



**AGENDA FOR THE MEETING OF  
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 28 MARCH 2024 at 10.00am  
VIA A DIGITAL PLATFORM**

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**Agenda of Business**

**Apologies**

**Declarations of Interest**

*Members and officers should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.*

- 1. Minutes for Approval**  
East Lothian Licensing Board, 22 February 2024 (**pages 1-8**)
- 2. Premises Licence**  
Mazzoli Café, 6 High Street, Haddington (**pages 9-42**)
- 3. Major Variation of Premises Licence**  
Eskmills Venue, Archibald Hope House, Eskmills Park, Station Road, Musselburgh (**pages 43-62**)
- 4. Occasional Licences**
  - a. Gosford House, Wemyss & March Estate, Longniddry – Blythe Ewert  
OCC131/24, Saturday 10 May 2025 – Sunday 11 May 2025 (12-noon to 03.00 on Sunday morning (outwith Board policy)) (**pages 63-76**)
  - b. Seton Garden, Seton Mains, Longniddry – Craig Wood  
Occasional licences (x16 OCC142-OCC157/24) (**pages 77-88**)
- 5. Review of Premises Licence**  
Newbigging Newsagents, 58 Newbigging, Musselburgh (**pages 89-142 (public papers to follow after the hearing)**)

**Carlo Grilli**  
**Clerk of the Licensing Board**  
**22 March 2024**





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

**THURSDAY 22 FEBRUARY 2024  
ONLINE PLATFORM MEETING**

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**Board Members Present:**

Councillor L Bruce (Convener)  
Councillor N Gilbert  
Councillor G McGuire  
Councillor J McMillan

**Clerk of the Licensing Board:**

Mr C Grilli, Service Manager – Governance

**Attending:**

Ms G Herkes, Licensing Officer  
Ms C Aitken, Licensing Officer  
Ms K Harling, Licensing Standards Officer  
Mr R Thompson, Solicitor  
PC L Wilson, Police Scotland

**Committee Clerk:**

Ms B Crichton, Committees Officer

**Apologies:**

Councillor C Cassini  
Councillor F Dugdale

**Declarations of Interest:**

None

**1. MINUTES FOR APPROVAL  
East Lothian Licensing Board, 25 January 2024**

The minutes were approved as an accurate record of the meeting.

**2. OCCASIONAL LICENCES  
a. Dunglass Estate, Dunglass, Cockburnspath  
(i). Christopher Nixon (eight occasional licences, one of which is outwith Board policy for on sales)**

The application sought eight occasional licences for weddings, one of which was outwith Board policy for on sales. The applications had come before the Board on the basis of representation from the Licensing Standards Officer (LSO).

Simon Usher was in attendance on behalf of the Dunglass Estate, accompanied by agent, Alistair Macdonald. Christopher and Susannah Nixon and Sophie Arnot were also present on behalf of Platter and Pop.

Mr Nixon said that under the current arrangement at Dunglass Estate, the only option was to make applications for occasional licences, and sought clarity as to whether the volume of occasional licences had meant the applications had been brought before the Board. Mr Grilli, Clerk of the Board, responded that the one application outwith Board policy would have been brought before the Board in any case, but the substantial number of occasional licences coming from the Dunglass Estate would be reviewed as they came forward.

Mr Macdonald provided background information on the licensing position of the site. He explained that a new licence had been required following the site being moved and altered. He advised that an application submitted in 2023 had been incomplete and communication between officers and the previous Dunglass events manager had not resulted in an acceptable application, and Mr Usher had since taken on this task. He advised that an application had already been drafted, and a provisional licence application could be lodged with only the currently held Section 50 certificate from planning. He advised that a new layout plan had been completed and had been used to apply for all three Section 50 certificates. He indicated that his preference would be to wait for the grant of all three Section 50 certificates, but he would submit a provisional licence application sooner should the Board prefer this. He felt that building standards would be able to grant quickly, and said that food and hygiene would only require an inspection. He apologised on behalf of his clients for the inconvenience caused, but said that his clients did not wish to cause stress to couples in the run up to weddings. He thought there may have to be more occasional licence applications made before May when it was hoped that a full or provisional premises licence application would be heard by the Board.

The LSO said she had made representation due to the volume of occasional licences and due to the premises having operated in this manner for nearly three years. She recalled the history of the site whereby the Board had agreed that the premises no longer existed per the previous layout plan, and the previous premises licence had fallen. She was aware that work had then begun to bring forward a new premises licence application, but no such application had yet been made. She also highlighted that the application for Wednesday 24 April with a terminal hour of 12 midnight was outwith Board policy.

Ms Arnot advised that it was hoped that a terminal hour of 12 midnight could also be granted for Wednesday 17 April and sought advice as to whether this change could be

addressed at this meeting. The LSO responded that the application for 17 April had requested a terminal hour of 11pm, and therefore an extension to 12 midnight had not been consulted upon. Mr Grilli confirmed that a fresh application would be required if the applicant sought a terminal hour of 12 midnight on 17 April. He advised that the application until 11pm could be considered today, and the applicant could make a new application to include a terminal hour of 12 midnight.

PC Wilson advised that Police Scotland had no objection to the application, and had made representation only to highlight that the 12 midnight terminal hour for the application on 24 April was outwith Board policy, and also to highlight the volume of occasional licences from the Dunglass Estate.

Councillor McMillan asked about communication between the estate and all parties. The LSO responded that the outside caterers had no choice but to apply for occasional licences when working from the premises, and they had always presented competent applications. However, she felt that communication with the premises had broken down and she wanted the Dunglass Estate to move forward in making a premises licence application.

Board Members and Mr Grilli discussed the merits of making a provisional licence application if this could be lodged sooner than a full premises licence application. Mr Macdonald expressed a preference to apply for a full premises licence, however, he would find out the deadline for a submission to be heard at the May Board and would lodge a full or provisional premises licence depending on the Section 50 certificates that had been received by this time.

Councillor Gilbert was content to grant all applications apart from the application for 24 April which had a terminal hour outwith Board policy. He made a formal proposal that the terminal hour for the application on 24 April be amended to 11pm to be in line with Board policy. Councillor McGuire seconded this proposal. He commented that there were a large number of applications being made for midweek weddings and felt that the policy on terminal hours was in place for a reason.

The Convener then moved to a roll call vote on the proposal to amend the 24 April application's terminal hour to 11pm. Members unanimously supported this change.

The Convener then moved to a roll call vote on all applications, including the 24 April with an 11pm terminal hour. Members unanimously voted to grant the applications.

## **Decision**

The Board granted the occasional licences, subject to the following:

- The occasional licence on 24 April would have a terminal hour of 11pm.

### **a. Dunglass Estate, Dunglass, Cockburnspath (ii). Louise Proctor (one occasional licence)**

The application sought an occasional licence for a wedding. The application had come before the Board on the basis of representation from the LSO.

Louise Proctor, applicant, spoke to the application. She explained that she was in the same position as had been discussed under Mr Nixon's applications, and had no choice other than to apply for occasional licences at the Dunglass Estate.

The LSO and PC Wilson confirmed that they had no further comments to make, and Councillor McMillan advised that he was content to support the application.

The Convener then moved to a roll call vote and Members unanimously agreed to grant the application.

### **Decision**

The Board granted the occasional licence.

#### **a.     Dunglass Estate, Dunglass, Cockburnspath (iii).   Joanna Lawrence (one occasional licence)**

The application sought an occasional licence for a wedding. The application had come before the Board on the basis of representation from the LSO.

Joanne Lawrence and Nicola Mackenzie were present to speak to the application. Ms Lawrence highlighted a mistake on the agenda, and said that the application was for 23 March and not 24 March as listed. She explained that she was in the same position as other outside caterers who had to apply for occasional licences.

The LSO and PC Wilson confirmed that they had no further comments to make on the application.

The Convener was happy to support the application, as the hours were within Board policy. Councillor McMillan supported the application and welcomed the progress being made around the premises and on the estate. He hoped that the premises licence application would come forward to involve less bureaucracy for all involved, and he also commented on the high standard of the venue and catering.

The Convener then moved to a roll call vote and Members unanimously agreed to grant the application.

The Clerk of the Board noted Mr Macdonald's assertion that an application for a premises or provisional licence would be lodged in time to be heard at the May Board. He asked whether Members would be minded to grant any further occasional licence applications within Board policy, and suggested that delegated authority could be given to officers to do so. Members unanimously indicated that they would be content for occasional licence applications for the Dunglass Estate which fell within Board policy to be granted under delegated authority until the May Board. The Convener indicated that any further requirement for delegation could be considered at the May Board meeting.

### **Decision**

The Board granted the occasional licence for 23 March 2024.

The Board also agreed to delegate authority until the May Board for the Clerk of the Board to grant occasional licence applications which may come in from the Dunglass Estate and fall within Board policy.

**b. Luffness New Golf Club, Aberlady  
Mary Lou Watkins (six occasional licences)**

The application sought six occasional licences, five of which were for a horsebox on the golf course, and one of which was for the golf clubhouse and the grassed area outside the clubhouse. The application had come before the Board on the basis of representation from the LSO.

Mary Lou Watkins spoke to the applications. She advised that the applications had been made to facilitate events at the club. She said the club took delivery of a horsebox on the morning of the events, and these were used to offer one drink to golfers moving between the ninth and tenth tees. She advised that the application made for the outside area was for an event over captain's weekend, and said it would only be used if the weather was good.

PC Wilson said that there were no police objections, but highlighted that the commencement times were earlier than Board policy allowed. Ms Watkins responded that commencement of alcohol sales was from 9am on the club's licence. Mr Grilli confirmed that earlier sales of alcohol had been permitted under a previous application, but this was within a certain location. As this application was for areas outwith the designated area the Board had granted permission to make sales of alcohol from 9am, the applications were not covered by the premises licence and had to be considered against Board policy.

Responding to a question from Councillor Gilbert, Ms Watkins confirmed that there would be no under-18s at any of the events.

Councillor McMillan was minded to grant the applications and thanked officers for making the Board aware of events outwith usual premises or Board policy. He was reassured by the applicant's work to promote golf that the events would be well managed.

Councillor Gilbert sought an adjournment to allow Members to discuss the applications in private.

Upon Members' return, the Convener noted that the applications for the commencement of sales of alcohol were outwith Board policy, but were made in connection to a premises licence already in place. However, in other areas, the club was permitted to serve alcohol from 9am because the Board had considered this application previously and put in place appropriate controls to ensure the five licensing objectives would be met. He suggested that Ms Watkins obtain advice from the LSO about having the area added to the licensed area. Per the LSO's suggested condition, the Convener proposed that a delineated area be put in place for both the horsebox and the area outside the clubhouse. He also proposed that no more than one drink per patron would be served at the horsebox, and that non-alcoholic drinks would be made available. Councillor McGuire formally seconded these proposals.

Councillor McMillan said he was minded to grant the applications with the proposed conditions because of the climate and culture he was aware of around the club. He thanked the LSO and police colleagues for bringing the applications to the Board.

The Convener then moved to a roll call vote on the conditions he had proposed, as seconded by Councillor McGuire, and Members unanimously supported adding these conditions.

The Convener then moved to a roll call vote on the applications, as amended by the proposed conditions, and votes were cast as follows:

Grant: 3 (Councillors Bruce, McGuire, and McMillan)  
Refuse: 1 (Councillor Gilbert)  
Abstain: 0

## Decision

The Board granted the occasional licences, subject to the following conditions:

- The on sales area to be clearly delineated to avoid persons leaving the area with alcohol.
- Only one drink to be served per patron at the horsebox, and non-alcoholic drinks to be available.

**c. Broxmouth Courtyard, Broxmouth Park, Dunbar  
Paul Mitchell (eight occasional licences which are outwith Board policy)**

The application sought eight occasional licences which were outwith Board policy for on sales. The application had come before the Board on the basis of representation from the LSO.

Paul Mitchell spoke to the applications. He referred to the discussions under the Dunglass Estate items and understood the purpose of the Board policy with regards to terminal hours. He asked that the Board consider the applications for later terminal hours which fell outwith Board policy on the basis that the potential for disruption around Broxmouth Courtyard was so low, with many guests staying on site. He highlighted that there was an increasing demand for weekday weddings in the area, and the site had a history of operating weddings with extended hours.

PC Wilson said that police representation had been made to highlight that applications fell outwith Board policy, as well as the volume of occasional licence applications made by the premises. He was aware that the premises held a provisional licence.

The LSO pointed out that the provisional licence for Broxmouth Courtyard had Board policy hours. She had asked that a major variation be submitted, but no such application had been forthcoming. She also raised concern about management being shared with the Bayswell Hotel and how the manager would maintain both roles.

Mr Mitchell advised that the general manager of Broxmouth Courtyard had applied to become the premises manager (DPM) at the Bayswell Hotel. Mr Mitchell advised that he had originally been put on the premises licence at the Bayswell Hotel and was still to confirm that he had been formally taken off this role at the Bayswell Hotel, however, he said that he was able to look after both premises. He stated that his intention was to become the DPM at Broxmouth Courtyard when the premises licence application was confirmed. He advised that solicitors had been instructed to make an application for confirmation of the premises licence, and Section 50 certificates were being finalised. A visit had been made by building standards the previous day, and he reported that he had remedied the one concern raised by food and hygiene.

Mr Grilli responded that there had been no formal application made in relation to the DPM position at the Bayswell Hotel, and suggested that Mr Mitchell discuss this with his agent.



Councillor Gilbert asked whether it was being made clear to potential clients that 11pm was the cutoff for selling alcohol at midweek weddings. Mr Mitchell said that staff had not stated that the cutoff was 12 midnight, but this had been their hope because of the precedent set in 2022 and 2023.

Councillor McGuire was aware that the premises was well run and provided a much-needed service in the area. He felt that Board policy on terminal hours was in place for a reason, and felt that more applications were coming in based on a precedent set. He was concerned that staff had not made clients aware that midweek weddings were subject to an earlier terminal hour. He noted that the Board had just refused to grant extended hours in a similar application from the Dunglass Estate, and formally proposed that the terminal hours be restricted to 11pm for midweek weddings. He advised that notice be given to future potential customers.

Councillor Gilbert formally seconded the proposal to restrict the midweek applications to a terminal hour of 11pm to fall within Board policy.

The Convener agreed with his colleagues' comments. He would prefer for requests for extended hours to be made as a major variation to allow the Board to fully scrutinise the application. He was pleased to hear about progress in obtaining Section 50 certificates. He felt it was vital that the provisional licences were confirmed to premises licences. He reported that there had been 916 occasional licence applications made last year, and 432 of them had been in such instances while a premises held only a provisional licence; he said processing of such applications put incredible strain on the licensing department.

The Convener then moved to a roll call vote on the proposal that all midweek weddings have a terminal hour of 11pm, as proposed by Councillor McGuire and seconded by Councillor Gilbert. Members unanimously voted in support of this amendment.

The Convener then moved to a roll call vote on the applications as amended, and Members unanimously voted to grant the applications with a terminal hour of 11pm for midweek weddings.

### **Decision**

The Board granted the occasional licences, subject to the following:

- Midweek weddings would have a terminal hour of 11pm.

Signed .....

Councillor L Bruce  
Convener of East Lothian Licensing Board





East Lothian Council  
Licensing  
30 JAN 2024  
Received

# APPLICATION FOR PREMISES LICENCE / ~~PROVISIONAL PREMISES LICENCE\*~~

LICENSING (SCOTLAND) ACT 2005, SECTION 20

\*Delete as appropriate

2

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

MAZZOLI CAFE

6 HIGH STREET HADDINGTON

EH41 3ES

**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.

MR PAUL MAZZOLI KINNOCY

MAZZOLCAFE@GMAIL.COM

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

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

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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.\*

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\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

**Question 3 – Previous applications**

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?

YES  NO

If YES – provide full details \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Question 4 – Previous convictions**

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)

YES  NO

If YES – provide full details. For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974.

NAME	DATE	COURT	OFFENCE	SENTENCE

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**DESCRIPTION OF PREMISES**

**Licensing (Scotland) Act 2005, section 20(2)(a)**

**Question 5** – Description of premises

(where application is submitted by a members' club, please also complete question 6)

GROUN FLOOR RETAIL SHOP CONTINENTAL STYLE

CAFE/BAR OFFERING BOTH SIT IN AND TAKEAWAY

FACILITIES INCLUDING HOT AND COLD DRINKS AND FOOD

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

Signature \_\_\_\_\_ \* (see note below)

Date 29 / 1 / 2024

APPLICANT / AGENT (delete as appropriate)

Telephone number and email address of signatory \_\_\_\_\_

MAZZOLI CARE @ GMAIL.COM

I have enclosed the relevant documents with this application – please tick the relevant boxes

- Operating plan
- Layout plan (highlighting the area where alcohol is sold/consumed)
- Planning certificate
- Building standards certificate
- Food hygiene certificate

\* Data Protection Act 2018

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

## OPERATING PLAN

LICENSING (SCOTLAND) ACT 2005, SECTION 20(2)(B)(i)

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

### 1. STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

Name and Address of Premises MAZZOLI CAFE / BAR  
6 HIGH STREET  
HADDINGTON  
Post Code EH41 3ES

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



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

DAY	ON CONSUMPTION	
	Opening time	Terminal Hour
Monday	11 AM	10 PM
Tuesday	11 AM	10 PM
Wednesday	11 AM	10 PM
Thursday	11 AM	10 PM
Friday	11 AM	10 PM
Saturday	11 AM	10 PM
Sunday	11 AM	10 PM

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	10 AM	10 PM
Tuesday	10 AM	10 PM
Wednesday	10 AM	10 PM
Thursday	10 AM	10 PM
Friday	10 AM	10 PM
Saturday	10 AM	10 PM
Sunday	10 AM	10 PM

#### 4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES

NO

\*If YES – provide details

**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	NO	N/A	N/A
	Conference facilities	NO		
	Restaurant facilities	YES	YES	YES
	Bar meals	NO	NO	NO

Social functions including:

5b.	Weddings, funerals, birthdays, retirements etc.	YES	YES	NO
	Club or other group meetings etc.	YES	YES	NO

Entertainment, including:

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

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

Restaurant / Cafe open from 10AM - 10PM

No sale of alcohol will take place until  
licensed hours

Recorded Background music during the periods  
trading times only

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

We will provide a Takeaway Delivery Service of both food and Alcohol

**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

Ages 0 - 12 yrs accompanied by a responsible adult  
Baby changing facilities will be provided along with separate bin  
Risk assessment written for children 13-17 yrs

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

0 - 17 yrs

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

9am (Breakfast) to 9pm

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

All Public Parts

**7. CAPACITY OF PREMISES**

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

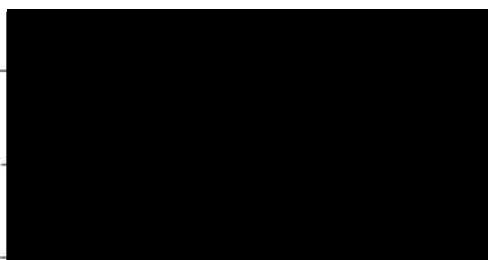
16 persons permitted

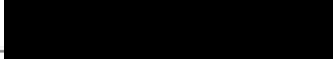
**8. PREMISES MANAGER**

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

Full Name PAUL MAZZOLI KINNOCH

Date of birth 

Contact address 

Post Code 

Tel. No.  Email address mazzoli.cafe@gmail.com

**Personal licence**

Date of issue 29-01-2009

Name of Licensing Board issuing ELC

Reference no. of personal licence ELC 283

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

I he contents of this operating plan are true to the best of my knowledge and belief

Signature \_\_\_\_\_ (\* see note below)

Date 29/1/2024

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

Tel. No. of signatory \_\_\_\_\_

Email address mazzolicafe@gmail.com

**\* Data Protection Act 2018**

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







## **SUPPLEMENTARY APPLICATION INFORMATION**

This information is required in relation to all Premises Licence/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

## BUSINESS PROFILE

Please describe your business offering

We have created a Continental Style Cafe which include sit in facilities for Breakfast / Lunch and Evening Menu. We offer a safe and comfortable environment and welcome all age groups, families organisations and visitors to the town our takeaway service is available all day with the additional service of home delivery from 5pm in the evening.

## ON CONSUMPTION

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

Cafe serving Breakfast, Lunch and Evening Menus

## OFF CONSUMPTION

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

Takeaway service of Hot and Cold food including evening delivery. Alongside food we would offer an off sales facility when asked for when alcohol is requested for delivery with food at the time of ordering ID will be requested in accordance with our Age Verification Policy this will include the recipient being asked if the alcohol will be for their own consumption. Only Wine or Beer will be offered no spirits.

**CLARIFICATION IS REQUIRED IN RELATION TO THE CONTENT OF YOUR PROPOSED OPERATING PLAN**

To what extent do you intend to use any of the following:

Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

Cafe / Restaurant facilities offering full menu including hot drinks, soft drinks, non alcoholic drinks and limited alcohol

**Social Functions** – Weddings; Birthdays; Retirements ; Other:

If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:

Birthdays

Wedding Meals

Retirement

Funeral

these events are limited to a maximum of 16 people on a pre booking request

**Entertainment** – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport – If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

Recorded Music (Background Only)

**Outdoor Drinking Facilities** – If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

N/A

**Adult Entertainment** – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

N/A

**Activities Outwith Licensed Core Hours** – In your Operating Plan, at 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

Restaurant Breakfast / Hot Drinks and Cakes  
No alcohol before core licensed hours

**Any Other Activities** – In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

Delivery service as previously described

**Children and Young Persons** – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

High chair  
children menu  
Plastic cups  
Relevant notices  
Baby changing

## LICENSING OBJECTIVES

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

[https://www.eastlothian.gov.uk/downloads/file/27884/statement\\_of\\_licensing\\_policy\\_2018-2023](https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023)

### Preventing Crime and Disorder

Prevention of Public disorder, under age drinking, use of drugs and anti social behavior

Sufficient lighting

Signage in place

Security Policy

### Securing Public Safety:

Ensure we stick to the agreed capacity

All safety and risk assessments in place

First aid facilities

All access areas kept clear

### Preventing Public Nuisance:

Stick to agreed opening hours and closing hours and to agreed Alcohol Licence  
No other activity to take place other than stated  
Management of customers and public in general  
Imply all policies  
Waste Management in place

### Protecting and Improving Public Health:

Display all appropriate signage  
Drink Aware  
Drink Driving  
Responsible Drinking  
Challenge 25  
Wine and Spirit Measures  
Availability of Non Alcoholic Drinks  
Adhere to minimum pricing  
All staff clear of policies

### Protecting Children and Young Persons From Harm:

Children areas supervised  
Risk assessment controls in place  
Non glass drinking cups available  
High chairs  
Children Menu  
Children not exposed to strong language or disturbance

## APPLICATION SUPPORTING COMMENTS

### Additional Information

THE CAPE OFFICES WITH THE INTENTION TO CREATE SOMETHING DIFFERENT IN HADDINGTON HIGH STREET CREATING A CONTINENTAL STYLE CAFE EXPERIENCE FOR ALL AGE GROUPS, FOR THE COMMUNITY AND VISITOR FROM NEAR OR FAR. FOR PEOPLE TO MEET UP IN A SAFE RELAXED ENVIRONMENT WHETHER FOR A NICE COFFEE, LIGHT LUNCH OR EVENING MEAL FOR CHILDREN TO COME AND ENJOY A PIZZA WITH FRIENDS SO FAR WE HAVE SUCCEEDED AND CONTINUE TO IMPROVE OUR SERVICE AND MOVE FORWARD AS REQUIRED

### Supporting Comments

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

I HAVE BEEN IN THE HOSPITALITY TRADE SINCE 1999 WITH MANY YEARS EXPERIENCE DEALING WITH THE GENERAL PUBLIC WITH REGARDS TO CUSTOMER SAFETY, CUSTOMER SERVICE AND CUSTOMER RELATIONS

I HAVE WORKED CLOSELY WITH THE HADDINGTON COMMUNITY NOT JUST WITH THE PUBLIC, COMMUNITY GROUPS AND ORGANISATIONS TRADER ASSOCIATION AND COUNCILS I HAVE ALWAYS CREATED A WELCOMING AND SAFE ENVIRONMENT FOR EVERYONE WHO VISITS MY BUSINESS

## SIGNATURE AND DECLARATION BY APPLICANT

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

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

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

29/01/2024



SCHEDULE 6 Regulation 7

# DISABLED ACCESS AND FACILITIES STATEMENT

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

## 1. DISABLED ACCESS AND FACILITIES

1(a). Is there disabled access to the premises YES  NO

1(b). Do you have facilities for those with a disability YES  NO

1(c). Do you have any other provisions available to aid the use of the premises by disabled people YES  NO

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

## 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.

THE MAIN DOOR IS ON DIRECT LEVEL FROM  
THE PAVEMENT AND HAS ENOUGH SPACE  
FOR A WHEELCHAIR AND ELECTRIC WHEELCHAIR  
TO ACCESS THE BUILDING

### 3. FACILITIES AVAILABLE

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

ONE ACCESSIBLE TABLE BY THE FRONT  
DOOR

### 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.

ASSISTANCE DOGS WELCOME

**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

Signature \_\_\_\_\_ \* (see note below)

Date 29 / 1 / 24

Capacity DIRECTOR

APPLICANT/AGENT (delete as appropriate)

Tel. no. of signatory \_\_\_\_\_

Email MAZZOLICAFÉ @ GMAIL . COM

**\* 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.



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

**SECTION 50  
BUILDING STANDARDS CERTIFICATE**

**Section 50 Application No:** 24/00001/S50  
**Applicant:** Paul Kinnoch [REDACTED]  
**Agent:** N/a  
**Premises Address:** Mazzoli Café 6 High Street Haddington East Lothian EH41 3ES  
**Proposed Use of Premises:** Cafe

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:** 23.01.2024  
 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:** Paul Kinnoch [REDACTED]  
**Copied To:** Licensing, East Lothian Council, John Muir House, Haddington

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

**SECTION 50  
PLANNING CERTIFICATE**

**APPLICANT:** Mr Paul Kinnoch

**NAME AND ADDRESS OF PREMISES:** Mazzoli Café, 6 High Street, Haddington, EH41 3ES

**SECTION 50 PLANNING CERTIFICATE**

- I confirm that planning permission (ref:.....) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- I confirm that planning permission is not required.

**SECTION 50 PROVISIONAL PLANNING CERTIFICATE**

- I confirm that planning permission (ref: 15/00487/P) has been obtained in respect of the construction or conversion of the subject premises.
- I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License to cover the above proposals.

Signed:



Date:

10th August 2023

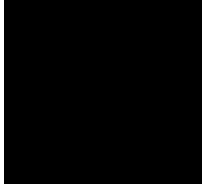
**Keith Dingwall  
Service Manager, Planning**

Our ref: DJ/JD  
Your ref:  
Direct Line: 01620 827234  
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

15 January 2024

Paul Mazzoli Kinnoch

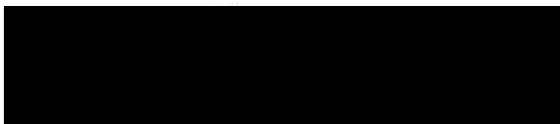


Dear Sir

**THE LICENSING (FOOD HYGIENE REQUIREMENTS) (SCOTLAND) ORDER 2011  
Mazzoli Café / Bar, 6 High Street, Haddington, EH41 3ES.**

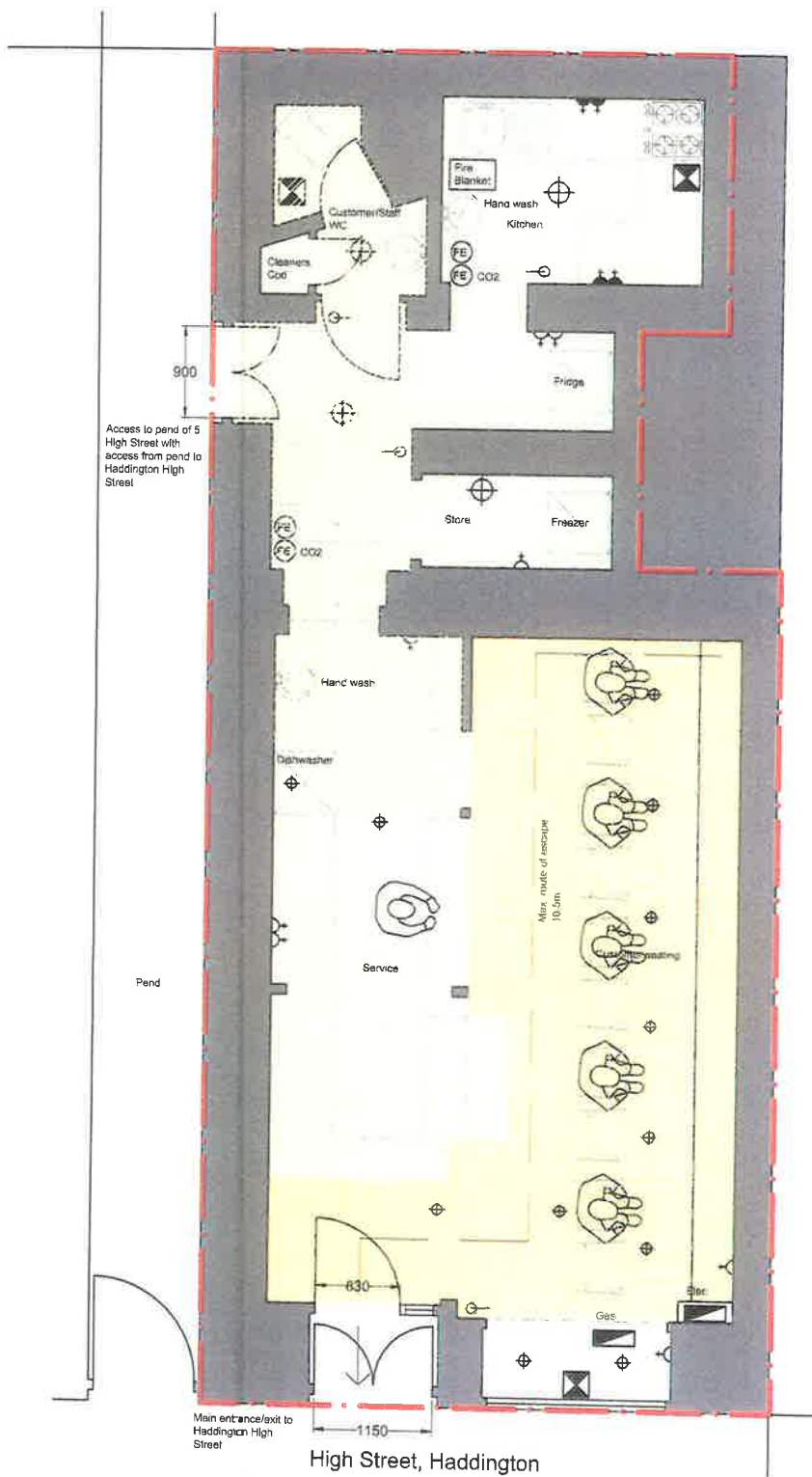
I hereby certify, in terms of Section 50 of the Licensing (Scotland) Act 2005, that the premises operated by Paul Mazzoli Kinnoch at 6 High Street, Haddington, namely Mazzoli Café / Bar, does comply with the relevant requirements of the retained EU provisions which are listed in Schedule 2 to the Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3)

Yours faithfully



Darren Johnson  
Food and Safety Officer

cc Licensing Board



- Property boundary
- Staff and service area
- Customer Area
- Customer access to WC

### ELECTRICAL INSTALLATIONS

- ⊖ Single double pole 10A plate switch
- ⊕ 13A double switch socket outlet
- ⊕ 13A double switch socket outlet above unit height
- ⊕ Well or ceiling mounted mechanical extract fan
- ⊖ Electrical distribution board and meter
- ⊕ Ceiling mounted light fitting
- ⊕ Fire extinguisher

Max occupancy 15 persons

0 0.5m 1m 1.5m 2m 2.5m

SCALE BAR 1-50

Rev	Description	Date	By	Chk'd
X	XXXXXXXXXXXXXXXXXX	XXXXXX XX	XX	



**37**  
**Architectural Building & Design Consultants Ltd**  
 18a Rothesay Place, Edinburgh EH3 7SQ | 0131 510 8555 Edinburgh | abcarchitecture.co.uk  
 01368 908 222 Dunbar | enquiries@abcarchitecture.co.uk

Project  
**6 High Street, Haddington**  
 Drawing Title  
**Floor plan**

Project ref. <b>468</b>	Drawing No. <b>02</b>	Issue status <b>Licensing plan</b>
Scale <b>1:50</b>	Print <b>A3</b>	Date <b>06/11/23</b>
		Drawn by <b>FJS</b>
		Chk'd by <b>XXX</b>

# EAST LoTHIAN COUNCIL

## Licensing Standards

**From:** Licensing Standards Officer

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

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**Date:** 19<sup>th</sup> February 2024

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

PREMISES LICENCE APPLICATION

MAZZOLI CAFÉ, 6 HIGH STREET, HADDINGTON, EAST LoTHIAN EH41 3ES

I refer to the above subject and can confirm that the applicant has liaised with the LSO in relation to this application and I have visited the premises.

I can confirm that the application is compliant with the act. The on-sale hours and off-sale hours are within the Board's policy.

The applicant Mr Kinnoch is an experienced licensee who successfully runs the Tyneside Tavern in Haddington to a high standard.

Mazzoli Café has been operating on occasional licences for over 2 years. In that time no complaints have been received and no compliance issues identified. This application for a full premises licence is welcomed as a positive move forward.

I recommend the following condition be considered:

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

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:** Iain Anderson <Iain.Anderson3@scotland.police.uk>  
**Sent:** 13 February 2024 09:53  
**To:** Licensing  
**Subject:** PREMISES LICENCE APP - MAZZOLIS CAFE BAR  
**Attachments:** LIC06 PREMISES - NO CONVICTIONS MAZZOLI CAFE BAR.RTF

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi all,  
No Police objection  
Our ref - 795761

Regards  
Iain

## Licensing

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**From:** Robertson, Scott  
**Sent:** 14 February 2024 08:14  
**To:** Licensing  
**Subject:** RE: Attached Image -Application for Premises Licence - Mazzoli Cafe - 6 High Street, Haddington - EL399

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%7C02%7Clicensing%40eastlothian.gov.uk%7C4213fc932842cbf1c908dc2d34f267%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638434952620485933%7CUnknown%7CTWFpbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=OCduy9AJCqM03nFpQxNqI21onzVSgCk43gME5zfO%2FGw%3D&reserved=0>

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

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** Thursday, February 8, 2024 11:41 AM  
**To:** 'lothianscotborderslicensingeastmid@scotland.pnn.police.uk; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; licensing@nhslothian.scot.nhs.uk; all@haddingtoncc.org.uk  
**Cc:** torquil.cramer@firescotland.gov.uk  
**Subject:** FW: Attached Image -Application for Premises Licence - Mazzoli Cafe - 6 High Street, Haddington - EL399

Good Morning

Please find attached application from Mazzoli Café for full premises licence for representation/report by 7th March., 2024.

Kind regards  
Gillian

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







# APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

# 3

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

## 1. TYPE OF VARIATION

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

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

(Provide Details)

Amendment to include the Gaming to our Operating Plan

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Type text here

**2. PREMISES LICENCE DETAILS**

2(a) Licence Number of Premises EL0368

2(b) Name and Address of Premises ESKMILLS VENUE

MUSSELBURGH

Post Code EH21 7PQ Tel. No. \_\_\_\_\_

Email \_\_\_\_\_

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

MICKORY FOOD SCOTLAND LTD

ARCHIBALD HOPE HOUSE, ESKMILLS PARK, STATION ROAD

MUSSELBURGH Post Code EH21 7PQ

Tel. No. \_\_\_\_\_ Email address info@eskmillsvenue.com

**3. NATURE OF VARIATION**

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

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

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



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

Does the appropriate Premises Licence accompany this application?

YES  NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because -

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

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**5. FEE PAYABLE**

Information on fees can be found at

[https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol\\_licences/2](https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol_licences/2)

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

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

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

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

Addition of Gaming to the Operating Plan.

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

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

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

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



**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

I confirm that

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

- (b) (i) the appropriate fee of £ 200 is enclosed
- (ii) the proposed Operating Plan is enclosed
- (iii) the proposed Layout Plan is enclosed
- (iv) the Premises Licence is enclosed

Signature [REDACTED] (See note 5 overleaf)

Date 11/17/24

Capacity APPLICANT / AGENT (delete as appropriate)

**If agent, please provide details**

Full name BRIAN GALBREATH

Address [REDACTED]

[REDACTED] Post Code [REDACTED]

Tel. No. [REDACTED] Email address brian@hickoryfood.co.uk

**Note 1**

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

**Note 2**

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

**Note 3**

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

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

**Note 4**

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

**Note 5: Data Protection Act 2018**

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

**CONTACT US**

East Lothian Licensing Board  
Licensing Office, John Muir House  
Haddington, East Lothian  
EH41 3HA

Phone: 01620 827217 / 827867 / 820114

Email: [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)

<b>FOR OFFICE USE ONLY</b>		
Received & Receipt No.	System Updated	Licence Issued



## 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** \_\_\_\_\_

Event Space, Archibald Hope House, Eskmills Park, Station Road,

Inveresk, Musselburgh, East Lothian

Post Code

EH21 7PQ

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

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

DAY	ON CONSUMPTION	
	Opening time	Terminal Hour
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	01:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	12:00 Noon	12:00 Midnight

**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 the extended hours offered by the Christmas and New Year period.

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

<b>5a.</b> Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO

Social functions including:

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

Entertainment, including:

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

<b>5d.</b> Outdoor drinking facilities	YES	YES	NO
--	-----	-----	----

<b>5e.</b> Adult Entertainment	NO	NO	NO
--------------------------------	----	----	----

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

Conference - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Receptions - this activity may take place outwith the core hours but not before 9am and no later than the terminal hour of operation

Club or Group Meetings - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Recorded Music - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Live Performances - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Theatre - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Films - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

Gaming - this activity may take place outwith the core hours but not before 9am and no later than the terminal hour of operation

Televised Sport - this activity may take place outwith the core hours but not before 7am and no later than the terminal hour of operation

N.B. Please note that no alcohol will be sold outwith core hours without there being in place a general extended hours application approved by the Local Authority.

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

Exhibitions, fashion shows, wedding fairs, corporate events, charity events

**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 have access to these premises, but only when accompanied by a responsible person and not within 1.5 metres of the bar.

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

Children - Birth to 15 years old

Young Persons - 16 & 17 years old

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

At all times an event is in operation, unless deemed inappropriate by the management.

Children and young persons will always be accompanied by a responsible person, or under suitable professional childcare provision.

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

Due to the nature of these premises being run as an events hub, it is essential that children and young persons be allowed to remain on these premises until the conclusion of the events.

Management do reserve the right to refuse entry to children and young persons should they feel that the event is unsuitable for them.

Children will never be allowed within 1.5 metres of the bar area.

**7. CAPACITY OF PREMISES**

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

On Sales - 400


---


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**8. PREMISES MANAGER**

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

Full Name Stephanie Stubbs

Date of birth 

Contact address 

Post Code 

Tel. No. \_\_\_\_\_ Email address stephanie@hickoryfood.co.uk

**Personal licence**

Date of Issue 20 September 2022

Name of Licensing Board issuing East Lothian Council

Reference no. of personal licence EL1984

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

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

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

Signature  (\* see note below)

Date 10 / 1 / 24.

Capacity APPLICANT / AGENT (delete as appropriate)

Tel. No. of signatory 

Email address brian@hickoryfood.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.

# **EAST LOTHIAN COUNCIL**

## **Licensing Standards**

**From: Licensing Standards Officer**

**To: C. Grilli**

**Clerk to the Licensing Board**

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**Date: 16<sup>th</sup> February 2024**

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

**PREMISES LICENCE MAJOR VARIATION**

**EL0368 EVENT SPACE (ESKMILSS VENUE), ARCHIBALD HOPE HOUSE, ESKMILLS PARK,  
STATION ROAD, INVERESK, MUSSELBURGH, EAST LOTHIAN EH21 7PQ**

I can confirm that the applicant liaised with me in relation to this variation application and I have previously visited the premises. The premises have been found to be well run with no issues reported over the last 6 months.

The changes applied for are:

- To add Gaming to the operating plan within core hours

It is of note that gaming is marked "NO" outwith core hours however within questions 5e Gaming is described as "Gaming – this activity may take place outwith the core hours but not before 9am and no later than the terminal hour of operation". I recommend that this inconsistency is discussed and resolved.

Following contact with the Licensing Board I am aware that a previously planned one off Bingo event was permitted to be held at the premises In January. I did not receive any complaints about this event.

Licensing Standards Officer

## Licensing

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**From:** Iain Anderson <Iain.Anderson3@scotland.police.uk>  
**Sent:** 25 January 2024 12:21  
**To:** Licensing  
**Subject:** MINOR VARIATION - ADD GAMING TO OPERATING PLAN - ESKMILLS,  
MUSSELBURGH  
**Attachments:** HERKES\_ GILLIAN\_XVF20528\_FIREBIRD\_1237\_001.PDF

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi all,  
No Police objection  
Our ref - 790393

Regards  
Iain

## Licensing

---

**From:** Robertson, Scott  
**Sent:** 24 January 2024 10:27  
**To:** Licensing  
**Subject:** RE: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

Hello,

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

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%7C02%7Clicensing%40eastlothian.gov.uk%7C2aa14100b21440b247ba08dc1cc6ef6c%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638416887932972631%7CUnknown%7CTWFpbGZsb3d8eyJWljojoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=aKNwMnZyKXxRjqr4nv%2Fq%2FH%2BhreJu9JzHhsUpAVrmlLk%3D&reserved=0>

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

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** 23 January 2024 11:40  
**To:** Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; 'Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)' <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; irenetait@btinternet.com; stewart\_m1@sky.com  
**Subject:** FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

Hi

Please find attached Major Variation for the above premises. Can I please have reports/representations by 21st February 2024.

Kind regards

Gillian

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

**From:** "Herkes, Gillian" <gherkes@eastlothian.gov.uk>  
**Sent:** 23 January 2024 11:10  
**To:** Herkes, Gillian <gherkes@eastlothian.gov.uk>  
**Subject:** Attached Image

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.

## Licensing

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**From:** Douglas, Andrew  
**Sent:** 23 January 2024 13:31  
**To:** Licensing  
**Subject:** FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368  
**Attachments:** Herkes\_ Gillian\_XVF20528\_FIREBIRD\_1237\_001.pdf

No objections, standard conditions

Andrew

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

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
Sent: 23 January 2024 12:02  
To: Douglas, Andrew <adouglas@eastlothian.gov.uk>  
Subject: FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

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

From: Licensing <licensing@eastlothian.gov.uk>  
Sent: 23 January 2024 11:40  
To: Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; 'Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)' <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <Iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; irenetait@btinternet.com; stewart\_m1@sky.com  
Subject: FW: Attached Image Major Variation - Eskmills Venue, Musselburgh - EL0368

Hi

Please find attached Major Variation for the above premises. Can I please have reports/representations by 21st February 2024.

Kind regards

Gillian

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

From: "Herkes, Gillian" <gherkes@eastlothian.gov.uk>  
Sent: 23 January 2024 11:10  
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>  
Subject: Attached Image

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.





OCC131/24  
AdV 23/2

EAST LoTHIAN LICENSING BOARD  
APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

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

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

4a

<b>1. LICENCE DETAILS</b> (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable) EL1870	

<b>2. PERSONAL DETAILS</b>	
TITLE (delete as appropriate): Mrs	
Surname	Ewert
Forenames	Blythe
DATE OF BIRTH	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED]	
Post Town: [REDACTED]	Post code [REDACTED]
<b>TELEPHONE NUMBERS</b>	
Daytime t:	[REDACTED]
Evening	
Mobile	
<b>FAX NUMBER</b>	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	
Events@culinarians.uk	

<b>3. THE PREMISES</b>
<b>Description of premises</b>
This event will see the couple inviting their wedding guests to Gosford House.
For this event, the licensable areas will be the House and immediate lawns .

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

Saturday 10<sup>th</sup> May 2025: Wedding ceremony in the Marble Hall. Drinks reception in the Marble Hall. Wedding breakfast in the saloon. Dancing inside Gosford House with a live band. Guest numbers: 120.

Full postal address of premises which this application refers to

GOSFORD HOUSE, WEMYSS AND MARCH ESTATE, LONGNIDDRY EH32 0PX

**4. DURATION OF LICENCE - (include dates and times required for event)**

From: Saturday 10<sup>th</sup> May 2025 from 12h00

From: Sunday 11<sup>th</sup> May 2025 until 03h00 (running into Sunday morning, not Monday)

**5. Is alcohol to be sold on & off the premises YES/NO\* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-\* delete as appropriate**

Times for sale of alcohol for consumption on premises

12h00-03h00

Times for sale of alcohol for consumption off premises

NOT APPLICABLE

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

Guests arrive from 12h30 for a 13h00 ceremony. Drinks reception held in the Marble Hall after ceremony. Shuttles will be available from midnight for guests departing.

**6. CHILDREN (see note 2)**

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

Are children or young persons permitted entry? Yes

Ages of children or young persons permitted entry

2-16 – family event with some children attending

Times at which children or young persons permitted entry

Throughout

Parts of premises to which children or young persons permitted entry

All

**7. CHECKLIST**

I have - Please tick for yes	
• Made payment of the fee for the application	yes

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
<b>SIGNATURE</b> Blythe Ewert	<b>DATE</b> 06/04/23

**NOTES**

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

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

is eligible to apply for an occasional licence

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

3. Data Protection Act 1998

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

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

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

**1. Event**

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

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

██████████ will be welcoming 120 guests to Gosford House from all over Europe to celebrate their marriage. As the European custom is for a later start and thus a later finish for weddings, they have requested that a late license be applied for so that they can follow this format for their wedding day.

May 10<sup>th</sup> 2025 – wedding celebrations

Wedding ceremony to be held at time TBC in the Marble Hall for 120 guests max, with a mixture guests seated and standing in the Marble Hall. Pre-paid drinks reception to follow after the ceremony, with canapes served. The reception will start in the gravel area of the South Courtyard after the confetti throw. Guests then head back into the Marble Hall until around time tbc when dinner will be served in the marquee.

Time TBC 4 course Dinner to be served in the saloon. Meal to be served seated at tables with pre-paid wine and soft drinks. Guests to move into the dining room for dancing following the meal., accompanied by a pre-paid bar facility in the Billiard room No windows will be open in that space to avoid sound leaking out. A substantial evening snack will be served. Bar closing at 2.45am, with last orders called at 2.45am when the music will also cease, final departures by 3 am in shuttles laid on by the couple. The couple have contracted out coaches and shuttles that night for departures from midnight and 3am.

Challenge 25 policy in place as some guests in the 20-30s age group will be present. Children will be cared for by licensed child minders during the duration of the wedding, and taken back to their accommodation before midnight.

<p><b>2. Attendance</b></p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>120.</p> <p>Private invitation only</p> <p><input type="checkbox"/> 30 – 50</p> <p><input type="checkbox"/> over 50</p> <p>Private invitation to the event via the couple, a sign at the gate will indicate that there is a private reception taking place.</p>
<p><b>3. Stewarding</b></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at Security Industry Authority.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>Venue staff and management will be on hand throughout the evening, as will catering staff and management. Both sets of management include personal license holders.</p>

<p><b>4. <u>Layout Plans</u></b></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	
<p><b>6. Will alternatives to glass receptacles be provided?</b></p>	<p>No – glassware provided at the bar, no consumption of alcohol outwith the house or enclosed porch area behind the bar past 11.30 pm</p>
<p><b>7. To what standard those serving alcohol be trained?</b></p> <p>Please provide details of any training certificate held</p>	<p>1 bar manager with 2 personal license holders and supporting bar personnel All bar staff comply with the 2 hour mandatory alcohol training requirement</p>

**LICENSING OBJECTIVES \*\***

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

<p><b>8. How will you prevent Crime and Disorder at the event?</b></p>	<p>Arrivals to the event will be by coach as most guests are coming from abroad and do not have their own transportation. Couple is providing shuttles to and from the venue, with no guests leaving by their own means. Guests arriving intoxicated will not be allowed entry and sent back on the shuttle bus to their accommodation, the hotel staff informed prior to the coach departing. Guests arriving with alcohol (unless they are a gift for the couple) will see their drinks confiscated by Gosford staff. Estate staff will be chaperoning parking and access to the house on both days. Bar staff to implement cut-off policies to avoid intoxication. This event is considered a low risk event for crime and disorder.</p>
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<p>9. How will you secure Public Safety at the event?</p>	<p>A licensed bar manager will oversee all alcohol service and competent management will ensure oversight of guests behaviour at all times.</p> <p>Cut-off policies in place. Coach transport arranged to ensure guests will be leaving the premises safely and not by their own means.</p>
<p>10. How will you prevent Public Nuisance at the event?</p>	<p>Due to the location of the event, the impact should not be felt beyond the immediate grounds around the house. There are no neighbors within 100m of Gosford House.</p> <p>Announcements will be made on a PA system, requesting guests to leave the premises and area quickly and quietly. Gosford staff to ensure all guests have departed and no guests are left in front of house or back of house areas.</p>
<p>11. How will you promote and protect Public Health at the Event?</p>	<p>All staff will be present until after guests have departed to oversee departures from the premises and to ensure everyone's safety.</p> <p>Up-lighting provided to avoid guests tripping on stairs.</p> <p>First aid trained staff will be present throughout</p> <p>Maps provided to coach companies to ensure they access the house and collect guests from the correct entrance to limit the risk of possible collisions</p>


12. How will you protect Children from Harm at the Event?	Children will be supervised by immediate family members alongside registered childminder services being provided on the evening
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**SIGNATURE AND DECLARATION BY APPLICANT DECLARATION**

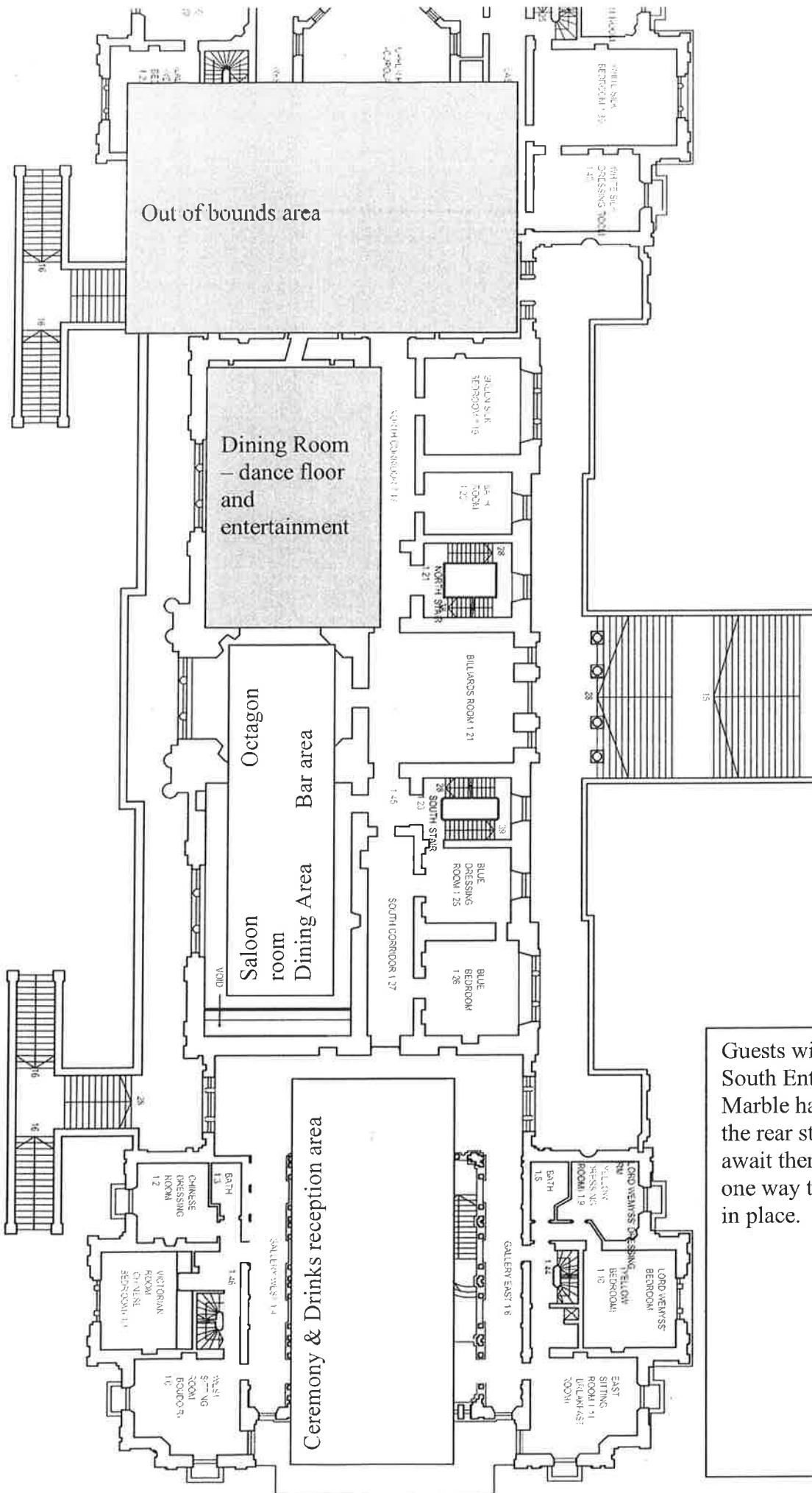
**IT IS AN OFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

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

Signature		Date	16/02/24
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Guests will access the house via the South Entrance leading to the Marble hall, they will depart down the rear stairs where coaches will await them for collection. There is a one way traffic management system in place.

# EAST LoTHIAN COUNCIL

## LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli  
Clerk to the Licensing Board

---

Date: 1<sup>st</sup> March 2024

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) – OCC131/24

BLYTH EWER, GOSFORD HOUSE, WEMYSS AND MARCH ESTATE, LONGNIDDRY,  
EAST LoTHIAN, EH432 0PX

The applicant is Blyth Ewert who is a personal licence holder. Application has been made for an occasional licence for a wedding to be held at Gosford House as follows:

OCC131/24 – Saturday 10<sup>th</sup> May – Sunday 11<sup>th</sup> May 2025, 1200 (on Saturday) - 0300 (on Sunday morning)

I refer the board to section 20.1 and 22.12 of the Statement of Licensing Policy:

*20.1 - For applications relating to premises licences and occasional licences, the Board's general policy on the licensed hours for the sale of alcohol for consumption on the premises is:*

*11.00 am to 11.00 pm Monday to Wednesday (inclusive)*

*11.00 am to 1.00 am Thursday to Saturday (inclusive)*

*11.00 am to 12.00 midnight on Sunday*

*Outside areas 11.00 am to 10.00 pm Monday to Sunday (inclusive)*

*22.12 - Applications for occasional licences should be within the on-sale hours stated in this policy or that of the associated premises. Any applications for times out with this will not be granted on delegated powers and will be required to be heard at a licensing board hearing for determination. Applicants will be required to provide a clear and detailed justification as to why hours out with policy have been requested. Applicants should be mindful of section 22.10 above as applications submitted no later than 42 day may not be processed in time for a Board hearing before the event.*

The application submitted falls out with the permitted on-sales hours detailed within the Board's policy asking for on sales until 3am (Saturday into Sunday morning).

Although the applicant describes the event as a wedding that starts later and finishes later as per European customs, the commencement hour is 12 noon. The application details guests arrive around 12:30 for a 1pm ceremony and drinks reception. I would not consider this to be a later start compared to most weddings in the area, it is in line with normal practice and timings. The total on sales hours requested is 15 hours. The Board may wish to consider the following from Section 142 Licensing (Scotland) Act 2005: Guidance for Licensing Boards -

*4.10 In considering applications relating to licensed hours, Licensing Boards may wish to consider applications for up to 14 hours continuous trading as being reasonable but local circumstances and views of those represented by Local Licensing Forums should always be considered. Any application for licensed hours for more than 14 hours should require further consideration of the effect of granting extra operating hours.*

The application request that children and young persons can remain throughout the event. I refer the board to the following section of the Board's policy:

*17.2 Each application for children and young person's access will be judged on its own merits and the Board may limit the hours that children and young persons are permitted to remain on the premises. Where there are no identified issues during the normal course of business children will only be allowed to remain on licensed premises until 22:00 hours. However, if any child is attending a pre-arranged function they may remain on the premises until the end of the function.*

Given the terminal hour is 3am, and the normal terminal hour on a Saturday in Board policy is 1am, the Board may wish to consider the hours children and young persons are permitted to be on the premises. As far as I am aware, there is no suitable accommodation for any persons to rest. I am aware the supplementary information form details, that children will be looked after by registered child minders and taken back to the accommodation at midnight, but this is not stated on the application form to be part of the licence and the ages of the children that will leave is not detailed.

The supplementary information form has not provided clear details on timings with most marked as TBC. It also refers to dinner being served in a marquee and also dinner to be served in the saloon. It is unclear if this is an error or if there are two dinner services. There is no marquee indicated on the layout plan.

As the application requests hours beyond 1am, in line with the Licensing (Scotland) Act 2005 in relation to late night premises I recommend the following conditions be considered:

1. A person suitably trained in first aid must be present on the premises from 1am until closing time or 5am whichever is the earlier.
2. A personal licence holder will be present for the duration of the event.
3. There must be written policies in existence concerning—
  - (a) the evacuation of the premises; and
  - (b) the prevention of the misuse of drugs on the premises.
4. A CCTV system must be installed on the premises to the satisfaction of the appropriate chief constable and must be kept in good working order.
5. There must be persons responsible for checking on the safety and wellbeing of persons using any toilet facilities on the premises.
6. SIA Stewards are employed from 20:00 hours until all persons have vacated the premises.
7. Staff & Stewards are fully briefed prior to the event in relation to drunkenness offences and duty of care to customers. A record of this briefing should be retained detailing information

covered and names of staff briefed.

8. The staff ensure that guests are all advised to be considerate of others and leave in a quiet and orderly manner.
9. Any other reasonable request made by the police or council officials is complied with.

In accordance with board policy above, I refer the application to the Licensing Board for determination if the applicant can justify their request and if the measures demonstrated promote the five licensing objectives for the grant of the occasional licence.

Licensing Standards Officer

26/02/2024

Your Ref: OCC131/24  
Our Ref: 798656

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



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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
OCCASIONAL LICENCE APPLICATION  
PREMISES: GOSFORD HOUSE, A198 (22) FROM GOSFORD SAWMILL,  
ABERLADY, EAST LOTHIAN, EH32 0PX.  
APPLICANT: BLYTHE MELANIE EWERT, [REDACTED]**

I refer to the above application and in terms of Section 58(1)(b)(ii) of the Licensing (Scotland) Act 2005, I make the following representation in relation to the application, and recommend that it be subject to following conditions:

- 1. A Personal Licence holder will be present for the duration of the event.**
- 2. There must be a fully trained first aider on duty after 0100 hours.**
- 3. Appropriate stewarding will be in place to provide appropriate control of the premises and those persons engaged in such duties are registered as door stewards with the Security Industry Authority.**
- 4. Any other reasonable request made by the police or council officials is complied with.**

The occasional licence hours sought are Saturday 10<sup>th</sup> of May 2025 12:00 till Sunday 11<sup>th</sup> May 2025 03:00 which is out with board policy.

The venue does not hold a premises licence and has been managed by Occasional Licence applications. This reason specified for the application is to

**OFFICIAL**

host a large wedding with 120 invited guests travelling from across Europe to attend. The applicant has supplied a detailed supplementary information sheet as to the running of the event. It provides that all bar staff will have the two hour mandatory training and that two personal licence holders will be in attendance. Private coaches will be transporting guests to and from their accommodation with no persons arriving or leaving on foot. Furthermore all children are expected to have left the venue by midnight, accompanied by registered childminders.

This representation is submitted for your attention in consideration of this application.

Yours faithfully



Catriona Paton  
Chief Superintendent

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

OCC 142/24

Police  
LSO

LICENSING (SCOTLAND) ACT 2005, SECTION 142

**OCCASIONAL LICENCE  
APPLICATION FORM**

Advert 23/2

20th April (Sat)

Before completing this form please read the guidance notes.

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

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

**4b**

**1. LICENCE DETAILS** (see note 1)

Premises licence number (if applicable) \_\_\_\_\_

Personal licence number (if applicable) EL654 \_\_\_\_\_

Name of voluntary organisation (if applicable) \_\_\_\_\_

**2. PERSONAL DETAILS**

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) MR \_\_\_\_\_

Surname Wood \_\_\_\_\_

Forenames Craig Alan Peter \_\_\_\_\_

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

**2. PERSONAL DETAILS (cont)**

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town \_\_\_\_\_ Post code [Redacted]

Telephone Numbers

Daytime Tel. \_\_\_\_\_ Evening Tel. \_\_\_\_\_

Mobile No. [Redacted]

Fax No. \_\_\_\_\_ Email craig@craigwood-catering.com

**3. THE PREMISES**

Description of premises

The Seton Garden , Walled Garden, Seton mains, Longniddry, EH32 0PG

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

Wedding breakfast and live band – Approx 150 guests plus 50 in the evening

Full postal address of premises which this application refers to \_\_\_\_\_

Seton Gardens, , Walled Garden, Seton mains, Longniddry, EH32 0PG



#### 4. DURATION OF LICENCE

From 13.00 20/04/2024 To 00.00 Midnight 20/04/2024

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

YES  NO

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

Times for sale of alcohol for consumption on premises

13.00 00.00

Times for sale of alcohol for consumption off premises

N/A

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

Breakfast 17.00 live band 20.00- 00.00 Evening food 21.30

#### 6. CHILDREN (see note 2)

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

Are children or young persons permitted entry?

YES  NO

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

Ages of children or young persons permitted entry 0-17

Times at which children or young persons permitted entry 13.00 – 00.00

Parts of premises to which children or young persons permitted entry

All areas except 1.5 metres to bar



## 7. CHECKLIST

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

YES

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

### DECLARATION

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

Signature



Date 16<sup>th</sup> February 2024

### NOTES

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

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

is eligible to apply for an occasional licence

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

3. Data Protection Act 2018

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

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

PLEASE SUBMIT THIS SHEET WITH YOUR  
OCCASIONAL LICENCE APPLICATION FORM

**SUPPLEMENTARY INFORMATION**

**1. Event**

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

Wedding

---

---

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

Live band

---

---

**2. Attendance**

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

150 day and further 50 in the evening

---

---

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

Invite

---

---

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

Under 18

18 - 30

X30 -  
50

over 50



2. (cont)

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

Invite

---

**3. Stewarding**

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

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

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

No

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

Please indicate if -

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

**5. Applications Lodged by Voluntary Organisations or Members Clubs Only**

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

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**6. Will alternatives to glass receptacles be provided?**

Yes mainly glass with plastic after 23.00 - both – CE stamped

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

Please provide details of any training certificate held.

License holders or trained

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**LICENSING OBJECTIVES**

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

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

Visual awareness

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

Risk assessment and staff training

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

Visual awareness and follow our set procedures for rowdy behavior. Sound subject to sound limiter

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

No drinks promotions and visual awareness

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

In company of parents and not within 1.5 metres of the bar

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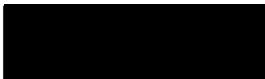
**SIGNATURE AND DECLARATION BY APPLICANT**

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

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

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

Signature



Date 16<sup>th</sup> February 2024

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# EAST LoTHIAN COUNCIL

## LICENSING STANDARDS

**From:** Licensing Standards Officer

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

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Date: 6<sup>th</sup> March 2024

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

**OCCASIONAL LICENCE APPLICATION(S) – OCC142-157/24**

**CRAIG WOOD AT THE SETON GARDEN, WALLED GARDEN, SETON MAINS, LONGNIDDRY,  
EAST LoTHIAN, EH32 0PG**

The applicant is Craig Wood who is a personal licence holder. Application has been made for 16 occasional licences for a weddings as follows:

OCC142/24 – Saturday 20<sup>th</sup> April 2024 1pm-12 midnight  
OCC143/24 – Saturday 27<sup>th</sup> April 2024 1pm-12 midnight  
OCC144/24 – Saturday 18<sup>th</sup> May 2024 1pm-12 midnight  
OCC145/24 – Saturday 1<sup>st</sup> June 2024 1pm-12 midnight  
OCC146/24 – Saturday 8<sup>th</sup> June 2024 1pm-12 midnight  
OCC147/24 – Friday 28<sup>th</sup> June 2024 1pm-12 midnight  
OCC148/24 – Saturday 29<sup>th</sup> June 2024 1pm-12 midnight  
OCC149/24 – Wednesday 3<sup>rd</sup> July 2024 1pm-11pm  
OCC150/24 – Saturday 13<sup>th</sup> July 2024 1pm-11pm  
OCC151/24 – Saturday 20<sup>th</sup> July 2024 1pm-12 midnight  
OCC152/24 – Saturday 27<sup>th</sup> July 2024 1pm-12 midnight  
OCC153/24 – Saturday 10<sup>th</sup> August 2024 1pm-11pm  
OCC154/24 – Saturday 17<sup>th</sup> August 2024 1pm-11pm  
OCC155/24 – Saturday 24<sup>th</sup> August 2024 1pm-12 midnight  
OCC156/24 – Saturday 14<sup>th</sup> September 2024 1pm-12 midnight  
OCC157/24 – Saturday 21<sup>st</sup> September 2024 1pm-12 midnight

Seton Garden is a wedding/event venue that has been operating on occasional licences submitted by Mr Wood. The venue consists of a marquee that I believe remains in situ all year and a garden area, however, appears to be in use April – September (6 months). The following number of occasional licence applications have been submitted and granted for the location (not necessarily applied for by the same applicant) since 2022:

2022 – 16

2023 – 12

2024 – to date 16 applications covering the period above

The venue appears to be used on a weekly basis, hosting weddings at weekends and some midweek from April - September.

I refer the Board to section 23.1 and 23.2 of the Statement of Licensing Policy:

23.1 - Repeated applications for Occasional Licences for the same premises and which are: -

- not for specific events; and/or
- for activities that have been occurring (either in identical or largely similar terms) on the premises regularly over a period of at least 3 months will not generally be considered suitable for the grant of an Occasional Licence and will not be granted by the Board under delegated authority but will require a hearing before the Board. This includes where there are different applicants for the same premises, but the activities are similar e.g. weddings, corporate events. It is largely expected that the premises in question should consider an application for a Premises Licence.

23.2 - Section 59(6) of the Act specifies the grounds for refusal of an application for an Occasional Licence. These grounds include "that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives". These licensing objectives include: -

- Securing public safety.
- Protecting and improving public health
- Protecting Children and Young Persons from harm.

The scrutiny given to an application for a Premises Licence is not available where premises operate under a series of consecutive Occasional Licences. In the interests of securing public safety, and/or, for protecting and improving public health, the Board, considers that it is not appropriate for a premises to operate on a series of consecutive Occasional Licences, rather than apply for a Premises Licence. The Board will require an applicant to explain at a Hearing why an application for a Premises Licence is not being made unless the Clerk of the Board is satisfied that there are good reasons that prevent such an application, that are not within the control of the applicant.

Where an application is to allow premises to trade on a regular basis prior to a Premises Licence application having been determined, the application will be referred to the Board for consideration in the first instance.

I understand that the applicant operates the business and there is a different landowner Mr Bob Bathgate.

Following a noise complaint in June, I visited the premises on 27<sup>th</sup> June 2023 where I met with Craig Wood. I found him to be very knowledgeable and an experienced operator with no issues in compliance with the occasional licences identified. A premises licence for the venue was discussed with Mr Wood and Mr Bathgate at this visit and guidance given on the application process.

Following this visit a second complaint in relation to noise was received. On both occasions Mr Wood explained that the DJ/band had increased the volume and become out of control. Guidance was given to review noise monitoring procedures and control of the volume of the entertainment. There have been no other complaints to date.

In accordance with board policy above, I refer the application to the Licensing Board for determination.

Licensing Standards Officer



## Licensing

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**From:** Natasha Gregory <Natasha.Gregory@scotland.police.uk>  
**Sent:** 23 February 2024 08:29  
**To:** Licensing  
**Subject:** REF 142/24  
**Attachments:** OCC142.24 OCCASIONAL LICENSE 20TH APRIL 2024\_ (003).PDF

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

NPO

