Issued

EAST LOTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Hallhill Healthy Living Centre
Kellie Road Dunbar
EH42 1RF

Question 1

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

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

Question 2

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

Day	ON Consumption		
	Opening time	Terminal hour	
Monday	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	Midnight	

Question 3

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

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

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	Yes
Does the applicant intend to operate according to seasonal demand	165

*If YES - provide details

Any extensions	the board may allow over the	festive period.	
	α		

Question 5

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

COL. 1	COL. 2	COL. 3	COL. 4
5(a) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm
		YES/NO	YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	NO	NO	NO
Bar meals	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES
Theatre	YES	YES	YES
Films	YES	YES	YES
Gaming	NO	NO	NO
Indoor/outdoor sports	YES	YES	YES
Televised sport	YES	YES	YES
		65	

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

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

Many of our groups start before core hours and we supply hot and cold food along with hot and cold non-alcoholic refreshments.

For the avoidance of doubt no alcohol will be served before core opening times.

Tv's may also be switched on at this time.

Live performances — It would be unlikely that live performances would start before 11am but there may be the odd occasion where a group may request this.

Outdoor drinking area may be used for the consumption of non-alcoholic drinks and food before core opening times.

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 facility hosts the annual Dunbar Pipe Band and Highland Games
Various clubs use the facility for fundraising and social events.
Quiz nights
Race nights
Presentation nights
Dances
Toddler Group
Room lets for various community groups.

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?	NO
When fully occupied, are there likely to be more customers standing than seated?	NO
*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	
	*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 are allowed entry at all times other than those stated in question 6 (d)				
Children are allowed only at all times office than	()			

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

Families, Children from birth to eighteen years are encouraged to take part in sport and other activities within the centre.

This happens in a friendly environment with a mix of all age groups from the community.

This interaction in turns helps improve the social cohesion within our community

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

Unaccompanied children are not allowed in the lounge/social space after 7pm unless they are attending a club or group event after which they must leave the premises. Children under the age of 18 are not allowed on the premises after 10pm unless they are attending a community or private function and they are accompanied by an adult.

young persons will be al	lowed entry!		
Children and young people have from the bar area.	re access to all areas of the	facility with the exception	n of 1.5 meters
	-11-		
Question 7 CAPACITY OF PREMISES			
That is the proposed capacity of	of the premises to which this	application relates?	
<u>50</u>	1:	15.	
Duestion 8			
	E: not required where app	olication is for grant of	provisional prei
cence)			
REMISES MANAGER (NOTI c ence) ersonal details (a) Name			
cence) ersonal details	G G	¥)	7
ce nce) ersonal details	<u> </u>		
cence) ersonal details (a) Name	Œ	i)	
cence) ersonal details (a) Name			

8/	(c)	Contact	address
U (<i>U</i>)	Communica	and con



8(d) Email address and telephone number

8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
5 TH June 2019	East Lothian	EL504

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 pl	an are true to the	best of my	knowledge and belief.
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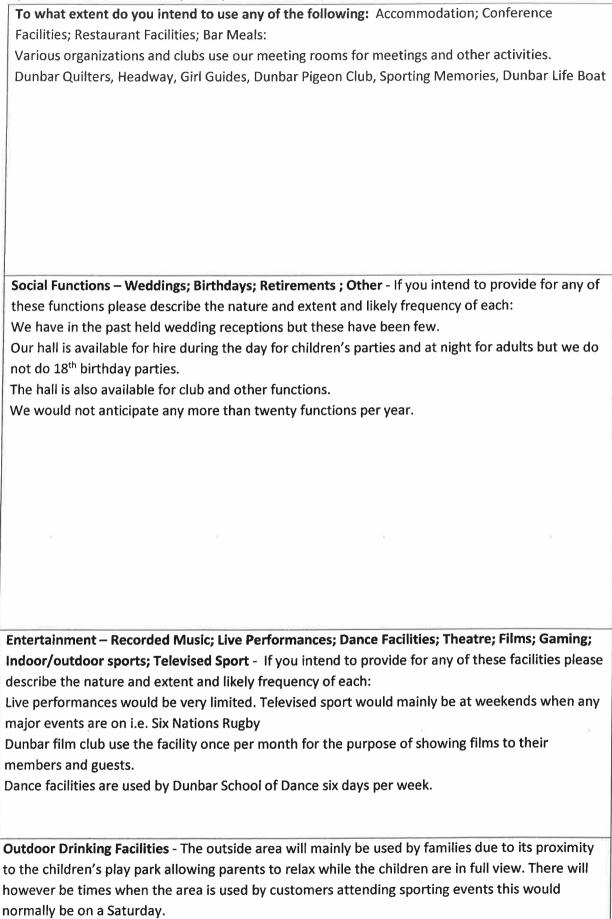
Signature	
Date	711 OCT 2021
Capacity	MA WA CIEIC APPLICANT
Capacity	APPLICANT

Telephone number and email address of signatory

* 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.

<u>Clarification is required in relation to the content of your proposed Operating Plan</u> (extend the boxes below if you require additional space)



The outside area would be open from 09.00 until 21.00

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.

Situated in the heart of Dunbar Hallhill provides both sport and leisure facility's to our clubs, facility users and their guests. Our aim is to provide first class facilities in a safe environment for all to enjoy.

(extend this box if you require additional space)

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

On/Off Consumption

- consumption.
- (b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries
- The business will operate serving a full bar service along with hot and cold non

alcoholic beverages.

B) This will be available to people who wish to purchase alcohol and take home with them when leaving the premises. No delivery will be available.

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, directly below question 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:
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 is available in both our disabled toilets. Most children will be accompanied by an adult or be attending an organized group activity and will be supervised. Children that are not accompanied or attending a class will be permitted to use the facility lounge
and toilets but must leave the premises before 7pm.

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 the following link or the Council website policy link

(extend the boxes below if you require additional space)

Preventing Crime and Disorder:

The staff will be trained by a personal license holder and will demonstrate an understanding of the 5 licensing objectives. They will ask for ID and proof of age where there is reasonable doubt and we will operate challenge 25

All incidents and must be reported to the supervisor and refusals logged in the refusal log book.

Securing Public Safety:

All risk assessments will be in place to protect those using the facility. We will operate within the licensed hours and all staff will be fully trained in working procedures. First aid facilities will be available there is also access to two defibrillators on site.

A well maintained cctv system is in operation inside and outside the building.

Preventing Public Nuisance:

Staff are trained in the management of those entering or leaving the building to prevent incidents of public nuisance. Signage is also placed at the exit doors reminding customers to leave quietly and respect our neighbours.

A policy will be in place to control numbers attending functions and to prevent disorder and over consumption of alcohol .

No 18th Birthday parties will be permitted.

Protecting and Improving Public Health:

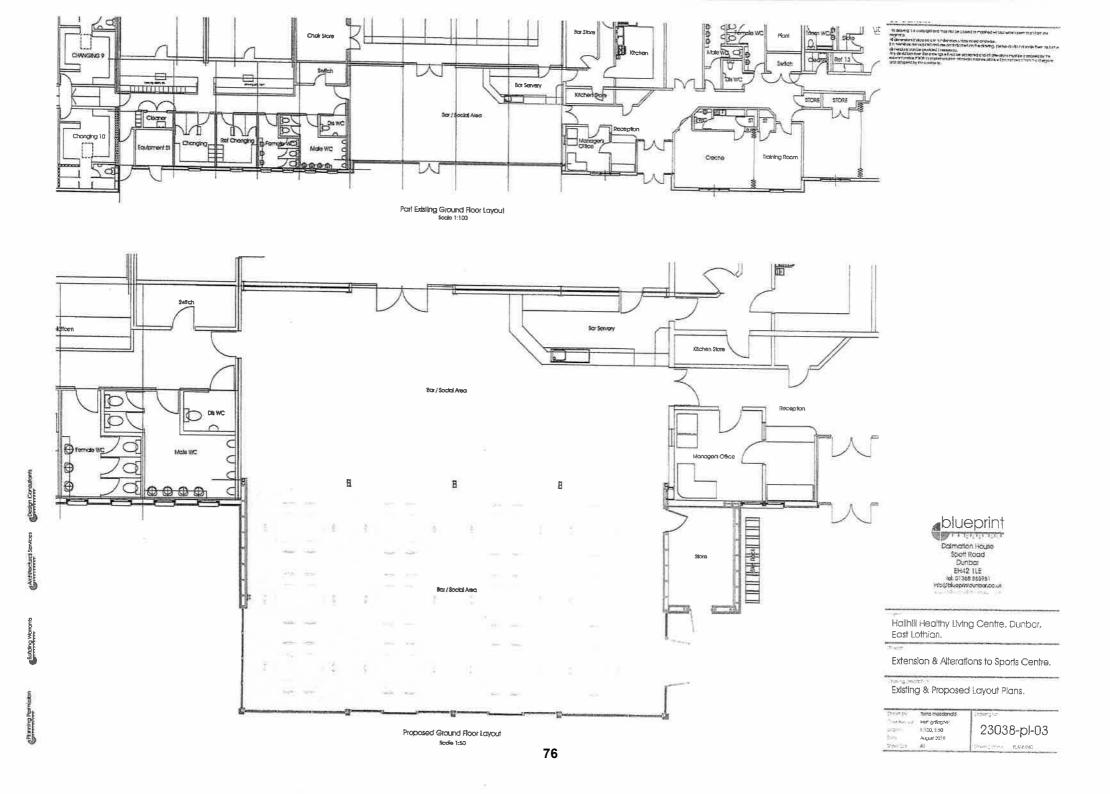
All correct signage will be displayed within the premises and all staff will be trained in public health. Staff will also be trained on the MUP and guidelines for alcohol consumption

Staff will be instructed of the policy for any customers that they feel have consumed to much alcohol and a clear understanding that it is illegal to sell alcohol to someone who appears to have consumed to much alcohol. All instances should be reported immediately.

Protecting Children and Young Persons From Harm:

All staff will be trained in protecting young persons, most children will be accompanied by and adult. Children can use all areas of the facility except within 1.5 meters from the bar server. High chairs and children's menus will be available at all times.

	ting Comments / Any Other		
Additional Informat		at space,	
£			
As the town of Dunb need for a larger soci the best sporting/con	ats: i.e. reasons why the Bo ar has grown over the twential space within the facility. I mmunity places in Scotland and the board to support this app	ty years the facility has b We are proud of our rep and this addition can on	neen open so has the utation of being one of
SIGNATURE AND DE	CLARATION BY APPLICANT	15	9
IT IS AN OFENCE TO APPLICATION	MAKE A FALSE STATEMEN	NT IN OR IN CONNECTI	ON WITH THIS
(Criminal Law (Conso	olidation)(Scotland) Act 19	95 Section 44(2)(b))	
The contents of this	Application are true to the	e best of my knowledge	and belief.
Signature		Date	711 oct 2021



22/10/2021

Your Ref: EL504

Our Ref:

592130/GB

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



John McKenzie **Divisional Commander** The Lothians and Scottish Borders Division Haddington Police Station 39-41 Court Street Haddington **EH41 3AE**

FOR THE ATTENTION OF EAST LOTHIAN LICENSING BOARD

Dear Sir/Madam,

LICENSING (SCOTLAND) ACT 2005 APPLICATION FOR THE VARIATION OF A PREMISES LICENCE HALLHILL HEALTHY LIVING CENTRE, LOCHEND ROAD, DUNBAR, EAST LOTHIAN, EH42 1RF.

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

- A change of premises name to Hallhill Sports Centre.
- Request to operate off sales from 11.00hrs to 22.00hrs Monday to Sunday.
- The increase in capacity of patrons (in the area to be extended) from 60 to 120.

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

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

Herkes, Gillian

From:

Winter, Maree

Sent:

28 October 2021 13:52

To:

Herkes, Gillian

Subject:

FW: Major variation - Hallhill, Dunbar.pdf

From: Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>

Sent: 08 October 2021 14:20

To: Winter, Maree <mwinter@eastlothian.gov.uk> **Subject:** RE: Major variation - Hallhill, Dunbar.pdf

I have assessed this application and gone and visited the premises in relation to viewing the location and size of the proposed extended outdoor area. I am satisfied that all is within the Licensing Board's policy and have no objection to the change of name of the premises, the addition of off-sales or the addition of the outdoor area.

R. Fruzynski Licensing Standards Officer Accredited Paralegal John Muir House Haddington East Lothian EH41 3HA

01620827363

Please note the LSO is not permitted to provide legal advice and can only assist you with guidance as to what is required under licensing legislation. It is recommended that you consult with a licensing agent or solicitor if you are looking for legal advice on matters.

From: Winter, Maree < mwinter@eastlothian.gov.uk>

Sent: 08 October 2021 11:03

To: Lothian Scot Borders Licensing East Mid Lothian

<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception

<environment@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>; Fairgrieve, Frank
<ffairgrieve@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; 'Licensing@nhslothian.scot.nhs.uk';
Fire officer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>;

Subject: Major variation - Hallhill, Dunbar.pdf

HI.

Please find attached major variation for Hallhill, Dunbar. Could I please have any representations/objections by 8th November 2021.

Kind regards

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.

Hallhill Centre.

Just to note that this application has resulted in many discussions at the Community Council, 3 members of DCC are Directors of DCDC which owns the building whose licensee has put forward the application. There was some view that the application should have come from the owner of the premises (DCDC) rather than the licensee.

Cllr Hampshire had noted that the change of name was historic - the change was just a formality and a tidying up. There was no objection to that.

What was of concern was the request for a premises license for off sales. Cllr Hampshire had suggested that this was needed for those in the community to take home a bottle of wine after a match. DCC members had questioned the need for this as there were many community facilities to buy alcohol close to the sports centre.

DCC member salso expressing a concern about young people being in the vicinity of the facility/ Thus a significant members of DCC espresing a concern and asking members of the Licensing Board to consider further this request.

A full discussion would be beneficial as to why this requirement for an off sales facility is justifiedJacquie Bell

Secretary

Dunbar CC

On Fri, 8 Oct 2021 at 11:02, Winter, Maree < mwinter@eastlothian.gov.uk > wrote:

HI,

Please find attached major variation for Hallhill, Dunbar. Could I please have any representations/objections by 8th November 2021.

Kind regards

Maree

Maree Winter

Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:

Haddington: EH41 3HA

01620 827867

mwinter@eastlothian.gov.uk

Winter, Maree

From:

Douglas, Andrew

Sent:

11 October 2021 08:37

To:

Licensing

Subject:

FW: Major variation - Hallhill, Dunbar.pdf

Attachments:

Major variation - Hallhill, Dunbar.pdf

I have no objections to the granting of this licence, subject to the standard conditions.

Thanks

Andrew

From: Environmental Health/Trading Standards <e hts@eastlothian.gov.uk>

Sent: 11 October 2021 08:30

To: Douglas, Andrew <adouglas@eastlothian.gov.uk>
Subject: FW: Major variation - Hallhill, Dunbar.pdf

From: Winter, Maree < mwinter@eastlothian.gov.uk >

Sent: 08 October 2021 11:03

To: Lothian Scot Borders Licensing East Mid Lothian

< Lothian Scot Borders Licensing East Mid@Scotland.pnn.police.uk>; Fruzynski, Rudi < rfruzynski@east lothian.gov.uk>; Fruzynski, Rudi < rfruzynski@east lothian.gov.uk>; Fruzynski, Rudi < rfruzynski.geast lothian.gov.uk>; Fruzynski.geast l

Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception

<environment@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>; Fairgrieve, Frank

<ffairgrieve@eastlothian.gov.uk>; Grant, Shona <sgrant@eastlothian.gov.uk>; 'Licensing@nhslothian.scot.nhs.uk';

Fire officer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>;

Subject: Major variation - Hallhill, Dunbar.pdf

HI,

Please find attached major variation for Hallhill, Dunbar. Could I please have any representations/objections by 8th November 2021.

Kind regards

Maree

Maree Winter

Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:

Haddington: EH41 3HA

01620 827867

mwinter@eastlothian.gov.uk

EAST LOTHIAN COUNCIL

Internal Memorandum

From:

Planning Delivery

To:

Clerk to the Licensing

Board

Per:

Neil Millar

Per: Licensing Board

Cc:

Date: 20th October 2021

LICENSING (SCOTLAND) ACT 2005

Re: Consultation response

Address: Hallhill Sports Centre, Kellie Road, Dunbar

Application type: Variation other than a minor variation of premises licence

I have no objection to the variations applied for, and as detailed in the application forms, with regards to the above premise. Planning permission is not required for the sale of alcohol on the premises.