



# PREMISES LICENCE

LICENSING (SCOTLAND) ACT 2005, SECTION 20

6

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

Tynningame Country Store Main Street, Tynningame, Dunbar EH42 1XL

**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.~~

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

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

Tynningame Country Store Ltd The Smithy, Main Street, Tynningame, East Lothian, EH42 1XL

Company Number SC192927

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

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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.\*

Mr.

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David Wakefield [REDACTED]

Lily Valentine Wakefield [REDACTED]

Lyndon John Russel Wakefield, [REDACTED]

\* 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           N/A          

**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)

Café premises located in a mixed domestic and retail area of Haddington

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**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



Date 10 October 2023

## AGENT

Telephone number and email address of signatory [kgatherum@gilsongray.co.uk](mailto:kgatherum@gilsongray.co.uk)  
01224 011704

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 \_\_\_\_\_

Tynninghame Country Store Main Street, Tynninghame, Dunbar  
Post Code E H 4 2 1 X L

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

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

DAY	ON 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

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

#### 4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES  NO

\*If YES – provide details

The premises will operate in accordance with the festive hours set under East Lothian Council Licensing Board's festive hours policy



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	N/A	N/A	N/A
	Conference facilities	N	N	N
	Restaurant facilities	Y	Y	Y
	Bar meals	N	N	N

Social functions including:

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

Entertainment, including:

5c.	Recorded music – see 5(g)	Y	Y	Y
	Live performances – see 5(g)	N	N	N
	Dance facilities	N	N	N
	Theatre	N	N	N
	Films	N	N	N
	Gaming	N	N	N
	Indoor/outdoor sports	N	N	N
	Televised sport	N	N	N

5d.	Outdoor drinking facilities	Y	Y	Y
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5e.	Adult Entertainment	N	N	N
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Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

The premises may be open early for breakfast, snacks and non-alcoholic beverages but no alcohol will be sold out with the core hours or any extension therefore. Recorded Music may be played when the premises is open early. Social functions may be catered for out with licensed hours but no alcohol will be served. The outdoor area will be open for breakfasts prior to the licensed hours but will not be available for use after the terminal hour.

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

The premises will be open early for breakfast, snacks and non-alcoholic beverages but no alcohol will be sold out with the core hours or any extension therefore.

**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 during core hours or for the duration of a function.

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

0-17 years

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

11am to 10pm

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

All public parts

SCHEDULE 6 Regulation 7  
**DISABLED ACCESS AND FACILITIES STATEMENT**  
*Licensing (Scotland) Act 2005, section 20(2)(b)(iia)*

**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
*Delete as appropriate		

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

Ground floor premises located in a residential area of East Lothian. Entrance to the premises would be accessible to majority of wheelchair users.

**Question 3**

**Facilities available**

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

Disabled toilet available for use.

**Question 4**

**Other provisions**

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

Large menus, assistance dogs are welcome and staff accommodating to visually impaired customers.

**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



Date 19 October 2023

Capacity AGENT

Telephone number and email address of signatory C/o [kgatherum@gilsongray.co.uk](mailto:kgatherum@gilsongray.co.uk) 01224 011704

**\* 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.”

**7. CAPACITY OF PREMISES**

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

30 persons

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66 outside

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**8. PREMISES MANAGER**

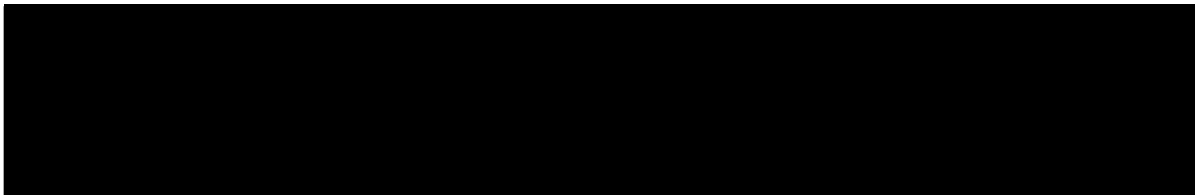
(NOTE: not required where application is for grant of provisional premises licence)

Full Name Lyndon John Russell Wakefield

Date of birth



Contact address



**Personal licence**

Date of issue 18<sup>th</sup> December 2022

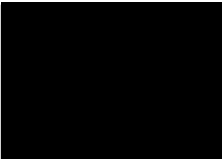
Name of Licensing Board issuing East Lothian Licensing Board

Reference no. of personal licence EL1950

**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  AGENT

Tel. No. of signatory 01224 011704

Email address [Kgatherum@gilsonrgray.co.uk](mailto:Kgatherum@gilsonrgray.co.uk)

**\* 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.

**PERSONAL LICENCE**

The holder of this licence is qualified and permitted to sell alcohol under the terms of the Licensing (Scotland) Act 2005

*Licence number*

**EL1950**

*Name and Address of Licence Holder*

**Lyndon John Russell Wakefield**

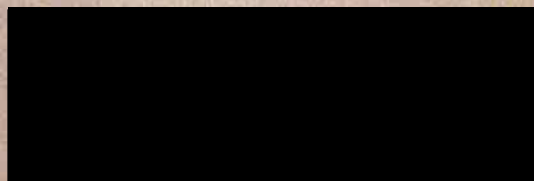


*Name of Issuing Licensing Authority*

**East Lothian Licensing Board**

*Expiry Date*

**19 December 2032**



.....  
**Clerk to the Licensing Board**



**LICENSING (SCOTLAND) ACT 2005  
BUILDING (SCOTLAND) ACTS 2003**

**SECTION 50  
BUILDING STANDARDS CERTIFICATE**

**Section 50 Application No:** 23/00002/S50

**Applicant:** Tynninghame Country Stores Ltd, The Smithy, Main Street, Tynninghame, EH42 1XL

**Agent:** Gilson Gray LLP, Per Fraser Baxter, 160 West George Street Glasgow, G2 2HG

**Premises Address:** Tynninghame Smithy, Main Street, Tynninghame, East Linton Dunbar, East Lothian, EH42 1XL

**Proposed Use of Premises:** Licensed Café / Wine Café

I confirm that the premises subject to the license application comply in terms of the Building (Scotland) Act 2003, as such, there is no requirement for a building warrant for the above proposals and consequently no requirement for a completion certificate or permission for temporary occupation or use certificate.  
Therefore, I have no objections to the Premises License.

Drwg No.	Rev.	Description.	Source.
		Licensing drawings	

**Signed:**  **Date:** 20.11.2023

Frank Fairgrieve  
Building Standards Team Manager

**Contact Details:** **Address:** Building Standards, Engineering Services & Building Standards, East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA

**Tel No:** 01620 827 216  
**Email:** [buildingstandards@eastlothian.gov.uk](mailto:buildingstandards@eastlothian.gov.uk)  
[Marked for the attention of Frank Fairgrieve]

**Issued To:** Gilson Gray LLP, Per Fraser Baxter, 160 West George Street Glasgow, G2 2HG

**Copied To:** Licensing, East Lothian Council, John Muir House, Haddington

Our ref: MM/JD  
Your ref: 18/00015/COM  
Direct Line: 01620 827234  
Fax Number: 01620 827918  
E Mail: [ehs@eastlothian.gov.uk](mailto:ehs@eastlothian.gov.uk)

John Muir House  
Haddington  
East Lothian  
EH41 3HA  
Tel 01620 827827  
Fax 01620 824295

03 July 2023

Fraser Baxter/Joanna Miller  
Gilson Gray LLP  
160 West George Street  
Glasgow  
G2 2HG

Dear Sir and Madam

**THE LICENSING (FOOD HYGIENE REQUIREMENTS) (SCOTLAND) ORDER 2011  
Tynninghame Country Store, Main Street, Tynninghame, East Lothian, EH42 1XL**

I hereby certify, in terms of Section 50 of the Licensing (Scotland) Act 2005, that the premises operated by Tynninghame Country Store Ltd trading as Tynninghame Country Store, Main Street, Tynninghame, East Lothian, EH42 1XL does comply with the relevant requirements of the retained EU provisions which are listed in Schedule 2 to the Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3)

Yours faithfully,



Marion Muir  
Food and Safety Officer  
cc Licensing Board

**Invoice for £129 will be issued by our Finance Department**

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

**SECTION 50  
PLANNING CERTIFICATE**

<b>APPLICANT:</b>	Tynninghame Country Store Ltd
<b>NAME AND ADDRESS OF PREMISES:</b>	Tynninghame Country Store Ltd, The Smithy, Main Street, Tynninghame, EH42 1XL

**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:.....) or outline planning permission (ref:.....) 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:	3 <sup>rd</sup> August 2023
Keith Dingwall Service Manager, Planning			

Boundary wall

Storage Shed

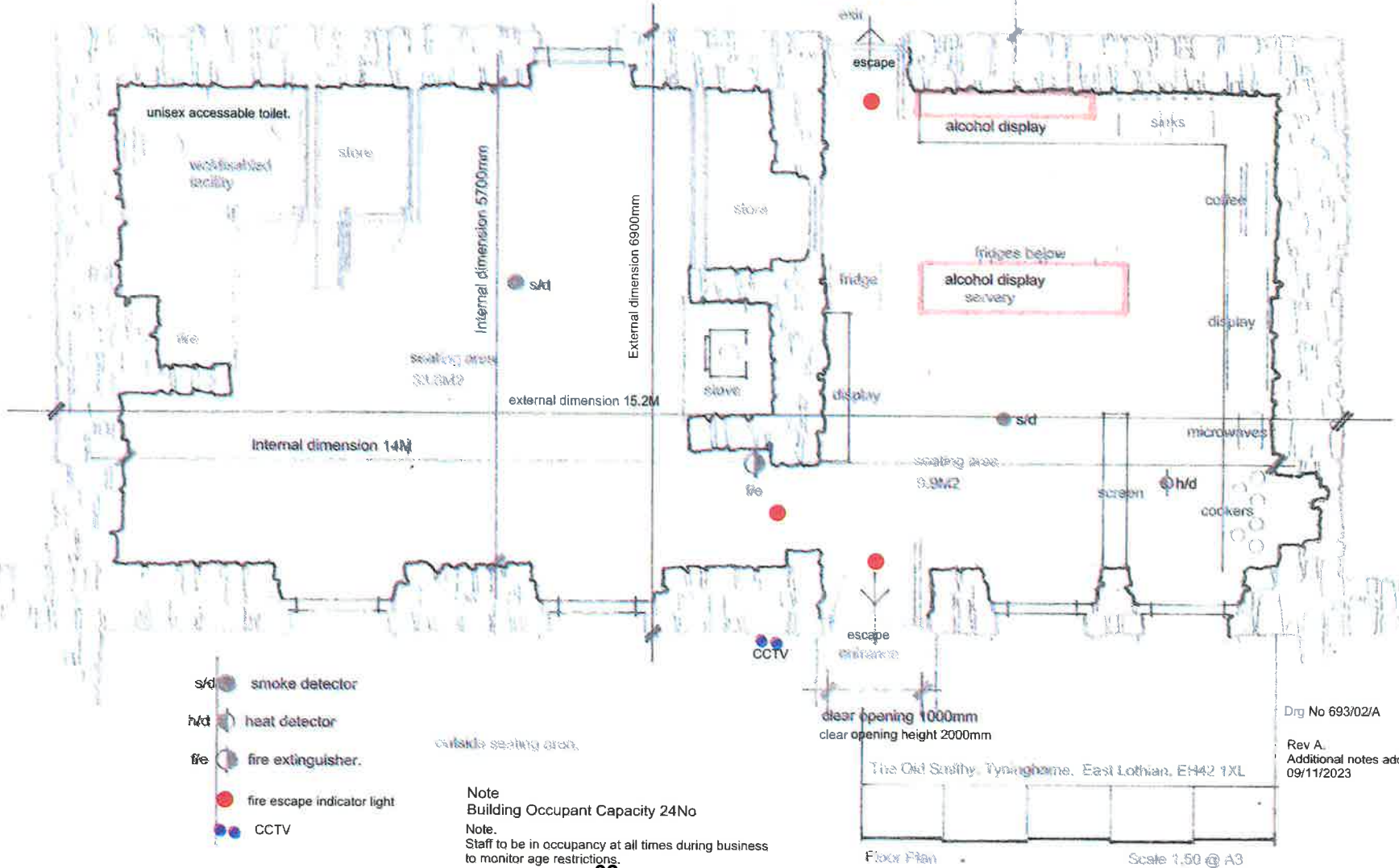
Refuse Area/Bins

Staff parking

note.  
"Children and young persons will have access to all public areas of the premises. Activities narrated in the operating plan will take place throughout the premises. Any information contained in the plan which goes beyond that required by the regulations to the Licencing (Scotland) Act 2005, as amended, is for information only and does not form part of the material information contained on the plan."

dimension 3300mm

clear opening 900mm  
clear opening height 2000mm



- s/d smoke detector
- h/d heat detector
- f/e fire extinguisher
- fire escape indicator light
- CCTV

Note  
Building Occupant Capacity 24No  
Note.  
Staff to be in occupancy at all times during business to monitor age restrictions.

clear opening 1000mm  
clear opening height 2000mm

Drg No 693/02/A

Rev A.  
Additional notes added  
09/11/2023

The Old Sniffly, Tynninghame, East Lothian, EH42 1XL

Floor Plan Scale 1:50 @ A3



note.  
Tables and chairs timber construction.

Total No of tables 14No  
Total Seats 66No

Note: "Children and young persons will have access to all public areas of the premises. Activities narrated in the operating plan will take place throughout the premises. any information contained in the plan which goes beyond that required by the regulations to the Licencing (Scotland) Act 2005, as amended is for information only and does not form any part of the material information contained on the plan"



Location Plan  
Scale 1:1250 @ A3



note. Beer garden has unrestricted escape access full length to Main Street in event of fire.

red line indicates extent of licenced area. 198.5M<sup>2</sup>

access to main street

Note. Occupant Capacity including outside seating area. = 94.

Site Plan Scale 1:200 @ A3

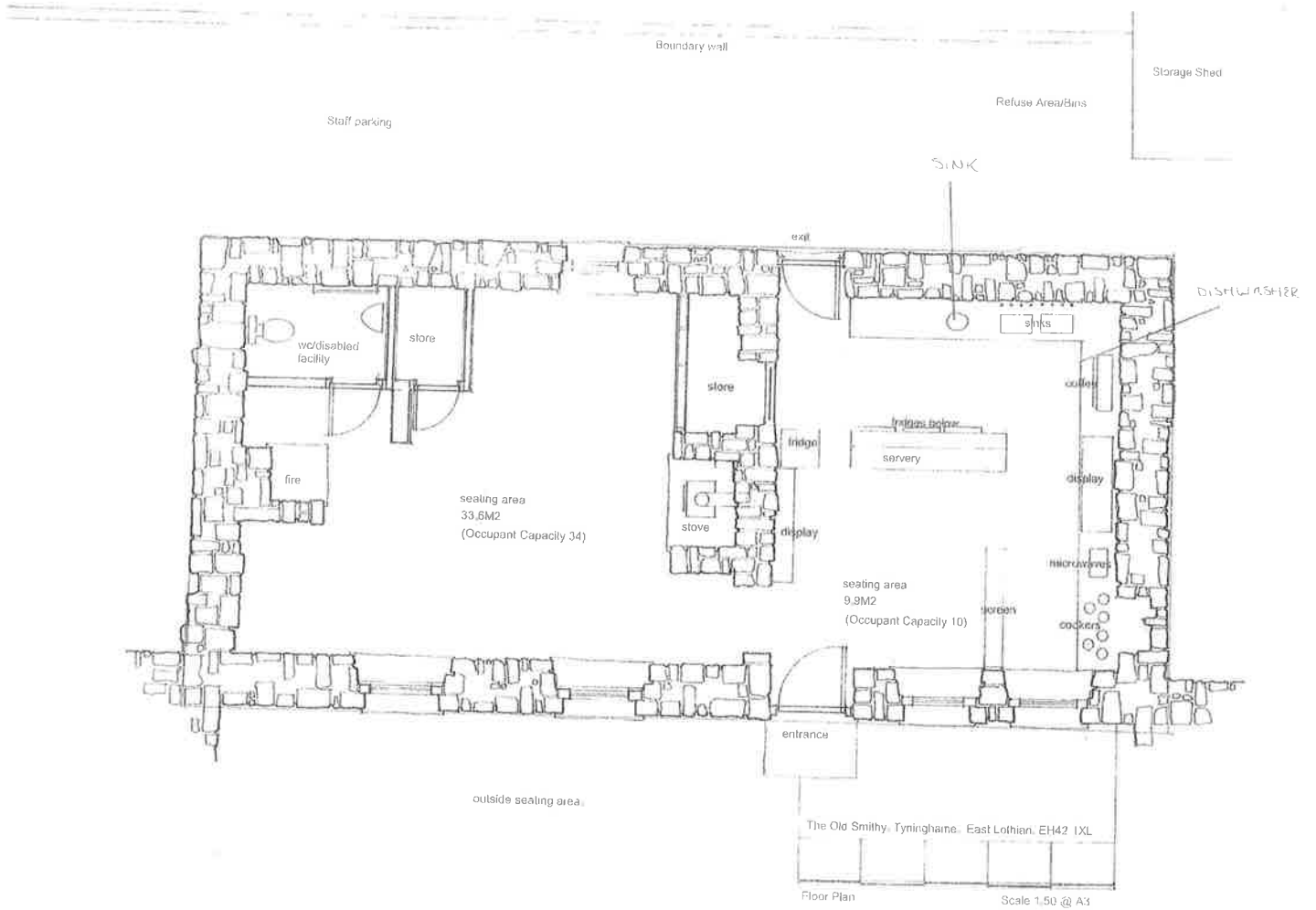
Note. Internal Area Occupant Capacity 28  
External area Occupant Capacity 66

Total Occupant Capacity 94No

Dwg No 693/01/B

rev A  
amended 01/09/2023  
rev B  
notes added 09/11/2023

The City of Edinburgh Council		Notes
1	10	
The City of Edinburgh Council		Scale 1:200 @ A3



## Licensing

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**From:** Lee Wilson-2 <Lee.Wilson2@scotland.police.uk>  
**Sent:** 04 December 2023 12:13  
**To:** Licensing  
**Subject:** EL0398 - PREM LIC - TYNINGHAM COUNTRY STORE  
**Attachments:** LIC06 PREMISES - NO CONVICTIONS - TYNINGHAM COUNTRY STORE.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.

Good Afternoon,

No police objections.

Regards,  
Lee

# EAST LoTHIAN COUNCIL

## Licensing Standards

**From:** Licensing Standards Officer

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

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Date: 30<sup>th</sup> November 2023

**Subject:** LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE APPLICATION

TYNINGHAME COUNTRY STORE, MAIN STREET, TYNINGHAME, DUNBAR, EAST LoTHIAN, EH42 1XL

I refer to the above subject and can confirm that the applicant's agent, Ms Gatherum, has liaised with me in relation to this application.

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

On Wednesday 29<sup>th</sup> November 2023, I visited the premises and spoke with the proposed premises manager Lyndon Wakefield. I viewed the premises, which is consistent with the layout plan provided, and we discussed the proposed operations. I understand it is intended that the premises will trade until 5pm daily as it already does as a café and that hours beyond this will only be used for functions or bookings on an ad hoc basis.

The licensed area contains an outside gravelled area, where there are multiple chairs and tables designed for patrons to sit at for lunch, teas, coffees, and cakes. All orders are taken at the counter and delivered by table service.

In relation to the outside area, I recommend the following condition(s) be considered:

1. The outside area must be clearly delineated to ensure patrons stay within the licensed area whilst consuming alcohol.
2. No public entertainment, amplified music, amplified vocals or live music played in the outdoor area to ensure the use does not cause nuisance to neighbouring residential properties.
3. The use of the outdoor area will cease by 8.00pm.

If successful in obtaining the premises licence, the premises will be subject to a licensing inspection.

Licensing Standards Officer



## Licensing

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**From:** Robertson, Scott  
**Sent:** 29 November 2023 14:44  
**To:** Licensing  
**Subject:** RE: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence

Hello,

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

Kind Regards  
Scott

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

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

<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eastlothian.gov.uk%2F&data=05%7C01%7Clicensing%40eastlothian.gov.uk%7C606f5219333a47867a8c08dbf0e99ff7%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638368658418872520%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=iE4UR6z4Wvbebs%2BKQ0IXADcek2mBfgChwbJuoKXWtdo%3D&reserved=0>

-----Original Message-----

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

Sent: 28 November 2023 12:57

To: 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'; 'licensing@nhslothian.scot.nhs.uk'; dunpendercc@gmail.com

Subject: FW: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence

Further to my email below, when the above premises applied for a Provisional licence they have now received Section 50's from Building Standards, Planning and Food and Safety, so now wish to apply for the full premises licence. Can I please have report/representation by 27th December, 2023.

Regards

Gillian

Gillian Herkes

Licensing Officer

Democratic & Licensing Services

John Muir House

Haddington

East Lothian Council

01620 820114

gherkes@eastlothian.gov.uk

## Licensing

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**From:** Muir, Marion  
**Sent:** 06 December 2023 16:24  
**To:** Licensing  
**Cc:** Licensing Standards Officer; 'torquil.cramer@firescotland.gov.uk'  
**Subject:** FW: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence  
**Attachments:** Application for Full Premises Licence - EL0398.pdf; Tynninghame Country Store Amended Layout plan received from Agent August 2023.pdf

Gillian

I would advise that Business compliance-Environmental Health has no objections to this application in principle but I have attached for information a plan of the kitchen received earlier this year as part of the Section 50 application process which more clearly shows the handwash unit (identified as sink on the August document) together with the sinks and dishwasher.

If further information is required, please get in touch.

Best regards

Marion

-----Original Message-----

**From:** Douglas, Andrew <adouglas@eastlothian.gov.uk>  
**Sent:** 28 November 2023 14:14  
**To:** Gunning, Laura <lgunning@eastlothian.gov.uk>; Muir, Marion <mmuir@eastlothian.gov.uk>  
**Subject:** FW: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence

Marion/Laura,

I have a feeling one of you was dealing with this?

Thanks

Andrew

-----Original Message-----

**From:** Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
**Sent:** 28 November 2023 12:57  
**To:** Douglas, Andrew <adouglas@eastlothian.gov.uk>  
**Subject:** FW: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence

-----Original Message-----

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** 28 November 2023 12:57  
**To:** Licensing Standards Officer <ls@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; 'torquil.cramer@firescotland.gov.uk'; 'licensing@nhslothian.scot.nhs.uk'; dunpenderccc@gmail.com  
**Subject:** FW: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence

## Licensing

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**From:** [REDACTED]  
**Sent:** 08 December 2023 11:54  
**To:** Licensing; Licensing Standards Officer  
**Cc:** 'Judith Priest'; Environment Reception; Environmental Health/Trading Standards; torquil.cramer@firescotland.gov.uk; 'licensing@nhslothian.scot.nhs.uk'  
**Subject:** RE: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence

**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.

Dear Gillian,

Last night the Dunpender Community Council discussed this application for an alcohol license. Opinion within Tynninghame seems fairly evenly divided on the matter, but a primary concern of objectors is the possibility of café opening hours being extended into the evening. This would extend the presence of customers, the demand on parking spaces and, inevitably, considerably increase noise in the centre of the village. We therefore agreed that the Community Council would only approve the licence on condition that it is within the café's current opening hours, i.e. up until 4.30 pm. Dave Wakefield has stated publicly that he does not plan to extend his opening hours, despite the application for a license until 10 pm, so this should not restrict his business plan.

Best wishes,

Daniel Wight

(Tynninghame representative on Dunpender Community Council)

**From:** Licensing <[licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)>  
**Subject:** FW: Attached Image - Tynninghame Country Store Ltd, MainStreet, Tynninghame - Full Premise Licence  
**Date:** 28 November 2023 at 12:56:36 GMT  
**To:** Licensing Standards Officer <[iso@eastlothian.gov.uk](mailto:iso@eastlothian.gov.uk)>, "Environment Reception" <[environment@eastlothian.gov.uk](mailto:environment@eastlothian.gov.uk)>, "Environmental Health/Trading Standards" <[ehts@eastlothian.gov.uk](mailto:ehts@eastlothian.gov.uk)>, "'torquil.cramer@firescotland.gov.uk'" <[torquil.cramer@firescotland.gov.uk](mailto:torquil.cramer@firescotland.gov.uk)>, "'licensing@nhslothian.scot.nhs.uk'" <[licensing@nhslothian.scot.nhs.uk](mailto:licensing@nhslothian.scot.nhs.uk)>, "dunpendercc@gmail.com" <[dunpendercc@gmail.com](mailto:dunpendercc@gmail.com)>

Further to my email below, when the above premises applied for a Provisional licence they have now received Section 50's from Building Standards, Planning and Food and Safety, so now wish to apply for the full premises licence. Can I please have report/representation by 27th December, 2023.

Regards

Gillian

Gillian Herkes  
Licensing Officer  
Democratic & Licensing Services

## LICENSING (SCOTLAND) ACT 2005, SECTION 22

### NOTICE OF OBJECTION

**To:**

The Clerk to the Licensing Board, East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House, Haddington  
East Lothian, EH41 3HA

#### SECTION 1- APPLICATION DETAILS

This objection relates to the following Application:

**Applicant's name:** Lyndon Wakefield  
**Name and address of premises:** Tynningame Country Store, Main Street, Tynningame,  
DUNBAR, East Lothian, EH42 1XL  
**This Application is for:** Premises License

#### SECTION 2 – OBJECTOR DETAILS

**Objector's name** Rosie Dodd

**Objector's address:** 

#### PART A – OBJECTION

I object to a premises licence being granted to the above on the following grounds:

**(d) Granting the application would be inconsistent with one or more of the licensing objectives:-**

Objective	Explanation
<b>Preventing crime and disorder</b>	Granting an alcohol licence to the Village Café in Tynningame poses a potential risk to the prevention of crime and disorder. The consumption of alcohol, especially in larger quantities and within extended hours, may contribute to an increase in disorderly behaviour, altercations, and disturbances. This could strain the resources of local law enforcement and compromise the overall safety and tranquillity of the community. As no police are stationed here, this will not be monitored and could have a detrimental impact on the lives' of residents. By denying the alcohol licence, the village can better maintain a peaceful atmosphere and discourage activities that may lead to criminal behaviour.
<b>Securing public safety</b>	The proposed alcohol licence raises concerns about public safety in Tynningame. Extended hours for alcohol service may lead to patrons leaving the premises in an inebriated state, increasing the likelihood of accidents and incidents on the streets. Securing public safety is paramount, and allowing the Village Café to operate as a restaurant and bar with an alcohol licence could potentially compromise the well-being of residents and visitors alike. Denying the licence would contribute to a safer environment for everyone in the village.

<b>Preventing a public nuisance</b>	The introduction of alcohol sales until 10 pm will contribute to a public nuisance, particularly in terms of noise, disturbances, and increased traffic in the area. Residents value the peaceful and quiet nature of Tynninghame, and the addition of a bar setting could disrupt the harmony of the community. This will go against the whole ethos of the village as a peaceful and tranquil village. There are two pubs in East Linton. There is no need for one in the village. This could result in residents leaving. By preventing the grant of an alcohol licence, the village can avoid unnecessary disturbances and nuisances, preserving the quality of life for its residents.
<b>Protecting and improving public health</b>	The sale of alcohol, particularly within the proposed hours, has implications for public health. Excessive alcohol consumption can lead to various health issues, both physical and mental. Furthermore, the potential for alcohol-related incidents may place an additional burden on healthcare services in the area. Denying the alcohol licence aligns with the objective of protecting and improving public health by mitigating the potential negative health impacts associated with increased alcohol availability and consumption.
<b>Protecting children and young persons from harm</b>	Granting an alcohol licence to the Village Café may expose children and young persons to an environment that is not conducive to their well-being. The transition from a café to a restaurant and bar setting could attract a clientele that is less family-friendly. This, coupled with the potential for increased noise and disturbances, creates an atmosphere that may not be suitable for children. By denying the alcohol licence, the village can uphold its commitment to protecting the younger members of the community from harm and maintaining a family-friendly environment.

(e) The premises are unsuitable for use for the sale of alcohol having regard to

- (i) the nature of the activities proposed to be carried out on the premises
- (ii) the location, character and condition of the premises
- (iii) the persons likely to frequent the premises

Please explain why:

My objections have all been listed in the boxes above and should be considered as explanation to the above points here in section (e).

## **PART C- ADDITIONAL INFORMATION**

I believe that granting such a licence would have detrimental effects on the community and is not in line with the principles of maintaining a conservation village.

The Village Café in Tynninghame is already contributing to issues related to parking and privacy due to the high volume of visitors it attracts. Allowing the café to transition into a restaurant and bar by obtaining an alcohol licence would likely exacerbate these problems. Increased footfall from individuals seeking alcoholic beverages could lead to further congestion and intrusions on the privacy of local residents.

Tynninghame prides itself on being a conservation village, and the introduction of a restaurant and bar atmosphere contradicts the core ideals of maintaining the historic and cultural integrity of

uch a community. The ambiance and character of a conservation village are at risk when commercial establishments deviate from their original purpose, and the proposed alcohol licence would undoubtedly contribute to this departure.

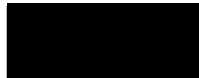
Granting an alcohol licence may pose risks to public health and community welfare. The potential for an increase in disorderly conduct, public disturbances, and noise pollution could compromise the safety and well-being of residents. Additionally, the sale of alcohol could attract a different demographic, potentially leading to an environment that is less family-friendly and safe for children and young persons.

In light of the Licensing Objectives set forth in the Licensing Act 2003, I firmly believe that the proposed alcohol licence for the Village Café does not serve the best interests of Tynningham. The objections raised herein are grounded in the need to prevent crime and disorder, secure public safety, prevent a public nuisance, protect and improve public health, and safeguard children and young persons from harm.

I kindly request that you carefully consider these objections when reviewing the application for the alcohol licence. I trust that the Licensing Authority will prioritize the well-being and values of the Tynningham community in reaching a decision on this matter.

I have read and understood the attached privacy notice attached to this online form

**My signature**

A solid black rectangular box used to redact the signature of the person submitting the objections.

**Date**

**20 December 2023**

**Licensing (Scotland) Act 2005, section 22  
Notice of Objection or Representation**

**If you are completing this form by hand, please write legibly in block capitals using ink.**

Please indicate below the type of notice you are making:  
(please tick the appropriate box)

**YES**    Objection

Please send your Objection or Representation to :

**The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA**

**Any person may, by notice to the Licensing Board—**

- (a)    Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or**
- (b)    Make representations to the Board concerning the application**

- **If you are OBJECTING, please complete Part A of this form.**
- **If you are MAKING REPRESENTATIONS, please complete Part B of this form.**
- **All parties should complete Sections 1, 2 and Part C of this form.**

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

**Section 1 – Application Details:**

**This objection relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	David Wakefield / Lyndon Wakefield	
Name & Address of premises:	Tynningame Café and Country Store Ltd Main Street Tynningame EH42 1XL	
This Application is for	• Premises Licence	<b>Yes</b>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		




**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

**THIS IS AN OBJECTION**

Individual Title	Mr
Surname	White
First Name(s)	Arthur
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

## **PART A – OBJECTION**

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) ~~— The premises are excluded premises.~~

(b) ~~— The application must be refused where:-~~

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application — Section 25(2)~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more — Section 64(2) or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both —.~~

(b)(a) ~~That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
<b>Preventing crime and disorder</b>	All of the concerns expressed below have the potential to increase crime and disorder in the village, especially as alcohol consumption brings with it acknowledged concerns about the effects of alcohol

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<u>Objective</u>	<u>Explanation</u>
<b>Securing public safety</b>	<p>There is only a very limited bus service to / from Tynninghame. Selling alcoholic drinks adds to the potential for accidents as people coming to the café almost all drive or use a bicycle. Driving or using a bicycle after drinking any alcohol is a potential safety concern</p> <p>There is a general risk to public safety if large numbers of people (up to 94) are coming to café events, weddings, parties, etc, where there is no designated café parking, only very limited off-street parking, which is also used by residents.</p> <p>There is no street lighting or safe crossing places - a particular concern at night on a 30mph road</p>

<u>Objective</u>	<u>Explanation</u>

<p><b>Preventing public nuisance</b></p> <p><u>IMPORTANT NOTE</u></p> <p><i>This application is for the sale of on-premises alcohol from 11.00am – 10.00pm, 7 days a week</i></p> <p><i>However, the owner of the cafe has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted as it stands, he could legally open to serve alcohol until 10.00pm.</i></p> <p><i>We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol</i></p>	<p>We have always had cordial relationships with the cafe owner and staff, however the impact on us in our house and for adjacent properties, is potentially very negative should this application be approved</p> <p>Our house faces [REDACTED] with a small buffer of around 2 metres. Food and drink (non-alcoholic) are served daily between 9.00am – 5.00pm.</p> <p>The café courtyard is in shared ownership between the cafe (central area) and our property and the [REDACTED] [REDACTED] edges adjacent to the building facades).</p> <p>Activities in the courtyard space directly impact each property in this space</p> <p>If this licence is approved, the cafe could be open for 11 hours a day to serve alcohol, 7 days a week, well into the evening for up to 94 people (Operating Plan states the capacity of the premises to be 66 people in the courtyard outside space / 28 people inside the café = 94 total)</p> <p>Tynninghame is a quiet village in a conservation area</p> <p>Potential noise and disruption from people drinking alcohol during the day and into the late evening, would be a significant public nuisance for our property and other adjacent properties in particular, but also generally for villagers in this small community, especially as the planned use of the cafe is for larger social gatherings with food and alcohol to take place (weddings, funerals, christenings etc).</p> <p>At times, the cafe would effectively become an events venue rather than a daytime village cafe, with recorded music adding to the potential noise disturbance</p> <p>The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified</p> <p>This proposal would introduce activity, noise and disturbance much greater than the cafe's current operation, along with intrusive lighting (in the evenings) which will cause a loss of residential amenity, including privacy for our and our adjacent properties in particular. It represents overdevelopment of this site</p> <p>There is no designated café parking, only very limited off-street parking. This often causes a problem for residents who cannot find a place to park their own cars and has sometimes caused cafe visitors to park inappropriately on the private access lanes around The Green, etc. Opening during the evenings as well as the day, will compound this existing problem</p>
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<b><u>Objective</u></b>	<b><u>Explanation</u></b>
<b>Protecting and improving public health</b>	The café only has one toilet – this for up to 94 potential alcohol drinking customers at any time
<b><u>Objective</u></b>	<b><u>Explanation</u></b>
<b>Protecting children and young persons from harm</b>	The lack of designated, safe parking. Risk of children running into the 30 mph road which is totally unlit with no safe crossing places and in a dark-sky setting

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) ~~the persons likely to frequent the premises~~

Please explain why :

(i)

Changing the cafe to include the sale of alcohol is a major change of venue style, which is at variance with the location, character and appearance of this quiet village

This application is seeking permission to serve alcohol into the late evening (10pm), including catering for events (weddings, christenings, funerals, etc).

This is a very different venue model to the current daytime 'lunch, coffee and cake' village café one. It will introduce a density of activity and disturbance which will negatively impact on the character and appearance of the village

The courtyard, which as the applicant states has capacity for 66 people, could come to resemble a noisy town centre 'beer garden', which is totally out of character with this quiet village

(ii)

Tynninghame is a small, rural, quiet conservation village with a dark-sky setting. Its conservation area status seeks to protect the village against changes unless they preserve and /or enhance its character and appearance

The cafe and courtyard occupy a visually prominent and central location, sitting at the heart of the village. The operation of the cafe therefore has a significant impact on the village's character and appearance and its impact on residents

The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified

The village has a dark-sky character within its unique rural setting - there is no communal street lighting (streetlights, etc). Evening use would require lighting up the outside courtyard, and potentially access to it, from across the village to ensure safe movement. This would impact negatively on the character and appearance of the village

**This application is for the sale of on-premises alcohol from 11.00am – 10.00pm.**

**However, the owner of the premises has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted, he could legally open to serve alcohol until 10.00pm. We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol.**

**There is a very significant mismatch between what the owner is saying now to local people, and what the actual alcohol premises licence is requesting**

.....  
 .....

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

(e) — Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of —

(i) — licensed premises, or

(ii) — licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

### **PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.	
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature

[Redacted Signature]

Date

19.12.2023

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**



Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

- (a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or
- (b) Make representations to the Board concerning the application
- If you are OBJECTING, please complete Part A of this form.
  - If you are MAKING REPRESENTATIONS, please complete Part B of this form.
  - All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

**Section 1 – Application Details:**


**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)		
Name & Address of premises:	Tynninghame country Storr Smithy Café Main St Tynninghame	
This Application is for	• Premises Licence	<input checked="" type="checkbox"/>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr x Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	GUNSTONE
First Name(s)	Chris
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) The premises are excluded premises.

(b) The application must be refused where:-

- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application - Section 25(2)
- Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more - Section 64(2) or
- Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, o Section 65(3) or both - .

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
Preventing crime and disorder	

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<u>Objective</u>	<u>Explanation</u>
Securing public safety	

<u>Objective</u>	<u>Explanation</u>
Preventing public nuisance	
<u>Objective</u>	<u>Explanation</u>
Protecting and improving public health	

	<u>Objective</u>	<u>Explanation</u>
	<p><b>Protecting children and young persons from harm</b></p>	
	<p>(d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—</p> <ul style="list-style-type: none"> <li>(i) the nature of the activities proposed to be carried on in the subject premises,</li> <li>(ii) the location, character and condition of the premises, and</li> <li>(iii) the persons likely to frequent the premises.</li> </ul> <p>Please explain why : .....</p> <p>.....</p> <p>.....</p>	
	<p>(e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—</p> <ul style="list-style-type: none"> <li>(i) licensed premises, or</li> <li>(ii) licensed premises of the same or similar description as the subject premises,</li> </ul> <p>Please explain why: .....</p> <p>.....</p> <p>.....</p>	

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<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

I have no objection to serving alcohol during current working hours

As to modifications which should be made to the Operating Plan

Parking – there is already some congestion in parking along Main St. Increasing the outside seating may cause increased congestion which would be detrimental to the character of the village and potentially increase danger for children and old people crossing the road.

There is no street lighting so serving alcohol till 10pm could cause danger to children and elderly crossing the road.

Serving alcohol in the courtyard after 6pm seems out of character with a conservation village.

Playing music in the courtyard seems out of character of a conservation village at any time.

The Village Hall only allows a maximum of 2 evening functions such as weddings or parties per month out of concern for local residents. This has been a long standing tradition.

<p>As to conditions which should be imposed.</p>	<p>I would recommend that no increase in outside seating. Alcohol licensing should be till 5pm. No music to be played in the courtyard.</p>
<p>Other representations</p>	




**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	
Date	3 January 2024 (unfortunately the original form I submitted on 23 <sup>rd</sup> Dec 23 was blank due to technical error)

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application MUST  
READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

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Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are **OBJECTING**, please complete Part A of this form.
- If you are **MAKING REPRESENTATIONS**, please complete Part B of this form.
- **All parties** should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

**Section 1 – Application Details:**

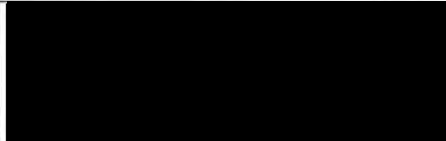
**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	Tynningame Country Store  David Wakefield, Lyndon Wakefield	
Name & Address of premises:	<b>Tynningame Smithy Main Street Tynningame EH42 1XL</b>	
This Application is for	• Premises Licence	<input checked="" type="checkbox"/>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	Stobart
First Name(s)	George Alastair
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) ~~The premises are excluded premises.~~

(b) The application must be refused where:-

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) – or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both –.~~

(b)(a) ~~That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) ~~Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-~~

**Objective**

**Explanation**

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

	<p><b>Preventing crime and disorder</b></p>	<p>A licenced premises with alcohol stored is a very attractive target for the unscrupulous. I would be concerned that as we are a dark village criminals may see it as an easy target not on their radar before.</p>	
	<p><b><u>Objective</u></b></p>	<p><b><u>Explanation</u></b></p>	

	<p><b>Securing public safety</b></p>	<p>The cafe is already a busy place and we have a 30mph speed limit. As there are no barriers to the road side, there is a far greater chance that with alcohol being served people will be less attentive to the traffic, lulled by the tranquil surroundings and step into the path of a vehicle. It is a fact that adults are less attentive to children where alcohol is consumed and so they would be at greater risk.</p> <p>There is no clear exit away from the building, and the large number of tables make it very difficult to negotiate. And this is set to increase. There is only really the front door as an exit from the building – the back door is behind a counter with a narrow area for the staff, and has a large fridge next to it which makes it difficult to access in the event of a fire.</p> <p>The bus service is not frequent and there is no local taxi service. People will come to the cafe in cars and on bikes. There is no parking for the cafe other than on the road and the village is already under huge pressure from the patrons as it stands. There are many instances of inconsiderate parking, and this can only increase if the cafe seeks to attract more customers. Customers, when asked to move their cars from blocking driveways for example, have already become abusive and aggressive. Alcohol can be a significant factor in vocal confrontations turning into physical ones.</p>	
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	<u>Objective</u>	<u>Explanation</u>	
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	<p><b>Preventing public nuisance</b></p>	<p>This is a dark village with no street lights. The events that the applicant seeks to host will require lighting outside and the intention to have recorded music will be a significant nuisance to residents. The applicant also seeks to extend his events to 10pm. This is the last time at which alcohol can be served. If people then choose to stay in what is called the “beer garden” rather than the courtyard to finish their drinks, this will be more than a nuisance.</p>
	<p><u>Objective</u></p>	<p><u>Explanation</u></p>



<p><b>Protecting and improving public health</b></p>	<p>The area outside the premises is extremely uneven and to the road side potholed. Once alcohol is consumed there will be a greater chance of accidents.</p> <p>With the potential of congestion and inconsiderate parking, there is a very real danger that emergency vehicles may not be able to access residential properties easily, increasing the risk of harm or death due to delay.</p> <p>Alcohol consumption is already a great concern in Scotland. The cafe already has a busy customer base without it, and selling alcohol would seem to be contrary to the concerns.</p>
<p><u>Objective</u></p>	<p><u>Explanation</u></p>

	<p><b>Protecting children and young persons from harm</b></p>	<p>Many parents and grandparents bring their children to the cafe. They play on the seesaw and the tree adjacent. The increase in traffic will make it more likely that a child could be struck by a car, and again with the decrease in attention due to alcohol consumption it becomes a real worry.</p> <p>There is also not enough room inside to keep children away from alcohol. And the request for more tables makes this even more of an issue.</p>
--	---	--

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

Please explain why:

- (i) The current menu and the proposed change to a restaurant as stated in the application is a very different business model. The cafe also currently shuts at 4pm and will if the licence is granted, be able to serve until 10pm. There is also the intention to host weddings, funerals and christenings. These events and the opening hours will significantly disrupt the peace and unspoilt atmosphere that residents and visitors to the village enjoy.
- (ii) the cafe is unsuitable for the business model the applicant is putting forward. This is a small and historic building with no kitchen facilities as one would expect in a restaurant. At the moment there is the facility to heat up sausage rolls, make bacon rolls and keep soup hot – the soup is made across the road and carried to the cafe every day. It is flanked by two residential properties for whom the cafe is already a significant nuisance as it has increased its seating by a large number and seeks to increase further.
- (ii) The patrons are at the moment mainly families with children, retired people, couples and cyclists. They enjoy a coffee and cake in a quiet setting. This will inevitably change once the cafe is more of a restaurant serving alcohol. The customers will change too, with the atmosphere becoming more that of a pub with a beer garden as marked in the application operational plan.

- (e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—
- (i) licensed premises, or
  - (ii) licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

In support of the application.	
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	


**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

It would be a great shame to destroy the atmosphere of this historic village for the sake of a commercial activity which is already thriving it seems.

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	
Date	21/12/2023

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

**LICENSING (SCOTLAND) ACT 2005, section 22**

**NOTICE of OBJECTION**

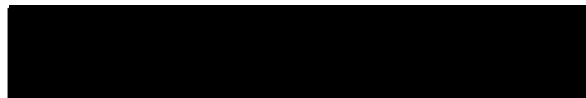
**FAO : Clerk to the Licensing Board, East Lothian Council, Licensing, Administration & Democratic Services, John Muir House, Haddington.**

**SECTION 1 Application Details**

<b>Applicant's Name:</b>	Tynningame Country Stores
<b>Name &amp; Address of Premises</b>	The Tynningame Smithy/Coffee Shop Main St, Tynningame , EH42 1XL
<b>Application For</b>	Premises Licence
<b>Application No</b>	ELO398

**SECTION 2 Objector Details**

**As an Individual** Ms Jennifer Vernon



**PART A - OBJECTION**

\*Please note that I have organised my objections below according to (but not necessarily in the order of) the subsections of the form ie those not listed below may be considered as deleted.

**(d) The premises are unsuitable for use for the sale of alcohol having regard to:**

**- Location**

**i)** The premises are located in Tynningame, a small, rural village, designated as a Conservation Area, and based on Main Street (B1407) – a through road between East Linton and the A198. With the exception of the premises (and the Village Hall opposite, which is a registered charity), Main Street is a **wholly residential** area comprising less than 35 households. The foregoing is not accurately reflected in the application (when I last viewed it 13<sup>th</sup> Dec) which states *café premises located in a mixed domestic and retail area of Haddington*

**ii)** Tynningame, itself, sits within a wider rural environment and, as such, is at some distance from the customer base of the proposed alcohol-licensed service: travel is and will be

necessary for the majority of customers. Given the relatively limited local bus service this will inevitably lead to a reliance on transport by car etc both to and from the premises. Winding country roads and blind spots - combined with the already considerable local concern in relation to lack of adherence to speed limits in the area - seem an unlikely and unsuitable location in which to introduce the sale of alcohol.

#### - Character and condition of the premises

i) **The premises do not include car parking facilities.** Incoming 'traffic' is and will continue to be reliant on street car parking and, as such, in competition with not only local residents with no private parking but also trades working in residential premises and persons making use of the Village Hall resource. Not all respond with responsibility in these circumstances and parking in and across private drives, on grassed areas and private access tracks is far from uncommon. Vehicles also 'loiter' in the hope of a place becoming available and in so doing impede the general flow of traffic, as well as access to and from private drives. This is a non - sustainable situation in the current café model far less the proposed operating plan and extended hours.

#### ii) External area

- As reflected in the applicant's operating plan, the premises take the form of two parts: an internal and an external area, the former being considerably smaller than the latter. There can be little doubt that a major contributory factor to the success of the current business – a coffee shop/café - is the existence of the external area – a south-facing sun-trap enclosed on three sides. The operating plan fails to reflect the fact that the two longer sides of that area are B Listed **residential** properties (The Old Post Office & The Smithy House) both being in private ownership and having windows down – and upstairs facing on to the courtyard area. Even with windows firmly closed and double glazing the noise generated by café customers is highly intrusive and distracting and represents a loss of amenity for these properties. The introduction of alcohol sale in this area during the current café hours is likely to serve to only aggravate that situation further. The prospect of extended hours as per the application is unimaginable: persistent movement and noise from 8.30am Deliveries and setting up to 11.00pm clearing up & closing down 7 days a week and 51 weeks of the year. (See also below p3 '*The nature of the activities proposed*')

- The fourth side of this external area is both poorly defined in the operating plan and lacking in clear delineation on the ground. For example, the drawing contained in the plan suggests the boundary of the proposed licensed area extends in a straight line between the corners of both The Smithy House and The Old Post Office. At the time of writing, a bicycle rack extends beyond this, as do 2 tables (each capable of seating a min of 4) and beyond that again, a children's see-saw. This open access approach means that children - including pre-school children are tempted to wander beyond ie towards the road and other adjacent areas of the village not only without supervision but also beyond the vision of the 'accompanying' responsible adult/s. I, myself, have witnessed numerous 'near misses' in this respect given the proximity of the road, its 30mph speed limit and its use by large vehicles, including buses and tractors towing heavy agricultural machinery. The availability

of alcohol **at any time of the day** in this situation will only serve to heighten the 'inattention' of adults, thus increasing the likelihood of putting children at risk of serious injury/harm. Some of the application's stated 66 seating capacity for that area needs to include, at a minimum, a physical border on that side, and ideally also an enclosed children's play area.

**- The nature of the activities proposed to be carried on in the subject premises**

**(i) General lack of clarity re the intended use of the premises during the core licenced hours applied for.**

See below (ii), (iii) ... etc and Part C (pp4-5)

**(ii) Restaurant facilities** – inappropriate to existing residential location/lack of parking facilities and noise disturbance to immediate neighbours. Lack of clarity re whether confined to internal or external area or applies to both. Lack of street lighting

**(iii) Weddings/funerals/birthdays/retirals** – as in (ii) above. In addition, provision for this activity is already available in the Village Hall and I am unaware there is any evidence to suggest demand beyond that currently offered at these premises. This is particularly so given the limited internal capacity of the premises seeking alcohol licence

**(iv) Clubs or other group activities** – see (ii) and (iii) above

**(v) Recorded music**

I object to this at any point in the proposed daily licensed period (11.00am – 10.00pm) as it is totally alien to the intrinsic character of the location of the premises (see earlier). Furthermore, if introduced to the external area, it would represent a considerable further intrusion on the privacy and amenity of several neighbouring residential properties.

**(vi) Outdoor drinking facility**

- Any extension to the current operating hours of the existing external area of the premises would represent a considerable challenge to the existing conservation status of the village - the quiet, peaceful evenings of our village gone.

- The capacity, layout and location of this outdoor area relative to the capacity, layout and location of the premises overall pose significant management issues not addressed in the licensing application.

- See also **External area** (p2)



### **(c) Granting the application would be inconsistent with one or more of the licencing objectives**

#### **-Preventing crime & disorder**

**Increased** risk of drink driving, drunkenness on and around premises, anti-social behaviour and public disorder and litter. The storage of alcohol at the premises increases the likelihood of attempted burglary – and given the absence of street lighting, the heightened possibility of break-ins to residential property, damage to cars etc

#### **-Securing public safety**

The absence of street lighting combined with uneven ground -to both the fore of the premises and the surrounding area - represent a hazard to safe entry and exit from the premises – and an impediment to emergency evacuation.

The absence of street lighting will likewise constrain the process of clearing litter from the surrounding area, the likelihood being a prolongation of this period (and continued late night disturbance) or litter (broadly defined) persisting to the following day.

#### **-Preventing public nuisance**

If granted, this application will result in increased movement, noise and traffic likely **to give** rise to public nuisance, not prevent it.

The premises currently welcomes dogs. Should this welcome be extended into the later hours of the proposed licensed period, barking and animal body fluids will be additional sources of public nuisance

The fact that the premises has only 1 toilet for a capacity of 98 highlights the potential for public nuisance of a certain kind off and beyond the premises themselves!

#### **-Protecting & improving public health**

Lack of suitable alternative toilet provision in the event of a breakdown of the one toilet available

Lack of a designated on premises smoking area

#### **-Protecting children & young persons from harm**

See p2 (ii) External area, point 2

### **PART C Additional Information/Supporting Documents**

#### **General lack of clarity**

- I have viewed this application twice at the Council Offices and subsequently telephoned (20th Dec) to inquire whether any additions/changes had been made (negative response): I still have no clear idea of what a typical day will be should this application be granted. This is

very important to me: with the sole exception of the kitchen, the whole length of my house, including my front door, is only 7feet from the boundary of the external area of the premises, this being not only the larger part of the premises (capacity stated as 66) but also that part through which all customers must pass to both enter and exit the internal area (capacity stated as 28).

- This lack of clarity has been compounded by the fact that alongside the public notification of the application on the current café door is a similar sized notice stating the following:

Dear Friends, Neighbours and to those who it may concern.

We have made applications for a limited liquor licence for the coffee shop. This is with approval of the Haddington Estate.

Our operating plan submitted with the application states that we have no intention of extending existing hours which ensures the coffee shop is closed by 5.00 daily

We only intend to sell a very limited range of products, ancillary to the food, ie a glass of prosecco with an afternoon tea or mulled wine in winter.

It is signed by one of the Directors of the business making the application.

The content of the above notice is at clear odds with any version of the application form (operating plan included) I have been shown by ELC staff: the application seeks licensing core hours on a daily basis of 11.00am -10.00 pm (terminal hour).

-In an effort to reconcile this mismatch, I have looked at the guidance for applicants on the ELC website where it is stated that local policy **requires** applicants to complete a Supplementary Application Information form. I have asked members of the Licensing Team whether this has been submitted & they have replied negatively, adding also that it is **not a requirement of the application**. This latter view has been supported by email from the Clerk to the Licensing Board.

Should this application be approved, the implications for myself **and** my property are considerable and likewise will fundamentally alter the nature and character of this historical East Lothian village. May I therefore respectfully suggest that pending any final decision on the application:

- A request is extended to the applicant (Tynningame Country Stores) for the submission of a more detailed application in line with the Guidance available to all applicants applying within East Lothian.
- The public retain the right to comment on any such re- submitted application
- Given the less than usual location and configuration of the premises for which a licence is sought, Licensing Board members give consideration to the possibility of undertaking a site visit for the purpose of informing subsequent discussion and deliberation of the application, amended or otherwise.

**I have read and understood the attached privacy notice**

**[REDACTED]**

**26<sup>th</sup> December 2023**

LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION

To:

The Clerk to the Licensing Board, East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House, Haddington  
East Lothian, EH41 3HA

East Lothian Council  
Licensing

21 DEC 2023


Received

SECTION 1- APPLICATION DETAILS

This objection relates to the following Application:

**Applicant's name:** Lyndon Wakefield  
**Name and address of premises:** Tynningame Country Store, Main Street, Tynningame,  
DUNBAR, East Lothian, EH42 1XL  
**This Application is for:** Premises License

SECTION 2 – OBJECTOR DETAILS

**Objector's name** Mrs Sara Dodd  
**Objector's address:** 

PART A – OBJECTION

I object to a premises licence being granted to the above on the following grounds:

(d) Granting the application would be inconsistent with one or more of the licensing objectives:-

Objective	Explanation
Preventing crime and disorder	<p>Tynningame is a low or no-crime rate area. This is because there is no reason for non-residents to come to the village after 4pm unless visiting friends, family or attending an event at the village hall. The extension of hours and inclusion of full licensing until 10pm, 7 days a week, that the café has applied for would encourage outsiders to be and stay around the village longer, potentially drinking, and could result in crime and disorder. This is contrary to the ELLB's Statement of Policy to make East Lothian a safe place to live in.</p> <p>We have no byelaws in Tynningame that would prevent people from taking their drinks to public spaces. Café customers often use our public (and private) spaces to picnic and consume their purchases from the café, especially when all the café tables are full. With no police presence to enforce laws, people will potentially drink and carry on anywhere they choose.</p> <p>The ELLB statement of licensing policy indicates that owners might have to provide lighting and bins to mitigate against this, all of which is contrary to our</p>

	<p>conservation status, impacting directly on the quality of life and amenity of the village.</p>
<p><b>Securing public safety</b></p>	<p>The age, design and layout of the café building are limited in scope and scale. There is only one designated escape route, a narrow space difficult for a person in a wheelchair to navigate, which passes close to a working fireplace.</p> <p>The courtyard is equally difficult to navigate with moveable chairs and benches. If all 94 seats (inside and out) are in use, the occupancy of the building and courtyard is beyond capacity to ensure safety for café-goers and the adjacent residents. (The café is regularly overbooked in the spring and summer with a queue of 10-20 people waiting in the courtyard for seats and takeaways.) Two large picnic tables seating 8 each have been placed beyond the indicated limits of the proposed licensed area indicated in the layout plans, as well as bike racks. These encroach on a public footpath and emergency vehicle access lane; they also block access to the bordering residents' homes. These tables should not be placed there - they do not fit the conservation aesthetic of the village (any other homeowner has to meet strict standards)) and only increase the number of people at the café. Currently all furniture is left in situ in the courtyard overnight, which is unsafe and unsightly.</p> <p>The extension of hours of operation from 9:30 am – 10pm would create huge impact on the village residents and visitors in a number of ways outlined in this objection.</p>
<p><b>Preventing a public nuisance</b></p>	<p>Licensing these premises would have an adverse impact on the whole community.</p> <p>The courtyard where it is proposed to serve food and alcohol, host weddings, funerals, receptions, et al, and have music playing, is bordered by two homes with permanent residents. Noise cannot be contained within a courtyard space, and groups of people drinking and eating until late, potentially with amplified music playing, would be audible to all. There is no way sound-proofing or sound limiting can be implemented.</p> <p>The adjacent residents have already felt the impact of the expansion of the café and this extension to hours, with increased volume of and noise of people it would create a difficult, if not untenable, situation for them. It's not equitable to allow the commercial interests of one family to ruin the living environment, and amenity not to mention property values of others in the village. This is unacceptable change to the current residents of Tynninghame.</p> <p>There is limited public transport to and from Tynninghame. Buses run only every 2 hours in each direction and do not operate after 9:30 at night. This would encourage people to drive or walk/bicycle, but with no street lighting, this can be extremely dangerous. The location encourages use of private cars (there is no local taxi service) and equally there is no drop off area. There is no police presence in this area at all, except for emergencies.</p>
<p><b>Protecting and improving public health</b></p>	<p>There is only one toilet and the application is proposing seating for 94 people in total. This encourages people to find other places to relieve themselves, and there are no public facilities in the village. At times when the café is totally full, people have resorted to using the public outdoor spaces which are areas the children play in.</p>

	Loud noise and music would be detrimental to the nearby and residents. Many of the residents of Tynninghame are over 65, and several suffer from disabilities and illness. The impact of a full restaurant operation would be detrimental to their health in terms of volume of noise, anti-social behaviour, ability to park by their own homes and the stress caused by people entering their gardens or open areas in front of and around their homes. This is already a cause for concern.
<b>Protecting children and young persons from harm</b>	Families with children regularly frequent the café – which is generally safe during daylight hours. The interior of the building however is small, enclosed and unsuitable for families with several children. Many families therefore choose to sit outside, but this means that children are often unsupervised and left to run across or up the road, climb the neighbouring' resident's tree, and use scooters or bicycles on the small green at front of the café. The fact that huge farm vehicles pass at speed and it is impossible to see between the tightly parked cars creates equal safety issues. Patrons must cross the street to get to the café which can be dangerous when there are too many cars and people about.

(e) The premises are unsuitable for use for the sale of alcohol having regard to

- (i) the nature of the activities proposed to be carried out on the premises
- (ii) the location, character and condition of the premises
- (iii) the persons likely to frequent the premises

Please explain why:

My objections have all been listed in the boxes above and should be considered as explanation to the above points here in section (e).

## **PART C- ADDITIONAL INFORMATION**

**My deepest concerns with this application for a full license is that it also registers a change of use from café to restaurant with extended hours to 10pm– none of which is sympathetic to our village life, and would cause aggravation, anger, disruption and accidents.**

Tynninghame is much loved historic hamlet of residential houses located in rural agricultural countryside, bordered by fields, woodlands and riverside. It was designated a conservation village in 1969 and has maintained its beauty and tranquillity in a tight-knit setting of houses and cottages laid out around public greens and open fields. The character of the village is peaceful and quiet with dark skies at night and virtually no traffic after 5pm. The only other building that serves the public is our village hall (operated as a charity) that serves local and county residents for weddings, workshops, fairs and gatherings. The café sits in the centre of the village and attracts families, beach walkers and bicyclists for coffee, light snacks and afternoon tea.

However, over the past 5 years, the café has expanded the number of tables, chairs, benches and bike racks, spilling out onto historic green to the front, with café goers intruding on residents gardens and private areas. The number of people visiting the café daily in summer exceeds the number of residents and there is often a queue of people ordering takeaways. This additional influx has seen a corresponding number of cars both driving through and parking all along the main street. Visitors now regularly park their cars in front of residents' driveways, at the end of the village on the main B1407, or dangerously close to the intersection with the A198. When there is

an event at the Village Hall there is there is insufficient parking for visitors, residents, and those attending the events and because the café has only one toilet, café visitors pee in behind the hall, by drying greens and along footpaths, the cricket pitch and football pitch where local children play. The premises, specifically the outdoor area – which is owned by the Haddington family and not the café - is not a safe place for children to play High-sided farm vehicles speed down the main street at 40-50 mph throughout the day and evening – this is the principal farm road for all neighbouring farmers - yet café goes allow children and dogs to play along the roadside, dangerously close to traffic. There are also many grounds for concerns on fire escape routes in and outside the café.

The cafe has recently been granted an occasional license (with no public consultation) and it looks from planning applications (again put forward with no public consultation) that they are intending to run a bar and restaurant. The audience the café has said they will be attracting is those wanting a 'Prosecco Teas' – this is an entirely new customer base (no residents, bicyclists, walkers or families have expressed an interest in this). But the application in front of ELLB s for a full alcohol licence from 11am – 10pm.

This change of use – from a café serving coffee/tea, cakes and light lunches from 10am -4pm – to a Wine café or Restaurant will cause huge disruption to residents' life here. The application seeks to sell alcohol up to 10pm (which means people could leave well after 11pm) with the majority of seating (66 places) outside. This will mean late night noise and revelry (the application also indicates music could be played) potentially disorderly conduct, increased traffic (there is no public transport after 9:30pm, so patrons will require cars or taxis). This adds up to creating a public nuisance and immense irritation for all the residents of the village.

This goes entirely against the grain of the village, against the wishes of the former Earl of Haddington (who would not allow alcohol in any public space in the village) only benefit the café owners – no one else, and certainly not the majority of residents in this small village. This change of use is detrimental to the conservation status we cherish and the reasons we chose to live here - imposing an unwelcome and influx of drinkers, cars, and noise – IS NOT WHAT A CONSERVATION VILLAGE SHOULD BE!

I have read and understood the attached privacy notice attached to this online form

**My signature**



**Date**

**20 December 2023**

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and  
Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

East Lothian Council  
Licensing

21 DEC 2023

Received



**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**

<p>Applicant's name (if known) (This is the name of the applicant in respect of the licensed premises referred to in the application)</p>	<p>TYNINGHAME COUNTRY STORES LTD THE SMITHY, MAIN STREET, TYNINGHAME EH42 1XL</p>	
<p>Name &amp; Address of premises</p>	<p>TYNINGHAME SMITHY, MAIN STREET, TYNINGHAME, EAST LINTON, DUNBAR EH42 1XL</p>	
<p>This Application is for</p>	<ul style="list-style-type: none"> <li>• Premises Licence</li> </ul>	<p style="text-align: center;">✓</p>
	<ul style="list-style-type: none"> <li>• Provisional Premises Licence</li> </ul>	
	<ul style="list-style-type: none"> <li>• Variation of an existing Premises Licence</li> </ul>	
	<ul style="list-style-type: none"> <li>• Occasional Licence</li> </ul>	
<p>Application Number (if known)</p>		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN INDIVIDUAL**

Individual Title  Mr  Mrs  Miss  Ms  Other \_\_\_\_\_ delete/complete as appropriate

Surname CARMICHAEL

First Name(s) MASTAIR

Address (including postcode):  
[Redacted]

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title  Mr  Mrs  Miss  Ms  Other \_\_\_\_\_ delete/complete as appropriate

Surname

First Name(s)

Address of person lodging objection/ representation on behalf of organization (including postcode):

Name of Organisation:

Nature of Organisation e.g. resident's association, ward councilor, trade association

Address of Organisation (including postcode):

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

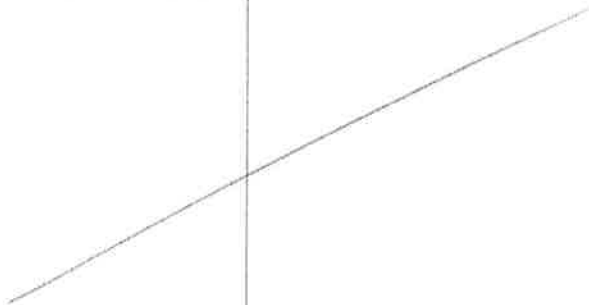
~~(a) The premises are excluded premises.~~

- (b) The application must be refused where:-
- the Licensing Board has refused a premises licence application in premises less than a year before this application - Section 25(2)
  - Granting the application would have the effect of allowing alcohol to be consumed on the premises during a continuous period of 24 hours or more - Section 25(2)
  - Granting the application would have the effect of allowing alcohol to be consumed on the premises before 10am, after 10pm, or on a Sunday - Section 25(2)

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives:-

<u>Objective</u>	<u>Explanation</u>
Preventing crime and disorder	
<u>Objective</u>	<u>Explanation</u>
Securing public safety	HIGH RISK OF INJURY TO PEDESTRIANS DUE TO PROXIMITY OF NARROW ROADS.

<b><u>Objective</u></b>	<b><u>Explanation</u></b>
<b>Preventing public nuisance</b>	THERE IS ALREADY AN OCCASIONAL PROBLEM DUE TO PATRONS PARKING ON PRIVATE GROUND, AND WITH LITTERING.
<b><u>Objective</u></b>	<b><u>Explanation</u></b>
<b>Protecting and improving public health</b>	
<b><u>Objective</u></b>	<b><u>Explanation</u></b>

**Protecting children and young persons from harm**

CHILDREN ARE ALREADY ENCOURED TO PLAY JUST A FEW STEPS FROM THE ROAD DUE TO THE PROVISION OF A SEE-SAW. MORE OUTSIDE SEATING FOR MORE CUSTOMERS INCREASES THE RISK OF ACCIDENT

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to—
- (i) the nature of the activities proposed to be carried on in the subject
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

Please explain why : .....

.....

.....

- (e) Granting the application would result in overprovision of licensed premises regard to the number and capacity of—
- (i) licensed premises, or
  - (ii) licensed premises of the same or similar description as the s premises,

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application

The Clerk to the Licensing Board  
John Muir House  
Haddington  
EH41 3HA

East Lothian Council  
Licensing  
21 DEC 2023  
Received

20<sup>th</sup> December 2023

Dear Sir

**Applicant: Tynninghame Country Store Ltd**  
**Premises: Tynninghame Country Store, Main Street, Tynninghame**

We wish to lodge objection to the proposed hours of opening for on sales at the premises referred to as Tynninghame Country Store. The proposed times extend from 11am until 10pm seven days a week. Supply of alcohol to patrons until 10pm will cause a public nuisance and create a danger to public safety.

#### Public Nuisance

The premises are situated in a quiet residential community. The premises presently close each day at 5pm. The proposal for hours of opening to 10pm each day will create noise, both from patrons themselves, and from their vehicles leaving at closing time. There is no bus service in Tynninghame at that time of night. The application refers to the use of "recorded music" and to "outdoor drinking facilities". These activities will clearly give rise to public nuisance. There is seating for 60 people approximately outside, and 30 approximately inside the premises. 90 people leaving the premises at the proposed closing time would create a quite unreasonable public nuisance. In any event, the applicant has indicated to residents in the village that the premises will continue to close at 5pm each day. If that is, in fact, the position then there is no reason for the Application to seek the extended hours until 10pm. Any on sales liquor licence should be restricted to the hours of 11am to 5pm each day.

#### Public Safety

The outdoor drinking facilities extends to an area bordering the public roadway, Main Street. The village has no street lighting and is dark after sunset. There is clearly a serious issue in relation to public safety with customers (and their children) frequenting outside premises so close to a public roadway, and especially when arriving at and departing from the premises in the hours of darkness. They will require to cross the public roadway to reach their cars as there is no car park for the premises and there are no designated car parking spaces in the village. As stated before there is no public transport servicing the village at the proposed closing time.

Please acknowledge receipt of this letter of objection which the notice on the cafe states requires to be lodged by 27<sup>th</sup> December. My email address is [REDACTED]

Yours faithfully

[REDACTED]  
Anthony D D MacIver

[REDACTED]  
Catherine J MacIver

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and  
Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are **OBJECTING**, please complete Part A of this form.
- If you are **MAKING REPRESENTATIONS**, please complete Part B of this form.
- **All parties** should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

East Lothian Council

21 DEC 2023

Received

**Section 1 – Application Details:**

**This objection/representation relates to the following Application:**

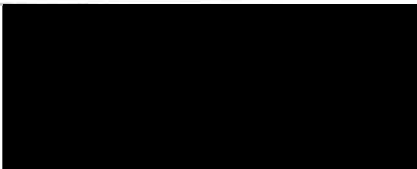
<p>Applicant's name (if known) (This is the name of the applicant in respect of the licensed premises referred to in the application)</p>	<p>TYNINGHAME COUNTRY STORES LTD THE SMITHY MAIN ST TYNINGHAME EH42 1XL</p>	
<p>Name &amp; Address of premises</p>	<p>TYNINGHAME SMITHY, THE SMITHY, MAIN ST, TYNINGHAME, EH42 1XL</p>	
<p>This Application is for</p>	<ul style="list-style-type: none"> <li>• Premises Licence</li> </ul>	
	<ul style="list-style-type: none"> <li>• Provisional Premises Licence</li> </ul>	
	<ul style="list-style-type: none"> <li>• Variation of an existing Premises Licence</li> </ul>	
	<ul style="list-style-type: none"> <li>• Occasional Licence</li> </ul>	
<p>Application Number (if known)</p>	<p>NOT KNOWN</p>	



**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN INDIVIDUAL**

Individual Title	Mr Mrs Miss Ms Other _____ delete/compl appropriate
Surname	CARMICHAEL
First Name(s)	YVONNE
Address (including postcode):	

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr Mrs Miss Ms Other _____ delete/compl appropriate
Surname	
First Name(s)	
Address of person lodging objection/ representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) ~~The premises are excluded premises.~~

- (b) The application must be refused where:-
- the Licensing Board has refused a premises licence application in premises less than a year before this application - Section 25(2)
  - Granting the application would have the effect of allowing alcohol to be consumed on the premises during a continuous period of 24 hours or more - Section 25(2)
  - Granting the application would have the effect of allowing alcohol to be consumed off the premises before 10am, after 10pm, or on a Sunday - Section 25(2)

(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

(c) Granting the application would be inconsistent with one or more of the licensing objectives:-

<u>Objective</u>	<u>Explanation</u>
Preventing crime and disorder	
<u>Objective</u>	<u>Explanation</u>
Securing public safety	CHILDREN AT OUTSIDE TABLES PLAY ON THE ROAD AND RUN ABOUT. THERE IS NO PAVEMENT BETWEEN THE CAFE AND OTHER GRASSY AREAS.

<u>Objective</u>	<u>Explanation</u>
Preventing public nuisance	<p>NOISE FROM PEOPLE LEAVING AT NIGHT IN A RESIDENTIAL AREA.</p> <p>TOO MUCH DEMAND FOR TOO FEW PARKING SPACES.</p>
<u>Objective</u>	<u>Explanation</u>
Protecting and improving public health	
<u>Objective</u>	<u>Explanation</u>

Protecting children and young persons from harm

DANGER FROM BUSY ROAD (CARS DRIVE TOO FAST IN VILLAGE REGARDLESS OF SPEED LIMIT). NO FENCE TO STOP CHILDREN RUNNING ON ROAD.

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to—
- (i) the nature of the activities proposed to be carried on in the subject
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

Please explain why: BY BUSY ROAD, INADEQUATE PARKING, RESIDENTIAL AREA.

- (e) Granting the application would result in overprovision of licensed premises regard to the number and capacity of—
- (i) licensed premises, or
  - (ii) licensed premises of the same or similar description as the subject premises,

Please explain why: ~~.....~~

### PART B - REPRESENTATION

I/We wish to make these representations to the Board concerning the application

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

East Lothian Council  
Licensing

21 DEC 2023

Received

**Section 1 – Application Details:**

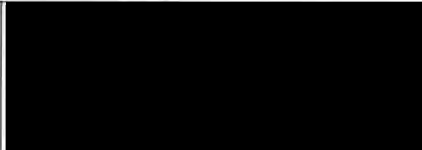
**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	Tynningame Country Store  David Wakefield, Lyndon Wakefield	
Name & Address of premises:	Tynningame Café and Country Stores Ltd. Main Street Tynningame EH42 1XL	
This Application is for	• Premises Licence	<input checked="" type="checkbox"/>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	Jones
First Name(s)	Andrew
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) ~~The premises are excluded premises.~~

(b) ~~The application must be refused where:-~~

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both –.~~

(b)(a) ~~That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) ~~Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-~~

Objective

Explanation

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.



<p><b>Preventing crime and disorder</b></p>	<p>Tynningame is currently a very safe place to live. As it's a dark sky village i.e. there are no streetlights, I am concerned that a licensed premises storing large amounts of alcohol will attract criminals seeking to take advantage of this.</p>
<p><u>Objective</u></p>	<p><u>Explanation</u></p>

## Securing public safety

Public safety is already a concern when the café is very busy. There is no dedicated parking, making the village extremely congested. We have no dedicated crossing points. The increase in custom that the applicant hopes to attract by serving alcohol will inevitably lead to an increase in traffic and so the risk of harm. The speed limit is 30mph (rather than 20mph) at which you are likely to receive life-changing injuries or indeed die if struck. There is no barrier between the café area and the road, making it more likely that children will be at greater risk due to the increased possibility of inattention when alcohol is consumed.

The already cluttered and confused table arrangements in the courtyard means that there is no clear exit away from the building in the event of fire. And the applicant seeks to increase the number, making the situation worse. From the inside of the building there is only one exit – the plan included with the application shows two, but the rear exit is effectively blocked by the counter, alcohol display and a large fridge, which would force patrons to go around them to exit. In the panic of fleeing a fire, this seems to be a completely unsuitable provision.

Public transport to and from Tynninghame and the surrounding areas is poor so most people arriving at the cafe will come in cars or on bikes. The cafe has no dedicated parking. The village does not have the space for an increase in cars parked along Main Street. We already have an issue with patrons of the café parking inconsiderably and across drives and access roads causing considerable nuisance to residents. Customers can, and have already, become abusive when asked to move cars away from driveways. Alcohol will almost certainly fuel tempers and increase the risk of conflict and assault.

<u>Objective</u>	<u>Explanation</u>
<b>Preventing public nuisance</b>	Tynninghame is a dark sky conservation village. Events (weddings, funerals, christenings as proposed by the applicant) with alcohol and recorded music continuing until at least 10pm will significantly alter the atmosphere the village and will constitute a significant nuisance to those living here.
<u>Objective</u>	<u>Explanation</u>
<b>Protecting and improving public health</b>	<p>The courtyard area is extremely uneven as is the area leading up to it. I am concerned that this will lead to injuries once alcohol is added to the menu.</p> <p>Without dedicated parking, increased congestion on the roads along with inconsiderate parking may lead to emergency vehicles being unable to quickly access residential properties leading to delays in their arrival and the potential risk of increased harm or death due to that delay.</p> <p>There is already great concern in Scotland over the consumption of alcohol. The café seems to be a thriving business without it and allowing the sale of alcohol would seem to fly in the face of this concern.</p>
<u>Objective</u>	<u>Explanation</u>

	<b>Protecting children and young persons from harm</b>	<p>During busy times there is already a risk to children playing unsupervised on the seesaw outside the café and the tree close to it. An increase in traffic will make it more likely that a child could be struck by a car while playing having run into the road.</p> <p>I am concerned that there is not enough space inside the café to ensure a safe space for children away from alcohol. The number of covers proposed makes this unlikely.</p>	
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- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

Please explain why :

(i) At the moment the café provides some light hot meals (bacon roll, sausage roll, quiche, soup), tea, coffee, cake and soft drinks. This is a completely different model from the restaurant it seeks to be, serving presumably a far more extended menu and selection of alcoholic drinks. It also shuts at 4pm. In addition to opening until 10pm it seeks to host events such as weddings, christenings, and funerals. Many people and not just the residents value Tynninghame for its peace and unspoilt atmosphere. Both of these will be negatively impacted by such gatherings.

(ii) The proposed location is completely unsuitable for the purposes that the applicant seeks. It is a small historic building with limited space inside. There are no kitchen facilities as such at present – a small airfryer, an electric griddle and a soup vat I believe: so no ovens, hobs or any of the other equipment standard in a restaurant kitchen. The premises is immediately adjacent to two residential properties for which the café is already a significant nuisance having increased it's outside seating dramatically, and has plans to do so further.

(iii) The clientele at the moment are mainly families with children, couples, retired people and cyclists who enjoy a quiet coffee and cake in a lovely setting. They are in the main (although not always) courteous and considerate of the village. This will inevitably change dramatically once alcohol is served and footfall to the increases. I imagine that that atmosphere will become more of a “pub”, and indeed the applicant has described the courtyard as a “beer garden” in his application. There will inevitably be confrontations over inconsiderate or plain illegal parking on private land and antisocial behaviour fuelled by alcohol.

- (e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

- (i) licensed premises, or
- (ii) licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.

As to modifications which should be made to the Operating Plan

As to conditions which should be imposed.

Other representations	
-----------------------	--

**PART C: Additional Information/Supporting Documents**



Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

There are many additional comments, but here are few:

The toilet facilities will be completely inadequate for essentially 100 people.

Disabled access is currently absent.

The internal plan submitted on the operational plan as part of the application does not reflect that of the actual operational area e.g. the rear access is not accessible as an escape route.

The proposal states that the premises is a restaurant, but surely this would require a change of use from a shop and café?

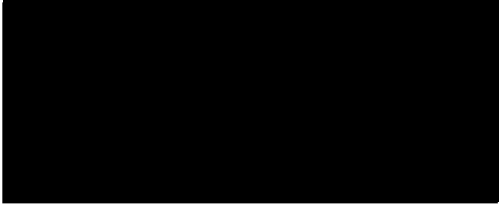
The number of seats both inside and out has increased over the last couple of years. The goods that were sold have all but disappeared and been replaced with seating. The outside seating has over doubled in that time, and the applicant seeks to increase it again. This is the café just before I moved to the village, with very few seats outside as you can see.



This is the café now 21-12-2023. As you can clearly see, with far more tables and chairs.



There are also now two large tables past the boundary of the property, clearly seen in the top picture. When these are moved back inside the boundary, it will be almost impossible to walk between tables, let alone add more.

Your Signature	
Date	21/12/2023

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

Objection

Representation

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

**Section 1 – Application Details:**


**This objection/representation relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	David Wakefield and Lyndon Wakefield	
Name & Address of premises:	Tyninghame Café and Country Stores Ltd. Main Street Tyninghame EH42 1XL	
This Application is for	• Premises Licence	<input checked="" type="checkbox"/>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

Individual Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <u>PROF.</u> delete/complete as appropriate
Surname	EVANS
First Name(s)	Margaret-Jane
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) ~~The premises are excluded premises.~~

(b) ~~The application must be refused where:-~~

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application — Section 25(2)~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more — Section 64(2) or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both - .~~

(b)(a) ~~That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) ~~Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-~~

**Objective**

**Explanation**

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<p><b>Preventing crime and disorder</b></p>	<p>Many of the issues cited below in this application have the potential to increase crime and disorder.</p> <p>There is a risk that the storage of large volumes of alcohol on a premises in a dark zone may lead to increased likelihood of break-ins.</p>
<p><b><u>Objective</u></b></p>	<p><b><u>Explanation</u></b></p>

**Securing public safety**

**Risk of Increased Traffic.** The application cites seating for 94 – a marked increase from previous provision. Currently the café operates until 4.30/5pm. The licence application seeks to provide alcohol between the operating hours of 11.00am to 10.00pm and to hold weddings, funerals, and christenings at any time - the venue will thus become more akin to an *events hub*, with the potential to significantly increase footfall and traffic. The café has **no dedicated parking**. There are very few extra spaces over and above that required by and currently used by residents. The increased footfall and associated rise in vehicles parked along Main Street may result in harm as indicated below:

**Risk of Traffic Accidents:**

- a) There are no dedicated crossing spaces and no streetlights. Children running out between closely parked cars and adults crossing the road to access the venue may not be visible to those driving through the village where the speed limit is set at 30mph. Injuries and death may result.
- b). Weddings and Christenings may have very young children in attendance. Trees and a see-saw are present on the small patch of green and serve as magnets for small children. There is **no physical barrier** between the outside space and the road. I note that there is a brick barrier along the outer edge of the courtyard but seating extends beyond this reducing the area for play and thereby increasing the risk of a child falling or running onto the road. See included picture. The potential for significant harm will increase as traffic flow to and from the café increases.

**Risk of harm from fire:**

- a) There is no clearly defined safe corridor for evacuation from inside the premises in the event of a fire. Indeed, the haphazard arrangement and close proximity of the seating and tables in the courtyard may physically obstruct people seeking to escape through the front entrance. Tables and chairs may easily be knocked over and the presence of children and dogs may further increase the risk of falls.
- b) I note on the plans submitted to licensing it marks an escape door to the rear. This is beyond a significant 'pinch point' which could lead to panic and distress if unable to flee.
- c) The seats and table stand on uneven ground and in the event of an emergency and rapid exit could easily be overturned leading potentially to crush injuries.
- d) The lack of a physical barrier between the outside tables and the road would potentially lead to people being pushed into the line of oncoming traffic by those seeking to escape.

**Risk of harm from spilling hot food or drink.**

The close proximity of tables and uneven ground represents a significant trip hazard. Accidents may occur if patrons become inebriated and unsteady when hot food and beverages are being carried across uneven ground. The presence of dogs and children further increase this risk in an already crowded space.

**Risk of Falls:**

The application cites 66 seats in the outside area. The chairs and tables are currently placed haphazardly on uneven ground. This represents a potential risk for falls at present. A risk which may only increase when alcohol is involved.



<u>Objective</u>	<u>Explanation</u>
<p><b>Preventing public nuisance</b></p>	<p>There is only one toilet which for 94 seems inadequate. I would be concerned that this will lead to antisocial behaviour particularly if people are drinking outside or if they continue to drink past closing hours.</p> <p>Public transport in Tynninghame and the surrounding areas is poor so most people arriving at the restaurant will come in cars or on bikes. The café has <b>no dedicated parking</b> and the increase in cars parked along Main Street and across drives and access roads causes considerable inconvenience to residents. Further, customers can, and have, become abusive when asked to move cars away from driveways – alcohol will fuel tempers and increase the risk of conflict.</p> <p>Increased traffic on the roads will increase danger to cyclists.</p> <p>Tynninghame is a dark conservation village – events with alcohol and recorded music continuing until at least 10pm 7 days a week will significantly alter the tone of the village and will constitute a significant nuisance to those living here.</p>

<u>Objective</u>	<u>Explanation</u>
<p><b>Protecting and improving public health</b></p>	<p>As stated above – the café has only one toilet for 94 seats – this would appear inadequate.</p> <p>There is a risk of harm to people falling when inebriated due to the uneven ground and haphazard crowded seating outside the venue especially when combined with loose children and dogs. Indeed the risk of falling is there when sober particularly if the area is crowded and people are striving to avoid dogs or small children. Chairs and table may topple on the uneven ground injuring small children and pets.</p> <p>Increased congestion on the roads coupled with unsocial parking may lead to emergency vehicles being unable to safely access Tynninghame or areas beyond. During the summer ambulances and other emergency vehicles may be stuck in traffic leading to delays in arrival of help and in some instances an increased risk of harm or death.</p>
<u>Objective</u>	<u>Explanation</u>

<p><b>Protecting children and young persons from harm</b></p>	<p>As indicated above: increased traffic will lead to an increased number of cars parked along Main Street – the risk of a child being hit by cars travelling at 30 mph or high-sided farm vehicles is considerable as they may not be seen when crossing between two closely parked cars.</p> <p>There is no physical barrier between an area with a see-saw.</p> <p>There is a brick barrier which would have provided a space between the courtyard and the road but this is now blocked with tables.</p> <p>It might be reasonably expected that an event such as a wedding or a christening with alcohol being served would lead to a degree of inattention. This increases the risk of harm to children who may seek to play on the see-saw or tree outside the cafe and close to the road. Children running in that area may slip or fall into the path of oncoming cars travelling at 30 mph. Injuries or death may result.</p> <p>Harm may be caused to small children if people choose to cycle rather than drive to an event where alcohol may be consumed. Bikes left haphazardly may topple and cause significant injury to children.</p>	
---	--	--

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) the persons likely to frequent the premises.

- Please explain why :
- At present, the café/coffee shop provides lunch, coffee and cake. This is markedly different from the proposed model which seeks to provide alcohol up to 10pm including catering for events (weddings, christenings, funerals etc.). Such activity will lead to increased activity and noise. Many value Tynningham for its peace and dark skies, both of which will be negatively impacted by such gatherings.
- The village has a dark-sky character within its unique rural setting - there is no communal street lighting (streetlights, etc). Evening use would require lighting up the outside courtyard, and potentially access to it, from across the village to ensure safe movement. This would impact negatively on the character and appearance of the village.
- The central position of the cafe and courtyard mean that changes to operation will impact on the character of this conservation village - its image and tone. It will also significantly impact those of us living in close proximity to the cafe.

- (e) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—
- (i) licensed premises, or
  - (ii) licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

In support of the application.	
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

The courtyard is situated between two residential houses. The see-saw can be seen towards the bottom right edge and tables lie between the boundary of the courtyard indicated here by bricks. This means people will be consuming alcohol in close proximity to children playing with potential harm to both.



Your Signature	
Date	19 <sup>th</sup> Dec. 2023

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**





LICENSING (SCOTLAND) ACT 2005, SECTION 22

## NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly  
in block capitals using ink.

**Please indicate below the type of notice you are making** (tick appropriate box)

Objection

Representation

Please send your Objection or Representation to:

**The Clerk to the Licensing Board, East Lothian Council,  
Licensing, Administration and Democratic Services,  
John Muir House, Haddington  
East Lothian, EH41 3HA**

Any person may, by notice to the Licensing Board –

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR  
BEFORE COMPLETING THIS FORM**

## Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) TYNINGHAME COUNTRY STORE LTD

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises TYNINGHAME COUNTRY STORE

MAIN STREET, TYNINGHAME, DUNBAR,

EAST LOTHIAN Post code EHA2 1XL

### This Application is for

Premises Licence

Provisional Premises Licence

Variation of an existing Premises Licence

Occasional Licence

Application Number (if known) \_\_\_\_\_

## Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: Mr ~~Mrs~~ ~~Miss~~ ~~Ms~~ ~~Other~~ \_\_\_\_\_  
(delete/complete as appropriate)

Surname SCHOFIELD

First Name(s) NIGEL

Address



Post code



**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other \_\_\_\_\_

*(delete/complete as appropriate)*

Surname \_\_\_\_\_

First Name(s) \_\_\_\_\_

Address of person lodging objection/representation on behalf of organization

\_\_\_\_\_  
\_\_\_\_\_

Post code \_\_\_\_\_

Name of Organisation \_\_\_\_\_

Nature of Organisation e.g. resident's association, ward councillor, trade association

\_\_\_\_\_

Address of Organisation \_\_\_\_\_

\_\_\_\_\_

Post code \_\_\_\_\_

**PART A – OBJECTION**

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- ~~(a) The premises are excluded premises.~~
- ~~(b) The application must be refused where:
  - ~~the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)~~
  - ~~Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or~~
  - ~~Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.~~~~
- ~~(c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons.~~

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(d) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

Objective	Explanation
Preventing crime and disorder	
Securing public safety	<p>EXTENDING HOURS INTO THE EVENINGS MEANS CUSTOMERS, INC CHILDREN, WILL HAVE TO CROSS MAIN STREET, WHICH HAS NO LIGHTING, TO ENTER/EXIT THE PREMISES. SEE ATTACHMENT FOR MORE DETAILS.</p>
Preventing public nuisance	<p>UP TO 5.5 HOURS x 7 DAYS A WEEK OF NOISE IN THE EVENINGS INAPPROPRIATE IN A QUIET VILLAGE SETTING. RESIDENTS UNABLE TO PARK/ACCESS THEIR HOUSES. CUSTOMERS WILL PARK ON GREEN AREAS DAMAGING CONSERVATION AREA. SEE ATTACHMENT FOR FURTHER INFO.</p>
Protecting and improving public health	
Protecting children and young persons from harm	<p>SOME CUSTOMERS ALREADY ALLOW THEIR CHILDREN TO PLAY UNSUPERVISED IMMEDIATELY NEXT TO MAIN ST. EXTENDING HOURS WILL INCREASE THE RISK TO CHILDREN DURING POORER LIGHT CONDITIONS</p>

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

(e) The premises are unsuitable for use for the sale of alcohol, having regard to <sup>2</sup>:-

~~(i) the nature of the activities proposed to be carried on in the subject premises,~~

(ii) the location, character and condition of the premises, and

~~(iii) the persons likely to frequent the premises.~~

Please explain why

THE PREMISES ARE LOCATED IN A QUIET, RURAL SETTING WITH NO STREET LIGHTING. MAIN ST. IS REDUCED TO SINGLE FILE TRAFFIC & IS USED BY LARGE AGRICULTURAL VEHICLES. ALLOWING A LICENCE IN TO THE EVENING WILL GENERATE SIGNIFICANTLY MORE NOISE, INAPPROPRIATE FOR THE VILLAGE SETTING. VEHICLE - PEDESTRIAN CONFLICT WILL INCREASE, EXACERBATED BY THE LACK OF LIGHTING. LACK OF APPROPRIATE PARKING WILL INCREASE RESIDENT - CUSTOMER CONFLICT & DAMAGE GREEN AREAS.

~~(f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of~~

~~(i) licensed premises, or~~

~~(ii) licensed premises of the same or similar description as the subject premises,~~

Please explain why

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why  
Please delete any that do not apply.

**PART B – REPRESENTATION**

I/We wish to make these representations to the Board concerning the application:

In support of the application,

As to modifications which should be made to the Operating Plan

As to conditions which should be imposed

Other representations

**PART C – Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

PLEASE SEE ATTACHED DOCUMENT WHICH PROVIDES BACKGROUND INFORMATION & MORE DETAIL ON THE POINTS MADE ABOVE.

Please attach supporting documents/further pages as necessary.  
Please number all extra pages.

I have read and understood the attached privacy notice

Your Signature



Date 13-12-23

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

**GDPR**  
Any person who has supplied personal information as part of this application  
**MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**



## **Objection to the granting of an alcohol licence to Tynninghame Country Store, Main Street, Tynninghame EH42 1XL**

### **Background**

Tynninghame is a quiet village in a conservation area. There are no street lights. Many of the houses on Main Street, where Tynninghame Country Store, “the cafe” is located, have no garages or off street parking areas and so have to park on Main Street. Due to the width of the road, vehicles can only park on one side, leaving only sufficient room for single file traffic. Because the cafe has no dedicated parking, customers also have to park on Main Street, conflicting with residents’ parking and frequently leading to cars being inappropriately parked on grass areas and private drives. Residents frequently have to deal with the owners of the inappropriately parked vehicles.

Children visiting the cafe are often left unattended to run around the green area outside the cafe, adjacent to Main Street and the passing vehicles including large agricultural vehicles. The speed limit is 30mph, not 20mph as would be expected in a normal residential area.

Two houses are located on either side of the courtyard outside the cafe with no separation from the courtyard and customers sitting in the courtyard or entering or leaving the cafe.

The cafe hours are 9:30am -16:30 seven days a week. The licence application is for the hours 11:00 to 22:00, seven days a week, implying that the owner is also seeking to extend the opening hours despite the explanatory sign displayed on the cafe door next to the notice of the licence application.

### **Concerns relating to the objections**

The issues set out below already exist but should the business hours extend into the evening then both the hazards and risk levels will significantly increase. If the cafe owner does not intend to operate beyond existing business hours then should the licence hours not more closely match the stated opening hours? If the licence hours are as currently applied for this allows the business owner to extend the opening hours without further consultation with those impacted by that change.

### Public Safety

Extending hours beyond 16:30 means that customers will be crossing the unlit road in darkness. It is also likely that people, including children, will congregate in the area outside the cafe immediately next to the unlit road. Both increase the conflict between vehicles and pedestrians increasing the risk of an accident. The risk would be further exacerbated by the consumption of alcohol.

### Public nuisance

Residents already have to put up with noise from the cafe, not being able to park near their house due to parking by the cafe customers and deal with frequent inappropriate parking. Extending the hours into the evening could lead to all the inconvenience and conflict listed above for up to a further 5.5 hours a day, seven days a week. Having to

deal with customers in the dark, and some under the influence of alcohol, will be even more difficult and stressful. These nuisances are not appropriate in a tranquil village setting.

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

**YES** Objection

Please send your Objection or Representation to :

**The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA**

Any person may, by notice to the Licensing Board—

- (a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or
- (b) Make representations to the Board concerning the application

- If you are OBJECTING, please complete Part A of this form.
- If you are MAKING REPRESENTATIONS, please complete Part B of this form.
- All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

**Section 1 – Application Details:**

**This objection relates to the following Application:**

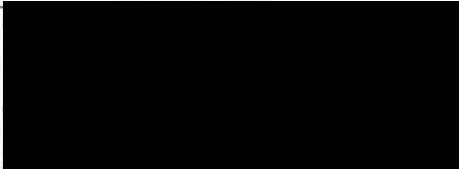
Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	David Wakefield / Lyndon Wakefield	
Name & Address of premises:	Tynningame Café and Country Store Ltd Main Street Tynningame EH42 1XL	
This Application is for	• Premises Licence	<b>Yes</b>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

**THIS IS AN OBJECTION**

Individual Title	Ms
Surname	White
First Name(s)	Ruth Elizabeth
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

~~(a) — The premises are excluded premises.~~

~~(b) — The application must be refused where:-~~

- ~~• — the Licensing Board has refused a premises licence application in respect the premises less than a year before this application — Section 25(2)~~
- ~~• — Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more — Section 64(2) or~~
- ~~• — Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both —.~~

~~(b)(a) — That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
<b>Preventing crime and disorder</b>	All of the concerns expressed below have the potential to increase crime and disorder in the village, especially as alcohol consumption brings with it acknowledged concerns about the effects of alcohol

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<u>Objective</u>	<u>Explanation</u>
<b>Securing public safety</b>	<p>There is only a very limited bus service to / from Tynningame. Selling alcoholic drinks adds to the potential for accidents as people coming to the café almost all drive or use a bicycle. Driving or using a bicycle after drinking any alcohol is a potential safety concern</p> <p>There is a general risk to public safety if large numbers of people (up to 94) are coming to café events, weddings, parties, etc, where there is no designated café parking, only very limited off-street parking, which is also used by residents.</p> <p>There is no street lighting or safe crossing places - a particular concern at night on a 30mph road</p>

<u>Objective</u>	<u>Explanation</u>

<p><b>Preventing public nuisance</b></p> <p><u>IMPORTANT NOTE</u></p> <p><i>This application is for the sale of on-premises alcohol from 11.00am – 10.00pm, 7 days a week</i></p> <p><i>However, the owner of the cafe has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted as it stands, he could legally open to serve alcohol until 10.00pm.</i></p> <p><i>We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol</i></p>	<p>We have always had cordial relationships with the cafe owner and staff, however the impact on us in our house and for adjacent properties, is potentially very negative should this application be approved</p> <p>Our house faces directly on to the cafe courtyard with a small buffer of around 2 metres. Food and drink (non-alcoholic) are served daily between 9.00am – 5.00pm.</p> <p>The café courtyard is in shared ownership between the cafe (central area) and our property and the Smithy House (edges adjacent to the building facades). Activities in the courtyard space directly impact each property in this space</p> <p>If this licence is approved, the cafe could be open for 11 hours a day to serve alcohol, 7 days a week, well into the evening for up to 94 people (Operating Plan states the capacity of the premises to be 66 people in the courtyard outside space / 28 people inside the café = 94 total)</p> <p>Tynningham is a quiet village in a conservation area</p> <p>Potential noise and disruption from people drinking alcohol during the day and into the late evening, would be a significant public nuisance for our property and other adjacent properties in particular, but also generally for villagers in this small community, especially as the planned use of the cafe is for larger social gatherings with food and alcohol to take place (weddings, funerals, christenings etc).</p> <p>At times, the cafe would effectively become an events venue rather than a daytime village cafe, with recorded music adding to the potential noise disturbance</p> <p>The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified</p> <p>This proposal would introduce activity, noise and disturbance much greater than the cafe's current operation, along with intrusive lighting (in the evenings) which will cause a loss of residential amenity, including privacy for our and our adjacent properties in particular. It represents overdevelopment of this site</p> <p>There is no designated café parking, only very limited off-street parking. This often causes a problem for residents who cannot find a place to park their own cars and has sometimes caused cafe visitors to park inappropriately on the private access lanes around The Green, etc. Opening during the evenings as well as the day, will compound this existing problem</p>
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<u>Objective</u>	<u>Explanation</u>
<b>Protecting and improving public health</b>	The café only has one toilet – this for up to 94 potential alcohol drinking customers at any time
<u>Objective</u>	<u>Explanation</u>
<b>Protecting children and young persons from harm</b>	The lack of designated, safe parking. Risk of children running into the 30 mph road which is totally unlit with no safe crossing places and in a dark-sky setting

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
- (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - (iii) ~~the persons likely to frequent the premises~~

Please explain why :

**(i)**

Changing the cafe to include the sale of alcohol is a major change of venue style, which is at variance with the location, character and appearance of this quiet village

This application is seeking permission to serve alcohol into the late evening (10pm), including catering for events (weddings, christenings, funerals, etc).

This is a very different venue model to the current daytime 'lunch, coffee and cake' village café one. It will introduce a density of activity and disturbance which will negatively impact on the character and appearance of the village

The courtyard, which as the applicant states has capacity for 66 people, could come to resemble a noisy town centre 'beer garden', which is totally out of character with this quiet village

**(ii)**

Tynninghame is a small, rural, quiet conservation village with a dark-sky setting. Its conservation area status seeks to protect the village against changes unless they preserve and /or enhance its character and appearance

The cafe and courtyard occupy a visually prominent and central location, sitting at the heart of the village. The operation of the cafe therefore has a significant impact on the village's character and appearance and its impact on residents

The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified

The village has a dark-sky character within its unique rural setting - there is no communal street lighting (streetlights, etc). Evening use would require lighting up the outside courtyard, and potentially access to it, from across the village to ensure safe movement. This would impact negatively on the character and appearance of the village

**This application is for the sale of on-premises alcohol from 11.00am – 10.00pm.**

**However, the owner of the premises has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted, he could legally open to serve alcohol until 10.00pm. We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol.**

**There is a very significant mismatch between what the owner is saying now to local people, and what the actual alcohol premises licence is requesting**

.....  
 .....

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

(e) — Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

(i) — licensed premises, or

(ii) — licensed premises of the same or similar description as the subject premises;

Please explain why: .....

.....

.....

### **PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.	
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature

[Redacted Signature]

Date

19.12.2023

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

**Licensing (Scotland) Act 2005, section 22  
Notice of Objection or Representation**

**If you are completing this form by hand, please write legibly in block capitals using ink.**

Please indicate below the type of notice you are making:

**(please tick the appropriate box)**

**YES**    Objection

Please send your Objection or Representation to :

**The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic  
Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA**

**Any person may, by notice to the Licensing Board—**

**(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or**

**(b) Make representations to the Board concerning the application**

- **If you are OBJECTING, please complete Part A of this form.**
- **If you are MAKING REPRESENTATIONS, please complete Part B of this form.**
- **All parties should complete Sections 1, 2 and Part C of this form.**

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

**Section 1 – Application Details:**

**This objection relates to the following Application:**


Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	David Wakefield / Lyndon Wakefield	
Name & Address of premises:	Tynningame Café and Country Store Ltd Main Street Tynningame EH42 1XL	
This Application is for	• Premises Licence	<b>Yes</b>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

**THIS IS AN OBJECTION**

Individual Title	Mrs
Surname	Fenlon
First Name(s)	Emma Rose
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

~~(a) The premises are excluded premises.~~

~~(b) The application must be refused where:-~~

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.~~

~~(b)(a) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
Preventing crime and disorder	All of the concerns expressed below have the potential to increase crime and disorder in the village, especially as alcohol consumption brings with it acknowledged concerns about the effects of alcohol

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.



<u>Objective</u>	<u>Explanation</u>
<b>Securing public safety</b>	<p>There is only a very limited bus service to / from Tynningham. Selling alcoholic drinks adds to the potential for accidents as people coming to the café almost all drive or use a bicycle. Driving or using a bicycle after drinking any alcohol is a potential safety concern</p> <p>There is a general risk to public safety if large numbers of people (up to 94) are coming to café events, weddings, parties, etc, where there is no designated café parking, only very limited off-street parking, which is also used by residents.</p> <p>There is no street lighting or safe crossing places - a particular concern at night on a 30mph road</p>

<u>Objective</u>	<u>Explanation</u>

<p><b>Preventing public nuisance</b></p> <p><u>IMPORTANT NOTE</u></p> <p><i>This application is for the sale of on-premises alcohol from 11.00am – 10.00pm, 7 days a week</i></p> <p><i>However, the owner of the cafe has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted as it stands, he could legally open to serve alcohol until 10.00pm.</i></p> <p><i>We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol</i></p>	<p>We have always had cordial relationships with the cafe owner and staff, however the impact on us in our house and for adjacent properties, is potentially very negative should this application be approved</p> <p>Our house [REDACTED] on to the cafe courtyard with a small buffer of around 2 metres. Food and drink (non-alcoholic) are served daily between 9.00am – 5.00pm.</p> <p>The café courtyard is in shared ownership between the cafe (central area) and our property and the Smithy House (edges adjacent to the building facades). Activities in the courtyard space directly impact each property in this space</p> <p>If this licence is approved, the cafe could be open for 11 hours a day to serve alcohol, 7 days a week, well into the evening for up to 94 people (Operating Plan states the capacity of the premises to be 66 people in the courtyard outside space / 28 people inside the café = 94 total)</p> <p>Tynninghame is a quiet village in a conservation area</p> <p>Potential noise and disruption from people drinking alcohol during the day and into the late evening, would be a significant public nuisance for our property and other adjacent properties in particular, but also generally for villagers in this small community, especially as the planned use of the cafe is for larger social gatherings with food and alcohol to take place (weddings, funerals, christenings etc).</p> <p>At times, the cafe would effectively become an events venue rather than a daytime village cafe, with recorded music adding to the potential noise disturbance</p> <p>The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified</p> <p>This proposal would introduce activity, noise and disturbance much greater than the cafe's current operation, along with intrusive lighting (in the evenings) which will cause a loss of residential amenity, including privacy for our and our adjacent properties in particular. It represents overdevelopment of this site</p> <p>There is no designated café parking, only very limited off-street parking. This often causes a problem for residents who cannot find a place to park their own cars and has sometimes caused cafe visitors to park inappropriately on the private access lanes around The Green, etc. Opening during the evenings as well as the day, will compound this existing problem</p>
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<u>Objective</u>	<u>Explanation</u>
<b>Protecting and improving public health</b>	The café only has one toilet – this for up to 94 potential alcohol drinking customers at any time
<u>Objective</u>	<u>Explanation</u>
<b>Protecting children and young persons from harm</b>	The lack of designated, safe parking. Risk of children running into the 30 mph road which is totally unlit with no safe crossing places and in a dark-sky setting

- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
  - (i) the nature of the activities proposed to be carried on in the subject premises,
  - (ii) the location, character and condition of the premises, and
  - ~~(iii) the persons likely to frequent the premises~~

Please explain why :

**(i)**

Changing the cafe to include the sale of alcohol is a major change of venue style, which is at variance with the location, character and appearance of this quiet village

This application is seeking permission to serve alcohol into the late evening (10pm), including catering for events (weddings, christenings, funerals, etc).

This is a very different venue model to the current daytime 'lunch, coffee and cake' village café one. It will introduce a density of activity and disturbance which will negatively impact on the character and appearance of the village

The courtyard, which as the applicant states has capacity for 66 people, could come to resemble a noisy town centre 'beer garden', which is totally out of character with this quiet village

**(ii)**

Tynninghame is a small, rural, quiet conservation village with a dark-sky setting. Its conservation area status seeks to protect the village against changes unless they preserve and /or enhance its character and appearance

The cafe and courtyard occupy a visually prominent and central location, sitting at the heart of the village. The operation of the cafe therefore has a significant impact on the village's character and appearance and its impact on residents

The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified

The village has a dark-sky character within its unique rural setting - there is no communal street lighting (streetlights, etc). Evening use would require lighting up the outside courtyard, and potentially access to it, from across the village to ensure safe movement. This would impact negatively on the character and appearance of the village

**This application is for the sale of on-premises alcohol from 11.00am – 10.00pm.**

**However, the owner of the premises has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted, he could legally open to serve alcohol until 10.00pm. We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol.**

**There is a very significant mismatch between what the owner is saying now to local people, and what the actual alcohol premises licence is requesting**

.....  
 .....

<sup>2</sup> Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

(e) — Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of —

(i) — licensed premises, or

(ii) — licensed premises of the same or similar description as the subject premises,

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —

In support of the application.	
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature



Date

19.12.2023

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM  
GDPR**

**Any person who has supplied personal information as part of this application  
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**

Licensing (Scotland) Act 2005, section 22

Notice of Objection or Representation

If you are completing this form by hand, please write legibly in block capitals using ink.

Please indicate below the type of notice you are making:

(please tick the appropriate box)

**YES**  Objection

Please send your Objection or Representation to :

The Clerk to the Licensing Board  
East Lothian Council  
Licensing, Administration and Democratic Services  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

Any person may, by notice to the Licensing Board—

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

- If you are **OBJECTING**, please complete Part A of this form.
- If you are **MAKING REPRESENTATIONS**, please complete Part B of this form.
- **All parties** should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM**

**Section 1 – Application Details:**

**This objection relates to the following Application:**

Applicant's name (if known): (This is the name of the applicant in respect of the licensed premises referred to in the application)	David Wakefield / Lyndon Wakefield	
Name & Address of premises:	Tynningame Café and Country Store Ltd Main Street Tynningame EH42 1XL	
This Application is for	• Premises Licence	<b>Yes</b>
	• Provisional Premises Licence	<input type="checkbox"/>
	• Variation of an existing Premises Licence	<input type="checkbox"/>
	• Occasional Licence	<input type="checkbox"/>
Application Number (if known)		

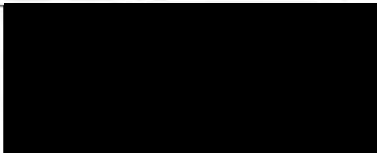


**Section 2 – Objector/Representer Details:**

*If you fail to complete this section, the objection or representation may not be considered*

**(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL**

**THIS IS AN OBJECTION**

Individual Title	Mrs
Surname	White
First Name(s)	Jane Elizabeth
Address (including postcode):	

**(B) COMPLETE IF YOUR ARE OBJECTING OR LODGING A REPRESENTATION ON BEHALF OF AN ORGANISATION**

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____ delete/complete as appropriate
Surname	
First Name(s)	
Address of person lodging objection/representation on behalf of organization (including postcode):	
Name of Organisation:	
Nature of Organisation e.g. resident's association, ward councilor, trade association	
Address of Organisation (including postcode):	

**PART A – OBJECTION**

I object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

(a) ~~The premises are excluded premises.~~

(b) ~~The application must be refused where:-~~

- ~~• the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or~~
- ~~• Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both --.~~

(b)(a) ~~That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:~~

(c) Granting the application would be inconsistent with one or more of the licensing objectives<sup>1</sup>:-

<u>Objective</u>	<u>Explanation</u>
<b>Preventing crime and disorder</b>	All of the concerns expressed below have the potential to increase crime and disorder in the village, especially as alcohol consumption brings with it acknowledged concerns about the effects of alcohol

<sup>1</sup> Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

<u>Objective</u>	<u>Explanation</u>
<b>Securing public safety</b>	<p>There is only a very limited bus service to / from Tynningame. Selling alcoholic drinks adds to the potential for accidents as people coming to the café almost all drive or use a bicycle. Driving or using a bicycle after drinking any alcohol is a potential safety concern</p> <p>There is a general risk to public safety if large numbers of people (up to 94) are coming to café events, weddings, parties, etc, where there is no designated café parking, only very limited off-street parking, which is also used by residents.</p> <p>There is no street lighting or safe crossing places - a particular concern at night on a 30mph road</p>

<u>Objective</u>	<u>Explanation</u>	

<p><b>Preventing public nuisance</b></p> <p><u>IMPORTANT NOTE</u></p> <p><i>This application is for the sale of on-premises alcohol from 11.00am – 10.00pm, 7 days a week</i></p> <p><i>However, the owner of the cafe has put it in writing to local residents that his 'intention' is to continue to close the café at 5.00pm – despite the fact that if this licence were granted as it stands, he could legally open to serve alcohol until 10.00pm.</i></p> <p><i>We are very concerned that any such stated 'intention' at this stage, will not be upheld in law should the owner legally decide to change his mind after his licence is granted, and open during the evenings to serve alcohol</i></p>	<p>We have always had cordial relationships with the cafe owner and staff, however the impact on us in our house and for adjacent properties, is potentially very negative should this application be approved</p> <p>Our house [REDACTED] on to the cafe courtyard with a small buffer of around 2 metres. Food and drink (non-alcoholic) are served daily between 9.00am – 5.00pm.</p> <p>The café courtyard is in shared ownership between the cafe (central area) and our property and the Smithy House (edges adjacent to the building facades). Activities in the courtyard space directly impact each property in this space</p> <p>If this licence is approved, the cafe could be open for 11 hours a day to serve alcohol, 7 days a week, well into the evening for up to 94 people (Operating Plan states the capacity of the premises to be 66 people in the courtyard outside space / 28 people inside the café = 94 total)</p> <p>Tynninghame is a quiet village in a conservation area</p> <p>Potential noise and disruption from people drinking alcohol during the day and into the late evening, would be a significant public nuisance for our property and other adjacent properties in particular, but also generally for villagers in this small community, especially as the planned use of the cafe is for larger social gatherings with food and alcohol to take place (weddings, funerals, christenings etc).</p> <p>At times, the cafe would effectively become an events venue rather than a daytime village cafe, with recorded music adding to the potential noise disturbance</p> <p>The enclosed character of the shared courtyard means that any sound nuisance is greatly amplified</p> <p>This proposal would introduce activity, noise and disturbance much greater than the cafe's current operation, along with intrusive lighting (in the evenings) which will cause a loss of residential amenity, including privacy for our and our adjacent properties in particular. It represents overdevelopment of this site</p> <p>There is no designated café parking, only very limited off-street parking. This often causes a problem for residents who cannot find a place to park their own cars and has sometimes caused cafe visitors to park inappropriately on the private access lanes around The Green, etc. Opening during the evenings as well as the day, will compound this existing problem</p>
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<b><u>Objective</u></b>	<b><u>Explanation</u></b>
<b>Protecting and improving public health</b>	The café only has one toilet – this for up to 94 potential alcohol drinking customers at any time
<b><u>Objective</u></b>	<b><u>Explanation</u></b>
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- (d) The premises are unsuitable for use for the sale of alcohol, having regard to<sup>2</sup>—
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Please explain why :

(i)

Changing the cafe to include the sale of alcohol is a major change of venue style, which is at variance with the location, character and appearance of this quiet village

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.....  
.....

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(ii) — licensed premises of the same or similar description as the subject premises;

Please explain why: .....

.....

.....

**PART B - REPRESENTATION**

I/We wish to make these representations to the Board concerning the application: —


In support of the application.	
As to modifications which should be made to the Operating Plan	
As to conditions which should be imposed.	
Other representations	

**PART C: Additional Information/Supporting Documents**

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here:-

Please attach supporting documents/further pages as necessary. Please number all extra pages

**I have read and understood the attached privacy notice**

Your Signature	
Date	19.12.2023

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GDPR**

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MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE**



## Licensing

**From:** shireen green <[REDACTED]>  
**Sent:** 17 December 2023 14:57  
**To:** Herkes, Gillian  
**Cc:** Licensing  
**Subject:** Objection to alcohol licence application

You don't often get email from shireen243@btinternet.com. [Learn why this is important](#)

**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.

Dear Ms Herkes,

We live at [REDACTED] and wish to object to the application by David Wakefield, Tynninghame Country Store, Main Street, Tynninghame, EH42 1XL, for a licence to serve alcohol at the Tynninghame Smithy cafe. We object for the following reasons.

**(1) Objective: Preventing public nuisance.**

We live [REDACTED] one of the green spaces in Tynninghame called the Drying Green. This is used by customers at the cafe and people using Tynninghame Village Hall, especially in summer. This use does not cause us any significant inconvenience at its present level. However, we are concerned that the licence might encourage increased use of the Green, including during evenings and by people who have had too much to drink. We note that the cafe proprietor Mr Wakefield has assured village residents that the cafe opening hours will not be extended into the evenings, but we note that the application asks for approval to serve alcohol until 22:00, seven days a week, including for parties such as wedding celebrations. So the assurance and the application itself are contradictory in this respect.

We live close to Tynninghame Village Hall, which is managed by a charity, principally as a resource for the village community. The Hall is occasionally rented out for weddings and other celebrations which extend into the evenings. The Village Hall Committee has, very properly, consulted near-neighbours of the Hall about the noise, disturbance and parking inconvenience which are difficult to avoid entirely during such events. There is an agreement with neighbours to limit the number of these events to 8 per year so as to keep inconvenience within an acceptable level. The Hall is opposite the cafe on Main Street and the neighbours potentially affected by disturbance from events at the two venues overlap. We are among those potentially affected by both. If parties and other events are held during evenings at the cafe, we are concerned that the total number of such events per year at the cafe and the Hall combined should be kept within a limit similar to the present limit (8). If that happens, we fear that a reduction in the number of evening events at the Hall will affect the economic viability of maintaining the Village Hall as a community resource. The Hall is used for many free community events, but paid hires of the Hall play an important part in funding its upkeep. We again note Mr Wakefield's assurance about opening hours, but also again also note the conflicting aspects of the application itself.

**(2) Objective: Securing public safety**

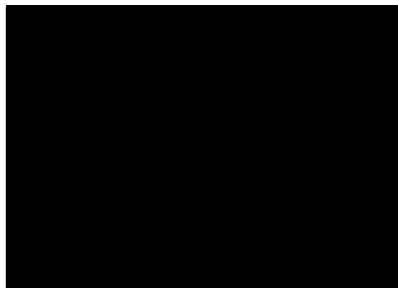
The premises are in an unlit village street. Granting a licence will increase traffic and parking. There are serious safety concerns in the village. Village community have previously requested a 20mph speed limit in the village. This has been refused by the council.

**(3) Objective: Protecting children and young persons from harm**

See objective above regarding traffic speed and road safety. In order for young persons to access playing fields they need to cross the Main Street. It is unlit and the speed limit is 30mph.

Yours sincerely,

Rhys Green & Shireen Green



Herkes, Gillian

---

**From:** Ian Staples [REDACTED]  
**Sent:** 14 December 2023 12:09  
**To:** Herkes, Gillian  
**Subject:** Response from TVHCC regarding Tynninghame Country Store Licence Application

**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.

FAO Gillian Herkes

Dear Gillian,

Further to the above licence application, Tynninghame Village Hall and Community Committee (TVHCC) would like to make a representation regarding this.

As you will be aware The TVHCC manages the Tynninghame Village Hall (TVH) on behalf of a charitable institution. The Village Hall is on Main Street, directly opposite the cafe for which the licence is being sought. The Village Hall is mainly a venue for community events, but is also rented for some events which extend into the evening such as parties and wedding celebrations. The committee recognises that these events cause some inconvenience to residents who live near the Hall and so has come to an informal agreement with them that TVH will be rented out for no more than eight such events per year. We note that the licence application from the cafe includes asking permission for an unspecified number of events at which alcohol could be served up to 22:00 on any day of the week.

The applicant, Dave Wakefield has assured us that he has no intention of opening beyond the cafe's current hours (9.30 - 16.30) and if this is the case then we see no cause for concern. If however, the cafe were to extend its hours and start to hold evening events this would put the TVHCC in a difficult position.

The Committee might then feel itself to be under legitimate pressure to reduce the number of its own evening events per year and this might affect the economic viability of continuing to run TVH for the benefit of the local community.

We would therefore request that any licence granted is only for the cafe's existing opening hours.

Yours sincerely

Ian Staples (Chairperson)  
on behalf of the Tynninghame Village Hall and Community Committee

