

OCC153/23
Adv 10/3

pd. 6/3
Adv 10/3.



LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

4

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) _____

Name of voluntary organisation (if applicable) Aberlady Gala Committee

2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Polwart

Forenames Steven Stuart

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

East Lothian Council
Licensing
- 7 MAR 2023
Received

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[REDACTED]

Post town

[REDACTED]

Post code

[REDACTED]

Telephone Numbers

Text

Daytime Tel.

[REDACTED]

Evening Tel.

[REDACTED]

Mobile No.

[REDACTED]

Fax No.

n/a

Email

[REDACTED]

3. THE PREMISES

Description of premises

The event takes place on the Aberlady Playing Fields, we will have two large
marquees, one of which we are proposing will have a licensed bar

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

Aberlady Gala Day has a number of events and activities, please refer to the
covering letter for details. We expect up to 700 people to attend gala day.

Full postal address of premises which this application refers to

Aberlady Playing Fields, School Road, Aberlady, EH32 0RL

4. DURATION OF LICENCE

Date: From Sat 3rd June 2023 To Sat 3rd June 2023

Time: From 1.00pm To 7.00pm

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

1.00-7.00pm

Times for sale of alcohol for consumption off premises

n/a

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

12.00-7.00pm

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 All ages

Times at which children or young persons permitted entry 12.30-7.00pm

Parts of premises to which children or young persons permitted entry

All areas except the immediate bar sales 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



Date 26.02.2023

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, ceillidh, etc.)

The Aberlady Gala Day

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

There will be inflatables, games, races, face painting, tug-o-war, live music,
bubble artist, story telling, magician

2. Attendance

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

We expect up to 700 attendees

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

Based on village population and previous years attendance

(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)

This is an un-ticketed event open to all members of the public

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.

As well as event leads, there will be at least 5 stewards on duty at all times

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

All stewards are volunteers, none are SIA registered

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

Please see attached

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

An occasional licence OCC221/22 was granted for the 2022 Aberlady Gala,
which was held on Sat 4th June 2022

6. Will alternatives to glass receptacles be provided?

Plastic or polycarbonate glasses will be used where possible

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

Please provide details of any training certificate held.

Our lead for the bar is a Scottish Personal Licence Holder,
she will be responsible for briefing all other members of the bar staff

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?

Please see attached sheet

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

Please see attached sheet

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

Please see attached sheet

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

Please see attached sheet

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

Please see attached sheet

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.

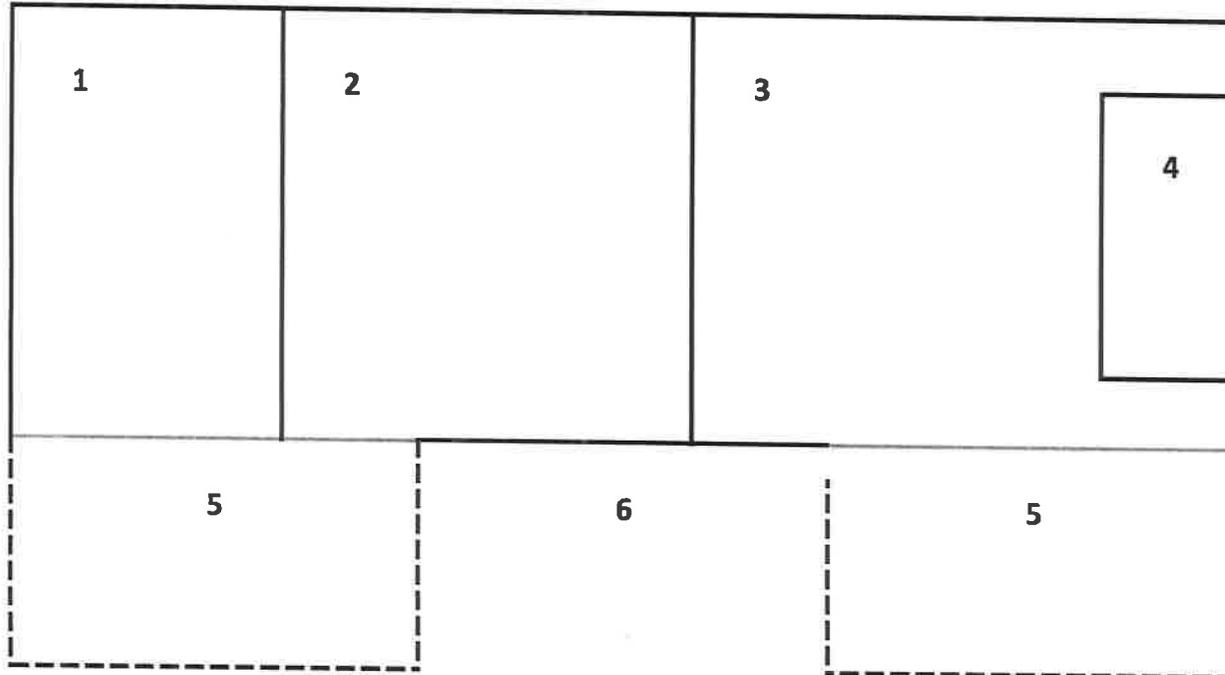
Signature



Date 06/03/2023

DETAILED LAYOUT OF PROPOSED LICENSED AREA

Marquee Dimensions: 30 x 90 feet



1 Wooden floored bar service and sales area

2 Open service and standing area

3 Tables & chairs

4 Stage

5 Outdoor, roped off seated areas

6 Clear entry/exit points

— Closed marquee walls

— Open marquee walls

6th March 2023

To Whom It May Concern:

This is a letter in support of the application for an Occasional Licence for the Aberlady Gala Day on Sat 3rd June 2023.

ABERLADY GALA

Creating fun, inclusive, and sustainable events for the whole community

Following a two-year absence due to Covid 19, the Aberlady Gala made a welcome return in June 2022; the event was a great success with blue skies and a record attendance. It was a great boost to community spirits after a long period of uncertainty and isolation.

The purpose of gala day is to celebrate village life, to gather the community together to enjoy a day of entertainment and fun.

The focus of the early part of the day is a ceremony and parade around the village, welcoming the P1 children into the life of the village school and celebrating the P7 children, as they prepare to leave primary school and continue their journey at high school. As the day unfolds there are many events and activities for all ages including inflatables, traditional funfair games and challenges, tug-o-war, live entertainers and live music from the many village singers and musicians (from primary to post retirement age), with food and drink available from our own barbeque, tea-tent and a separate bar situated within the live music tent. External vendors this year will be the Big Blu Pizza van and an ice-cream van.

With so many new residents to the village, due largely to the substantial new Cruden development at Meadowside, the focus of the 2022 committee last year was to ensure that the message was clear that gala day was an event for the whole community and not just a day for the families with kids at the primary school. We adopted a new strap line (see above) and made a concerted effort to contact every household in the village by posting a flyer through every single letterbox. Gala day itself was a huge success, with many village residents attending. The committee was delighted that the whole community had embraced 'Gala'. The 2023 Gala committee are committed to building on this success.

With reference to ELC Licensing policy:

- 19.6 *It is the policy of the Licensing Board that events that are predominantly organised for children should not necessarily attract the need for an alcohol license to be granted in relation to it. Therefore, applicants for events mainly focused towards children and families, where the majority of attendees will be children, young persons and families, will be required to justify why an alcohol license is required and may be required to attend a Licensing Board hearing for a determination.*

Whilst there is a central core of events and activities for the children of the village, we are committed to ensuring that there is something in place during gala day to attract all the diverse sections and age groups of the community, and do not approach gala day as being “predominantly organised for children”. During the year (including during gala week itself), the Aberlady gala committee organises a number of events, some aimed solely for children or at primary school age children and their families (where a licensed bar would not be appropriate), and some for over 18s only. However, we believe that gala day itself is the only occasion in the village calendar where the whole community can gather in this way (and with a substantially increased population, we do not have an indoor venue which would accommodate this, so would not be able to facilitate this in another format).

As a committee we are aware that many village residents do not have children, or no longer have young children, and we are supportive of the work which is carried out by many groups in Aberlady, including the Aberlady Community Association, Aberlady in Bloom and the Scone Café (supported by Community Connections). Many of these groups’ initiatives are designed to promote cross-generational co-operation, foster a sense of community and combat loneliness, but gala day is the only annual event which has the capacity to include our whole village community, and bring all ages together, building on this work.

We fully agree that it is vital to make sure that only safe and sensible alcohol consumption takes place, whilst ensuring the safety of our children and young people. We are confident (supported by our experience on previous Gala days) that with the appropriate planning and staffing, it will be entirely possible to host an event at which you can buy a burger, a bottle of beer and enjoy meeting and chatting with friends, neighbours, and relatives. Supported by our conversations with village residents, as a committee we are of the view that without a licensed bar, it may be impossible to overcome the perception of gala day as an event for primary school families, which would be a huge loss for our whole community. We have given this matter considerable thought, and do not consider a licensed bar would be inappropriate at this event, but rather would be in line with the inclusive social day for the entire village community which we seek to run.

We have completed a thorough Event Plan and full Risk Assessment, in accordance with the guidance to Licensing Boards in respect of the Five Licensing Objectives. The lead person for the bar on gala day, Lisa Wood, is a Scottish Personal License Holder; she is fully aware, as are the gala committee, about the responsibilities of the License Holder at our event. The Aberlady Gala day has always been granted an occasional license and to date we are not aware of any incidents that have occurred that have required the presence of the police.

From the ELC bylaws prohibiting consumption of alcohol on designated places (Aberlady) 2008. These Bylaws shall not apply –

In respect of the Playing Fields, Aberlady, bounded on the south by School Road, on the west by Aberlady Primary School, on the north by Back Lane, and on the east by the gardens or Rig Street, during the Aberlady Gala period, which usually extends for a period of eight days beginning on the final Saturday in June, each day between 1pm and 7pm

If we are not able to offer a licensed bar, it is entirely possible that people would bring their own alcohol to the playing fields, and we would then be faced with the issue of having to manage that situation. This is something which we would strongly discourage (with or without a licensed bar), but if we are unable to offer alcohol for sale, it will inevitably be more difficult to dissuade people from bringing their own. We believe that a more appropriate outcome is if we can manage this issue by doing the following:

- Restricting the area where alcohol purchased on site can be consumed
- Promoting sensible drinking by ensuring minimum pricing and limiting what alcohol is available
- Have control of what receptacles are used to hold alcohol with the appropriate recycling
- Having full control over who can purchase and consume alcohol on site by adhering to strict age restrictions including the Challenge 25 scheme

We thank you for your consideration in this matter and would welcome the opportunity to discuss our event further, should it be necessary.

Steven Polwart
Chair
2023 Aberlady Gala Committee

LICENSING OBJECTIVES: QUESTIONS

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 objective.

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

- Ensure that all bar staff and stewards are briefed on the event risk assessment
- Selected personnel given the duty to be vigilant for anything untoward happening in the vicinity of the licensed area
- Any concerns about excessive drinking or drunken behaviour should be reported to the main event steward
- Ensure that event stewards are easily identifiable by a printed high-viz vest
- Attendees reminded to be careful with valuables and belongings
- If necessary, police shall be notified

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

- Comprehensive risk assessment carried out by gala committee
- Ensure that all bar staff and stewards are briefed on the event risk assessment, fire safety and evacuation procedures
- A first aid station will be manned for the duration of the event
- Where possible we will try to avoid selling glass bottles opting instead for cans, plastic or
- No glass drinking vessels will be used
- Ensure that there are regular collections of empties and appropriate recycling

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

- Continual visual awareness of the licensed area and any potential flash points dealt with at an early stage. If necessary, Police shall be notified
- Ensure that noise levels from the live music are within the appropriate guidelines
- Ensure that there are sufficient litter bins available across the site
- Ensure that all households bordering the playing fields are given the contact details of the main event steward so that they know who to contact on the day, should there be any issues with public nuisance
- Ensure there is the appropriate access to public toilets

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

- No drinks promotions available at the event
- Ensure compliance with minimum pricing guidelines
- Avoid the sale of strong beers or ciders above 5.5% ABV
- Ensure there is access to free drinking water at the bar
- No spirits will be on sale at the event

- Visual awareness to those who may be verging on excessive alcohol

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

- Children will not be allowed within 1.5m of the bar area
- Prominent display of a strict 'No-ID no-sale' policy
- Make sure all bar staff are aware of the extra support the Challenge 25 scheme offers
- Only accept photographic driving license, passport or PASS card
- Display posters stating it is an offence to purchase alcohol on behalf of an underaged person

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Karen Harling
Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 15th March 2023

Subject: LICENSING SCOTLAND ACT 2005
REPORT - OCCASIONAL LICENCE APPLICATION OCC153/23
Aberlady Gala Committee, for Aberlady Gala Day, Aberlady Playing Fields, East Lothian

I refer to the above subject and can confirm that the applicant has liaised with the LSO prior to submission of this application.

The applicant is Steven Polwart on behalf of the Aberlady Gala Committee who sits as Chair. Application has been made for an occasional licence for a gala day, with the focus of the day being a ceremony and parade around the village welcoming Primary 1 children into the school and celebrating Primary 7 children continuing to High School. Activities throughout the day include inflatables, funfairs, challenges, activities, tug-o-war, live entertainers and live music. Food and drink is to be available at a BBQ and tea tent. A pop up bar is proposed within the live music tent.

The expected number of people throughout the day is 700, with the majority of activities provided for children and families enjoyment of the event. There is provision for some activities for the wider community such as live music and the BBQ. The event is to take place on 3rd June 2023 between 1300 hours – 1900 hours.

I refer the board to section 19.6 of the East Lothian Licensing Board's Statement of Licensing Policy:-

It is the policy of the Licensing Board that events that are predominantly organised for children should not necessarily attract the need for an alcohol licence to be granted in relation to it. Therefore, applicants for events mainly focused towards children and families, where the majority of attendees will be children, young persons and families, will be required to justify why an alcohol licence is required and may be required to attend a Licensing Board hearing for a determination.

This event has a focus on children and families with much of the attractions including fairground shows, inflatables face painting, bubble artist, storytelling and a magician. I refer this application to the board, for determination if this type of event attracts the need for an occasional licence based on the board's policy for the provision of alcohol.

The applicant has submitted a lengthy cover letter with the application giving further information for the board to consider.

Consideration has been given to the licensed area which is contained within a marquee. Live music will be provided within and there is also a roped off outside area joined to the marquee (see layout plan). It is detailed on the application that personal licence holder Lisa Wood will lead the bar. Lengthy consideration has also been given to the 5 licensing objectives and how they will be demonstrated and upheld in addition to the application for the board's information and review.

As detailed by the applicant, I can confirm there is an exemption to the local bylaw in relation to consuming alcohol in a public place as follows:-

In respect of the Playing Fields, Aberlady, bounded on the south by School Road, on the west by Aberlady Primary Scholl, on the north by Back Lane, and on the east by the back gardens of Rig street, during the Aberlady Gala period, which usually extends for a period of eight days on the final Saturday in June, each day between 1:00 pm and 7pm.

I would like to recommend that Police Scotland are invited to make comment and share their opinions in order for the board to consider the application.

I refer the application to the Licensing Board for determination if the measures detailed by the applicant are sufficient to uphold the licensing objectives in particular, to protect children and young persons from harm and if the need for an occasional licence is merited at this event.

K. Harling
Licensing Standards Officer

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 09 March 2023 09:11
To: Licensing
Subject: ref 153/23
Attachments: HERKES_ GILLIAN_QXK01562_FIREBIRD_2897_001.PDF

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.

no police objection