

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

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

SECTION 1: TYPE OF VARIATION

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

- Any of the 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).

East Lothian Council  
Licensing  
30 AUG 2024  
Received

(Provide Details) Amend name of premises

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL044

2(b) Name and Address of Premises

Mach Enterprises  
Birsley Garage  
Tranent

Post Code	EH33 1NF	Phone No.	01875 610201
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2(c) Full Name and Address of Current Licence Holder

PENNY PETROLEUM (SCOTLAND) LIMITED  
OLD STATION HOUSE  
POWBURN  
ALNWICK  
NORTHUMBERLAND  
ENGLAND

Post Code	NE66 4HU	Phone No.	
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**SECTION 3: NATURE OF VARIATION**

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

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

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

N/A

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

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

SEE PAPER APART

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

7 Copies of the proposed Layout Plan **must** accompany this application. (See Note 2)

In addition please provide details below of the proposed change to the layout of the Premises.

N/A

**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)*

CHANGE name & address of premises to "Tranent Service Station, A199, Tranent, East Lothian, EH33 1NF"

**SECTION 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)  
.....

**SECTION 5: FEE PAYABLE**

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

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

**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) the appropriate fee of £ 150 is enclosed.

**Signature**

..... [Redacted Signature]

LYNN SIMPSON (TLT LLP) as Agent (See note 5 below)

**Date**

26 August 2024

Capacity: AGENT (delete as appropriate)

**If agent, please provide name, address, phone number and (if applicable) email address**

TLT Solicitors (Contact: Lynn Simpson)  
Cadworks, Floor 9, 41 West Campbell Street  
Glasgow, G2 6SE

Lynn.Simpson@TLT.com

0333 006 0923 / [Redacted]

**Note 1:**

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

**Note 2:**

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

**Note 3:**

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

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

**Note 4:**

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

**Note 5:**

**Data Protection Act 1998**

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

**Contact Us:**

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

**Phone:** 01620 827217 / 827867 / 820114  
**Fax:** 01620 827253  
**Email:** [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)

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

## OPERATING PLAN

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

### Question 1

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

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

### Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	<i>n/a</i>	<i>n/a</i>
<i>Tuesday</i>	<i>n/a</i>	<i>n/a</i>
<i>Wednesday</i>	<i>n/a</i>	<i>n/a</i>
<i>Thursday</i>	<i>n/a</i>	<i>n/a</i>
<i>Friday</i>	<i>n/a</i>	<i>n/a</i>
<i>Saturday</i>	<i>n/a</i>	<i>n/a</i>
<i>Sunday</i>	<i>n/a</i>	<i>n/a</i>

**Question 3**

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

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	10:00	22:00
<i>Tuesday</i>	10:00	22:00
<i>Wednesday</i>	10:00	22:00
<i>Thursday</i>	10:00	22:00
<i>Friday</i>	10:00	22:00
<i>Saturday</i>	10:00	22:00
<i>Sunday</i>	10:00	22:00

**Question 4**

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	NO
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*\*If YES – provide details*

**Question 5**

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

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

<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
<b>5(d)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Outdoor drinking facilities</i>	NO	NO	NO
<b>5(e)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b> <b>YES/NO</b>
<i>Adult entertainment</i>	NO	NO	NO

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

The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.

5(f) any other activities

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

The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public.

Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries. External automated cash machine. Charity collection

point and charitable events may take place, alongside sampling & promotional activities.

The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.

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*
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When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

**Question 6 (On-sales only)**

*CHILDREN AND YOUNG PERSONS*

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
*Delete as appropriate		

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

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

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

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

**Question 7**

**CAPACITY OF PREMISES**

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

Off Sales – 13.64m<sup>2</sup>

**Question 8**

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

Personal details

8(a) Name

Paul Jamieson

8(b) Date of birth

8(c) Contact address

██████████ ██████████ ██████████ ██████████
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8(d) Email address

██
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8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
1 Oct 2021	East Lothian	EL1766

**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 ..... 26 August 2024 .....

Capacity .... LYNN SIMPSON (TLT LLP) as Agent ..... AGENT (delete as appropriate).

Telephone number and email address of signatory ..... 0333 006 0923 ██████████  
Lynn.Simpson@TLT.com

**\* Data Protection Act 1998**

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

**APPLICATION FOR MAJOR VARIATION – PAPER APART**

Penny Petroleum (Scotland) Limited  
Mach Enterprises, Birsley Garage, Tranent, EH33 1NF  
Premises Licence No: EL044

**QUESTION 3B:**

Q3 – AMEND off-sales terminal hour from 9pm to 10pm daily.

Q5(c) – ADD Recorded Music as permitted activity, during and outwith licensed hours.

Q5 – To amend and add wording to read as follows - “The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.”

Q5(f) – To amend and add wording to read as follows – “The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public.

Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries. External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities.

The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.”

# EAST LoTHIAN COUNCIL

## Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

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Date: 11<sup>th</sup> September 2024

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

**PREMISES LICENCE MAJOR VARIATION**

**EL044, MACH ENTERPRISES, BIRSLEY GARAGE, TRANENT, EAST LoTHIAN EH33 1NF**

I can confirm that the premises have been visited in relation to this variation application. The site notice was correctly displayed.

The changes applied for are:

- To amend the name and address of the premises to "Tranent Service Station, A199, Tranent, East Lothian, EH33 1NF
- Amend the terminal hour for off sales from 9pm – 10pm daily
- To amend wording in Q5 of the operating plan
- To amend wording in Q5(f) to update additional activities to take place at the premises.

I have received no complaints about the premises, and I welcome this application to update the premises licence to reflect operations.

In relation to home deliveries, I recommend the board considered the following condition:

- 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.

Licensing Standards Officer

19/09/2024

Your Ref: BIRSLEY GARAGE  
Our Ref: 857302

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



**POLICE  
SCOTLAND**

Keeping people safe

Gregg Banks  
Chief Superintendent  
Divisional Commander  
The Lothians and Scottish Borders Division  
Dalkeith Police Station  
Newbattle Road  
EH22 3AX

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
MACH ENTERPRISES, BIRSLEY GARAGE, TRANENT, EAST LOTHIAN, EH33  
1NF.**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of:

Change of name and address of premises to 'Tranent Service Station, A199, Tranent, East Lothian, EH33 1NF'

Q3 - AMEND off-sales terminal hour from 9pm to 10pm daily.

Q5(c) - ADD Recorded Music as permitted activity, during and outwith licensed hours.

Q5 - To amend and add wording to read as follows - "The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours."

Q5(f) - To amend and add wording to read as follows - "The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public. Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and

## OFFICIAL

spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries. External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities. The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.”

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

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

Yours faithfully



Gregg Banks  
Chief Superintendent

For enquiries please contact the Licensing Department.

## Licensing

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**From:** Robertson, Scott  
**Sent:** 10 September 2024 08:52  
**To:** Licensing  
**Subject:** RE: Emailing: Mach Enterprises - Major variation.pdf

Hello,

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

Regards  
Scott

Scott Robertson | Assistant Planner – Planning Delivery | 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%7C1efb58ed6a9d450892e808dcd16d66aa%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638615515006315275%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=fEJiZc22d%2BTbUCsVeNZtlKIbW%2BP9KFVZ%2BjCtXKzIzQg%3D&reserved=0>

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

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** Wednesday, September 4, 2024 10:28 AM  
**To:** Lothian & 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>; Torquil Cramer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; tecc.secretary@aol.co.uk; kat.burke@nhs.scot  
**Subject:** Emailing: Mach Enterprises - Major variation.pdf

Hi all

Please find attached Major Variation for the above premises which has also requested a name change to Tranent Service Station. Can we please have reports/representations by 27th September 2024.

Kind regards  
Christine

Christine Aitken  
Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

[[https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC\\_Be\\_Nice\\_EMAIL\\_FOOTER\\_\\_zerotolerance\\_1.png&data=05%7C02%7Clicensing%40eastlothian.gov.uk%7C1efb58ed6a9d450892e808dcd16d66aa%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638615515006325264%7CUnk](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC_Be_Nice_EMAIL_FOOTER__zerotolerance_1.png&data=05%7C02%7Clicensing%40eastlothian.gov.uk%7C1efb58ed6a9d450892e808dcd16d66aa%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638615515006325264%7CUnk)

## Licensing

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**From:** Anshus, Oyunn  
**Sent:** 05 September 2024 16:16  
**To:** Licensing  
**Subject:** 24/00727/LIC50 - Mach Enterprises - Major variation.pdf  
**Attachments:** Update name and address at Mach Enterprises

Good afternoon,

I have asked the applicant to update their food business registration form. Once this is achieved, we would have no objections to the update.

Kind regards,

Oyunn Anshus

Senior Environmental Health Officer - Business Compliance East Lothian Council, John Muir House Brewery Park, Haddington, East Lothian, EH41 3HA M 07855 187997 | E oanshus@eastlothian.gov.uk

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

**From:** Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
**Sent:** Wednesday, September 4, 2024 10:55 AM  
**To:** Environmental Protection <envprot@eastlothian.gov.uk>; Anshus, Oyunn <oanshus@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>  
**Subject:** FW: Emailing: Mach Enterprises - Major variation.pdf

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

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** Wednesday, September 4, 2024 10:28 AM  
**To:** Lothian & 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>; Torquil Cramer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; tecc.secretary@aol.co.uk; kat.burke@nhs.scot  
**Subject:** Emailing: Mach Enterprises - Major variation.pdf

Hi all

Please find attached Major Variation for the above premises which has also requested a name change to Tranent Service Station. Can we please have reports/representations by 27th September 2024.

Kind regards  
Christine

Christine Aitken

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

## Licensing

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**From:** Trading Standards  
**Sent:** 12 September 2024 13:57  
**To:** Licensing  
**Subject:** RE: Emailing: Mach Enterprises - Major variation.pdf

Good afternoon,

Having looked at the attached, the only comment we would have is if a PRS licenced may be required for playing music.(Question 5)

Kind regards  
Gillian

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

**From:** Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
**Sent:** Wednesday, September 4, 2024 10:55 AM  
**To:** Environmental Protection <envprot@eastlothian.gov.uk>; Anshus, Oyunn <oanshus@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>  
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**To:** Lothian & 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>; Torquil Cramer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; tecc.secretary@aol.co.uk; kat.burke@nhs.scot  
**Subject:** Emailing: Mach Enterprises - Major variation.pdf

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Kind regards  
Christine

Christine Aitken  
Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

[[https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC\\_Be\\_Nice\\_EMAIL\\_FOOTER\\_\\_zerotolerance\\_1.png&data=05%7C02%7Clicensing%40eastlothian.gov.uk%7C80760d6ebf0e4a62ea6d08dcd32a67d9%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638617426289953961%7CUnk](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC_Be_Nice_EMAIL_FOOTER__zerotolerance_1.png&data=05%7C02%7Clicensing%40eastlothian.gov.uk%7C80760d6ebf0e4a62ea6d08dcd32a67d9%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638617426289953961%7CUnk)]

Email title: Licensing Board Applications – Objection by NHS Lothian Public Health

As a statutory partner in the licensing forum and reviewer of applications, NHS Lothian value receiving license applications and the opportunity to comment.

NHS Lothian continue to support the licensing board particularly in relation to the objectives of protecting and improving public health, and protecting children and young people from harm.

The licensing regime does not have responsibility for promoting business growth, but does have a legal requirement to promote the licensing objectives of ***Preventing crime and disorder; Securing public safety; Preventing public nuisance; Protecting and improving public health Protecting children and young persons from harm.***

Alcohol deaths in Scotland are increasing. There were 1,276 alcohol specific deaths registered in Scotland in 2022, an increase of 2%.<sup>1</sup> Levels of alcohol related harm in relation to crime, community safety, child welfare, health and wellbeing are concerning and have a greater affect in our most deprived communities, contributing to inequalities.

**NHS Lothian is submitting the following objection with regards to the premises applications at:**  
**Mach Enterprises**  
**Birsley Garage**  
**Tranent**  
**EH33 1NF**

**The objection is based on the application being inconsistent with one or more of the licensing objectives.**

**We believe the application listed above is located within an area we have identified as having higher health related harm.<sup>2</sup>**

There has been good evidence for over a decade that increased alcohol outlet density is associated with harms to health. Overprovision of alcohol creates harm by directly increasing opportunities for purchases, and influences the perceived normality of alcohol consumption, including the exposure to children and young people. Overprovision also makes it more difficult for people to recover from alcohol dependence. Specifically within Scotland, researchers at the University of Edinburgh have found that alcohol related mortality and morbidity are significantly higher in neighbourhoods with a greater density of alcohol outlets (on and off sales). This relationship was particularly striking for off sales outlet density.<sup>3</sup>

#### Protecting and improving public health

There is strong evidence that when alcohol is more available, due to more places to buy or longer opening hours, people buy and drink more, resulting in an increase in harm to health and alcohol related crime.<sup>4</sup>

<sup>1</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

<sup>2</sup> As calculated by Public Health and submitted to be considered as part of the licensing statement consultation.

<sup>3</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4415114/#:~:text=An%20IQR%20increase%20in%20off,%2C%2015%25%20higher%20mortality>.

<sup>4</sup> <https://exilens.stir.ac.uk/>

Excessive use of alcohol is linked to a range of physical and mental health problems, as well as accidental injury and premature mortality. Medical conditions linked with alcohol use include high blood pressure, liver disease, stroke, cancer and brain damage.

The license board should consider the cumulative implication for each license application across the population, including implication on children and young people, and those recovering from alcohol dependency. The licencing board has a powerful role in reducing availability and acceptability over time, by acting on both the number and opening hours of on and off licence premises.

More licensed premises contribute to population alcohol related harm:<sup>5, 6</sup>

- Alcohol-specific deaths are 4.3 times higher in the most deprived areas compared to the least deprived areas (1.8 times higher for all causes of death).
- Alcohol related death rates in neighbourhoods with the most off-sales outlets were 2.4 times higher than in neighbourhoods with the least.

#### Protecting children and young persons from harm

Alcohol use is the leading cause of harm in young people and increases the risk of alcohol dependency in adulthood. Children have no control over what they are exposed to and therefore limiting exposure to alcohol is crucial, especially since:<sup>7</sup>

- Off sale alcohol outlets accounted for 47% of children's exposure.
- Children living in the most deprived communities were almost 5 times more likely to be exposed to off sale alcohol outlets than children in the least deprived areas.
- Children living in the most deprived communities were almost 3 times more likely to be exposed to on sale alcohol outlets than children in the least deprived areas.
- Children in deprived areas experienced 31% of their exposure to off sales outlets within 500 m of their homes compared to 7% for children from less deprived areas.
- Children from all areas received 22—32% of their exposure within 500 m of schools, but the proportion of this from off sales outlets increased with area deprivation.

Thank you for considering this written objection. We will not be objecting in person. Please contact us directly if you wish to discuss further.

<sup>5</sup> <https://www.alcohol-focus-scotland.org.uk/media/310734/alcohol-outlet-availability-and-harm-in-city-of-edinburgh.pdf>

<sup>6</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

<sup>7</sup> Inequalities in children's exposure to alcohol outlets in Scotland:  
<https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-022-14151-3>