

OCC 273/23  
Adv 144



East Lothian Council  
Licensing

**Occasional Licence Application Form**  
**EAST LoTHIAN LICENSING BOARD**

12 APR 2023  
Received

**3**

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	N/A
Personal licence number:	EL1730
Name of voluntary organisation	N/A

2. PERSONAL DETAILS			
TITLE:	Mr		
Surname	Hodgson		
Forenames	Craig		
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post town	[REDACTED]	Post code	[REDACTED]
TELEPHONE NUMBERS			
Daytime	[REDACTED]		
Evening	[REDACTED]		
Mobile	[REDACTED]		
FAX NUMBER			

**E-MAIL ADDRESS**



**3. THE PREMISES**

**Description of premises**

Cockenzie House gardens which is 3 acres of enclosed walled garden at the western end of the high street of Cockenzie.

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

The name of the event is “EH32 LIVE” which is a live music event running from 12pm – 10pm. This event is organised by myself “Craig Hodgson” through my company “Rambling Stage Events”. The event will take place in the marquee and surrounding main garden area of cockenzie house.

Live music will run from 2pm – 9pm and noise levels will be closely monitored using a digital DB reader.

There will be two converted horsebox catering/bars on site serving wine, beer, spirits and food for consumption within the event between the hours of 12pm and 10pm. Customers will use the existing seating, marquee and toilets provided by Cockenzie House and Gardens. There will also be four extra portaloo toilets on site for the duration of the event.

We will adhere to all current government guidelines at the time of the event.

This will be a public event with a capacity of 150 people seated. Event staff will be on hand at all times monitoring this.

**Full postal address of premises which this application refers to**

Cockenzie House & Gardens

22 Edinburgh Road

Cockenzie

EH32 0HY

**4. DURATION OF LICENCE**

**From: 4/06/23 - 12pm**

**To: 17/06/23 - 10pm**

**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-\* delete as appropriate**

**Times for sale of alcohol for consumption on premises**

**12pm – 10pm**

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

**Live Entertainment 2pm – 9pm**

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

**Ages of children or young persons permitted entry**

**Under 18's must be accompanied by an adult**

**Times at which children or young persons permitted entry**

**12pm – 9pm**

**Parts of premises to which children or young persons permitted entry**

**Cockenzie House Gardens**

**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  Craig Hodgson	DATE  04/04/23
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**NOTES**

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

- The holder of a premises licence;
- The holder of a personal licence;
- 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**

<p><b>1. Event</b></p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>(a) live music and refreshments</p> <p>(b) Live Music</p>
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<p><b>2. Attendance</b></p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>Up to a Maximum of 150 people however going by last years averages we expect between 60 and 100 per day.</p> <p>there will be a Seated Capacity of no more than 150 people</p> <p>Under 18</p> <p>18 - 30</p> <p>30 – 50</p> <p>X over 50</p> <p>This is a public event</p>
<p><b>3. Stewarding</b></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	<p>0</p>
<p>Unpaid volunteers performing this function are not covered by the Act. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) 0</p> <p>(b) 0</p>

<p><b>4. <u>Layout Plans</u></b></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(a) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>C) Layout attached</p>
<p><b>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></b></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	
<p><b>6. Will alternatives to glass receptacles be provided?</b></p>	<p>Yes only plastic tumblers will be used by the Bar</p>
<p><b>7. To what standard those serving alcohol be trained?</b></p> <p>Please provide details of any training certificate held</p>	<p><b>All bar staff are experienced and have completed the Scottish certificate for safe sale and service of alcohol.</b></p>

**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 objective.**

<p><b>8. How will you prevent Crime and Disorder at the event?</b></p>	<p><b>We set out good practice measures to mitigate risk, we have a responsible approach to alcohol, entertainment and afternoon refreshment.</b></p>
<p><b>9. How will you secure Public Safety at the event?</b></p>	<p><b>We have a Risk assessment document which will be followed at all times. Alcohol will be served in plastic cups to prevent any injury occurring from broken glass. A trained First Aider will be on hand at all times during the event.</b></p>
<p><b>10. How will you prevent Public Nuisance at the event?</b></p>	<p><b>Live Music will be at a safe noise level for the public. Two exits from the gardens will be in use when the event is finished. Staff will collect plastic glasses and other waste regularly. Refuse bins are on site at Cockenzie House Gardens which will be checked and emptied by staff.</b></p>
<p><b>11. How will you promote and protect Public Health at the Event?</b></p>	<p><b>Responsible consumption of alcohol will be monitored by staff. All bar staff will have completed the Scottish certificate for safe sale and service of alcohol.</b></p>

<p>12. How will you protect Children from Harm at the Event?</p>	<p><b>Children will only be allowed entry when accompanied by a responsible adult.</b></p> <p><b>All bar staff will have completed the Scottish certificate for safe sale and service of alcohol.</b></p>
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<p><b>SIGNATURE AND DECLARATION BY APPLICANT DECLARATION</b></p>			
<p><b>IT IS AN OFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</b></p>			
<p>(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))</p>			
<p>The contents of this Application are true to the best of my knowledge and belief.</p>			
<p>Signature</p>	<p>Craig Hodgson</p>	<p>Date</p>	<p>04/04/23</p>



## Licensing

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**From:** Iain Anderson <Iain.Anderson3@scotland.police.uk>  
**Sent:** 13 April 2023 14:35  
**To:** Licensing  
**Subject:** OCC273/23 - O/L APP FROM 04/06/2023 TO 17/06/2023 - COCKENZIE HOUSE  
**Attachments:** OCC273 APP.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.

Hi all,  
No Police objection  
Our ref - 714738

Regards  
Iain

# EAST LoTHIAN COUNCIL

## LICENSING STANDARDS

**From: Karen Harling**  
**Licensing Standards Officer**  
**Board**

**To: C. Grilli**  
**Clerk to the Licensing**

Date: 24<sup>th</sup> May 2023

**Subject: LICENSING SCOTLAND ACT 2005**  
**REPORT - OCCASIONAL LICENCE APPLICATIONS OCC272/23 –**  
**OCC278/23**  
**Craig Hodgson for EH32 Live at Cockenzie House and Gardens, Cockenzie,**  
**East Lothian**

The applicant for the occasional licences is Craig Hodgson who is a personal licence holder. Application has been made for 7 occasional licence for a music festival "EH32 Live". The occasional licence applications run concurrently from 4<sup>th</sup> June 2023 until 9<sup>th</sup> September. This is a period of 105 days/ 3 months 5 days.

The event will have live music between 2pm-9pm. It will take place in a marquee and surrounding main garden area of Cockenzie House. Two bars in the form of two converted horseboxes to supply beer, wine and spirits. Food is also to be available.

The event is a public event and does not require a ticket to enter. A capacity of 150 persons has been stated on the application. There is no proposed restriction of children and young persons to the event other than U18's must be accompanied by an adult.

The requested hours are 1200-2200 for on sales of alcohol. There is no request for off sales.

Last year, live music at this event on the premises attracted several complaints from local residence. The complaints were from 3 local residence in relation to the noise level of the music, offensive language used by a band, issues with people bringing their own alcohol into the event and drug use. A formal complaint was received following the event attached below.

A visit was conducted last year with the event organiser Mr Hodgson in relation to the complaints, where noise levels, drug use and people bringing in alcohol were discussed. The band that used the offensive language were removed from the event and all subsequent performances were cancelled. Guidance was given to employ stewards for the event and for them to be vigilant in relation to drug taking and licensing offences and to monitor the level of noise from the event.

Due to the duration, size of the event and complaints received previously, in line with the licensing objectives, I recommend the board consider the following conditions:

- 1) Positive measures of entry control should be introduced to prevent uninvited persons gaining access to the event and the maintenance of order within. Note on Stewarding Organisers of events should note that from 1st November 2007, when the relevant provisions of the Private Security Industry Act 2001 came into force, there is mandatory licensing of the private security industry. This means that it is an offence to employ unlicensed door stewards or "bouncers" at events. Volunteers who carry out these roles are exempt from the requirements of the Act but organisers may wish to take independent advice on the legality of their security arrangements at events. For further information, visit the Security Information Authority.
- 2) All drinks should be served in approved plastic containers.
- 3) That amplified announcements / music / entertainment noise levels should be controlled so that they are non intrusive / low level at any neighbouring residential properties.
- 4) There should be a personal licence holder present within the bar area at all times and all staff involved in the sale and/or supply of alcohol should have received the two hours mandatory training, as required under the legislation.
- 5) A written policy on how to deal with customers and any other person on the premises who may have become incapacitated or vulnerable through drink or drugs should be held on the premises and available for inspection by Police and the Licensing Standards Officer.
- 6) Children and Young Persons (0 – 17 years) may only gain entry to the event if accompanied by a responsible parent or guardian over the age of 25 years.
- 7) All reasonable requests made by the police or Licensing Standards Officers are complied with.

I recommend that the Board consults with the Environmental Protection department for their views and comments.

I refer the application to the Licensing Board for consideration of the above conditions and the determination of the occasional licence.

K. Harling  
Licensing Standards Officer

Dear Sir/ Madam - I was asked to send this to your licencing department but the email address wasn't recognised - can you please pass this on to the correct department - advised by [REDACTED] - thanks.

I would be grateful if you can regard this message as an official complaint to my situation with the music event EH32 held at Cockenzie House over the summer periods of 20121 and 2022.

I have lived at [REDACTED] for 22 years and have enjoyed the peace and tranquillity it offers as it is remote from any traffic or other noise. Cockenzie House has been running musical events every weekend from 14<sup>th</sup> June until 28<sup>th</sup> September. The live music is played continuously from 2:00pm until 8:30pm with one 30 minute break. This happens on Saturday and Sunday every weekend during this period. Alcohol is also available to purchase, but it has been found that people have been bringing in their own alcohol and it has become a problem. It is also evident that cannabis is being smoked at the events. If you interrogate the EH32 website you will see evidence of this information regarding alcohol etc.

A number of weekends ago, I heard and recorded very loud swearing during the last song- Hey Jude – the music was scheduled to stop at 8:30pm - this event occurred at 8:40pm. The band performing 'Hey Jude' were the Klones. The last event takes place this weekend (27<sup>th</sup>/28<sup>th</sup> August) but a 'Boozy Lunch' is scheduled for the 12th September from 12:30pm until 6pm and will be a club land tribute / rave/ dance music being played by a DJ.

Having spoken to [REDACTED] - (Environmental Protection) regarding recording this complaint, he informed me that licences that are granted are normally for short duration events as a one - off. He also said that there had been so many licence applications this year that many were passed on to other departments to push them through. [REDACTED] also expressed surprise at the duration of the music events at the weekends (June - August ) and was also surprised that a licence had been granted at all.

I have suggested that an acoustic stage could be set up to help reduce the noise levels, but the 13 hours duration of the music over the two days is, I think, excessive.

In conclusion I now find that both my physical and mental health is suffering as I work during the week as an Instrumental teacher and musician, and the weekend is the only time I have to relax. I now find myself having to go out regularly to deal with the mental stress it causes me. The noise bounces off the buildings from early afternoon until late evening which increases the sound levels as it is naturally amplified by the buildings.

I now find it impossible to relax in my house or garden and I am not alone in this situation as other neighbours have also raised concerns albeit informally at this time.

In conclusion I would be very grateful if you can review the points I have raised, as I cannot spend another summer living with the continuous noise over the 13 hours every weekend during the summer period.

Regards,

Name removed by LSO