

East Lothian Council Licensing

2 2 NOV 2024

Received

CAV84082

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

3a

1. TYPE OF VARIATION

is ma	application for Variation other than a Minor Variation of Premises Lid ade under Section 29(5) of the Licensing (Scotland) Act 2005 in order - (Tick all relevant boxes)	cence er to
V	Any of the Conditions to which the Premises Licence is subject	
V	Any of the information contained within the Operating Plan	
V	The Layout Plan	
	Any other information contained or referred to in the licence (incluany addition, deletion or other modification).	ding
(Pro	vide Details)	
-		
	NATION OF THE PROPERTY OF THE	1 1 1574
) =		4

www.eastlothian.gov.uk

2. PREMISES LICENCE DETAILS
2(a) Licence Number of Premises EL0205
2(b) Name and Address of Premises La Dolce Vita, 14 High Street
Haddington, East Lothian
Post Code <u>EH41 3ES</u> Tel. No. <u>01620 822 615</u>
Email
2(c) Full Name and Address of Current Licence Holder
Stefano Marongiu
Post Code _
Tel. No. Email address
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
Conditions 3, 4 and 5 are deleted.



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)

To increase on sale hours to llam to 11pm, Sunday to Thursday and midnight on Friday and Saturday. To add off sales from 11am to 10pm each day.

To add Receptions and Live Music as Activities.

To add Deliveries and Takeaways as additional Activities.

To provide that the premises may open from 8am for the sale of breakfasts, snacks, tea/ coffee etc, but no alcohol will be sold or supplied before the commencement of licensed hours.

To provide that the premises will sell merchandise, such as coffee cups, pastas, candles etc.

To provide that Young Persons may be on the premises without an adult for the purpose of having a soft drink or a meal. Children will require to be accompanied by an adult.

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.

To substitute a new Layout Plan reflecting certain changes to the layout and the addition of fixed seating.

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)

To amend the description of the premises to - 'Cafe/ Restaurant occupying the ground floor of traditional terraced building within various retail outlets adjacent. It is situated in the main market square of Haddington'.

The premises are now known as 'La Dolce Vita'

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

100	nfirr	m that	
(a)	the bel	e contents of this Application are true to the best of my knowledge and lief; and	
(b)	(i)	the appropriate fee of £ 200.00 is enclosed	
	(ii)	the proposed Operating Plan is enclosed	
	(iii)	the proposed Layout Plan is enclosed	
	(iv)	the Premises	
Sigr	natu	re (See note 5 overle	af)
Date	е	22/4/4	_
Cap	acit	y APPLICANT / AGENT (delete as appropriate)	
lf ag	gent	t, please provide details	
Full	nam	Nacdonald Licensing	
Add	ress	21a Rutland Square, Edinburgh	
		Post Code EH1 2BB	
Tel. I	Vo.	0131 229 6181 Email address alistair@macdonaldlice	nsing.com

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.)

Alcohol - Application for Major Variation to Licence

OPERATING PLAN

autoria a la Marchaelle de la Marchaelle d

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

Name, address and postcode of premises to be licensed.

La Dolce Vita			
14 High Street			
Haddington			
EH41 3ES			

Question 1

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

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

Question 2

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

Day	ON Con	ON Consumption		
	Opening time	Terminal hour		
Monday	11am	11pm		
Tuesday	11am	11pm		
Wednesday	11am	11pm		
Thursday	11am	11pm		
Friday	11am	Midnight		
Saturday	11am	Midnight		
Sunday	11am	11pm		

Question 3

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

The state of the second of the

Day	OFF Consumption		
	Opening time	Terminal hour	
Monday	11ami	10pm	
Tuesday	I I am	10pm	
Wednesday	11am	10pm	
Thursday	1.1 am	10pm	
Friday	11am	10pm	
Saturday	1 lam	10pm	
Sunday	11am	10pm	

Question 4

SEASONAL VARIATIONS

*If YES – provide	e details		
			1
\$			
1			
2 00			

Question 5

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

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

5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Outdoor drinking facilities	No	No	No
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Adult entertainment	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 from 8am for the sale of breakfasts, snacks, tea/ coffees etc but no alcohol will be sold or supplied until the commencement of licensed 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 premises may sell merchandise such as coffee cups, pastas, candles etc.

5(g) Late night premises opening after 1.00am

When fully occupied, are there likely to be more customers standing than seated? N/A	Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	N/A
	When fully occupied, are there likely to be more customers standing than seated?	N/A

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

and the same	
6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry
	*Délete as appropriate
6(b)	Where the answer to 6(a) is YES provide statement of the TERMS under which they will be allowed entry
Child accor	dren and young persons are welcome onto the premises. Children will require to be impanied by an adult. No restriction on young persons.
6(c)	Provide statement regarding the AGES of children or young persons to be allowed entry
No re	estriction (0-17 years).
6(d)	Provide statement regarding the TIMES during which children and young persons will be allowed entry
Chile	fren and Young People will have access at all times during the operation of the premises
6(e)	Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry
Chile	dren and Young Persons will have access to all public parts of the premises.
	a managar a ta managar sa managar

Question 7

CAPACITY OF PREMISES

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

The second of th

On sales - 60			

Question 8

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

Personal details

8(a) Name

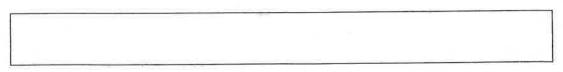
Stafana	Marongiu	
Siciano	Iviaiongiu	

8(b) Date of birth



8(c) Contact address

8(d) Email address



8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
1 November 2024	East Lothian Licensing Board	EL2299
Company of the State of the Sta	material and the second section of the	

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

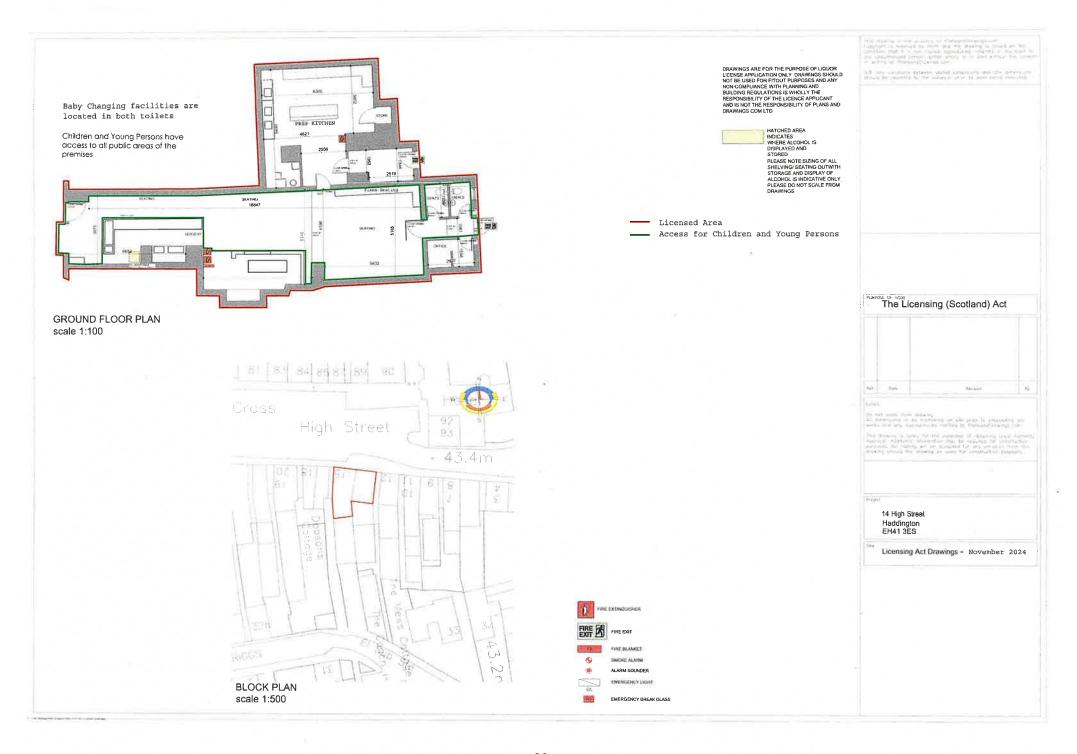
If signing on behalf of the applicant please state in what capacity.

The conte	o the best of my knowledge and	i belief.
Signature	. * (see note below)	
Date	1,04	
Capacity	APPLICANT/AGENT (delete	e as appropriate).
Telephone number and email a	address of signatory	Macdonald Licensing 21a Rutland Square Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.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.



EAST LOTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer To: C. Grilli

Clerk to the Licensing Board

Date: 19th December 2024

Subject:

LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0205, LA DOLCE VITA, 14 HIGH STREET, HADDINGTON, EAST LOTHIAN EH41 3ES

I can confirm that the application has been discussed with the premises licence holder and their agent. The premises have been visited in relation to this variation application. The site notice was correctly displayed. I is noted that application for an outside area has been removed from this application.

The changes applied for are:

- A request to delete conditions 3,4 and 5
- To increase the on sales hours to 11am 11pm Sunday Thursday and 11am Midnight Friday and Saturday
- Add off sales 11am-10pm
- Add receptions and live music as activities within and outwith core hours
- Add deliveries and takeaways as activities
- Allowing premises to open from 8am for the sale of breakfasts, snacks, tea/coffee (no alcohol to be supplied until licensed hours)
- · Allow the sale of merchandise
- Change young person access to allow 16-17 year olds to be on the premises without an adult to have a meal of soft drink. Children will require to be accompanied by an adult
- Substitute a new layout plan that includes small structural changes within
- To amend the description of the premises

The current licensed hours of the premises are show below:

Licensed hours

Current ON SALES

Day	ON Consumption		
	Opening time	Terminal hour	
Monday	11:00	19:00	
Tuesday	11:00	19:00	
Wednesday	11:00	19:00	
Thursday	11:00	19:00	
Friday	11:00	19:00	
Saturday	11:00	19:00	
Sunday	12:30	19:00	

The new hours applied for are, as shown below:

Proposed ON SALES

. 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	23:00	
Friday	11:00	00:00	
Saturday	11:00	00:00	
Sunday	11:00	23:00	

I have received no complaints about the premises. The premises licence holder has been guided to make this variation following the transfer of the premises licence to enable activities not listed on the operating plan to be conducted and alter the licensed hours.

In relation to deliveries, I recommend 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

Licensing

From:

lain Anderson < lain. Anderson 3@scotland.police.uk>

Sent:

02 December 2024 10:32

To:

Licensing

Subject:

MAJOR VARIATION APP - LA DOLCE VITA, 14, HIGH STREET, HADDINGTON, EH41

3ES - STEFANO MARONGIU

Attachments:

LIC38 PREMISES VARIATION - NO ADVERSE COMMENT LA DOLCE VITA.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 - 879930

Regards Iain

Licensing

From:

Anshus, Oyunn

Sent:

06 December 2024 15:34

To:

Licensina

Cc:

Environmental Protection; Environment Reception

Subject:

24/00952/LICVAR - New food business registration - La Dolce Vita, 14 High Street,

Haddington - Major Variation

Attachments:

14 High St, Haddington- Variation-Major.pdf; 14 High St, Haddington-Operating Plan-Major Variation.pdf; Layout Plan - Amended cpchecked.pdf; IMG_0492.JPG

Good afternoon.

Marion Muir and I carried out a visit to the premises due to lack of clarity in relation to location of outdoor seating.

To clarify - the area they wish to use for dining outside the restaurant is the slanted area of the pavement outside their premises – see photo. It would need to be levelled to provide a flat surface on which to dine. This is likely to require planning consent and would need to be risk assessed for health and safety.

I have recommended that they may wish to amend their application to exclude outdoor eating at this stage. I would have no objections to their extending opening hours for food service and takeaway.

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

From: Licensing < licensing@eastlothian.gov.uk > Sent: Tuesday, November 26, 2024 11:40 AM

To: 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>; Fire (torquil.cramer@firescotland.gov.uk)

<torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; all@haddingtoncc.org.uk

Subject: FW: La Dolce Vita, 14 High Street, Haddington - Major Variation

Good Morning

Please find attached Major Variation for La Dolce Vita, 14 High Street, Haddington for report/representation by 19th December, 2024.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington

Licensing

From:

Robertson, Scott

Sent:

28 November 2024 10:58

To:

Licensing

Subject:

RE: La Dolce Vita, 14 High Street, Haddington - Major Variation

Hello,

Please note I have no comments or objections to the 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 www.eastlothian.gov.uk

From: Licensing < licensing@eastlothian.gov.uk> Sent: Tuesday, November 26, 2024 11:40 AM

To: 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>; Fire (torquil.cramer@firescotland.gov.uk)
<torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; all@haddingtoncc.org.uk
Subject: FW: La Dolce Vita, 14 High Street, Haddington - Major Variation

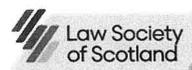
Good Morning

Please find attached Major Variation for La Dolce Vita, 14 High Street, Haddington for report/representation by 19th December, 2024.

Kind regards

Gillian

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



Accredited paralegal liquor licensing

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 new premises 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%.¹

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:

La Dolce Vita,

14 High Street

Haddington

EH413ES

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.²

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.³

Protecting and improving public health

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

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

 $^{^3}$ https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4415114/#:~:text=An%20IQR%20increase%20in%20off,%2C%2015%25%20higher%20mortality).

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.⁴

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: 5, 6

- 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:⁷

- 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.

⁴ https://exilens.stir.ac.uk/

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

⁶ https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vitalevents/deaths/alcohol-deaths

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