

East Lothian Council
Licensing
\_6 DEC 2024
Received

# 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

is ma	ade under Section 29(5) of the Licensing (Scotland) Act 2005 in order to – (Tick all relevant boxes)
	Any of the Conditions to which the Premises Licence is subject
$\bigvee$	Any of the information contained within the Operating Plan
$\checkmark$	The Layout Plan
	Any other information contained or referred to in the licence (including any addition, deletion or other modification).
(Pro	vide Details)
Ame	ndments to store layout, including increase in permanent off-sales display capacity
	X 100

2. PREMISES LICENCE DETAILS
2(a) Licence Number of Premises EL0153
2(b) Name and Address of Premises
ALDI, 48-52 DUNBAR ROAD, NORTH BERWICK
Post CodeEH39 5AB Tel. No
Email
2(c) Full Name and Address of Current Licence Holder
ALDI STORES LIMITED
Holly Lane, Atherstone, Warwickshire
Post Code CV9 2SQ
Tel. No. Agent - Email address Agent - Lynn.Simpson@TLT.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
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 detail below the proposed changes. (See Note 1)

INCREASE PERMANENT OFF-SALES CAPACITY FROM 32.76801sqm TO 37.78301sqm				

# **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.

MINOR RECONFIGURATION OF STORE LAYOUT, RESULTING IN INCREASE OF PERMANENT OFF-SALES CAPACITY FROM 32.76801sqm TO 37.78301sqm

# 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)

n/a		
₽r		

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)
TO FOLLOW - IF REQUIRED
5. FEE PAYABLE
Information on fees can be found at 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

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

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

l co	nfirr	m that	160
(a)		e contents of this Application are true to the ief; and	e best of my knowledge and
(b)	(i)	the appropriate fee of £ i	s enclosed
	(ii)	the proposed Operating Plan is enclosed	
	(iii)	the proposed Layout Plan is enclosed	$\checkmark$
	(iv)	the Premises Licence is enclosed	TO FOLLOW - IF REQUIRED
Sig	natu	ureETNIN SIINIFSON (TLT LLP)	(See note 5 overleaf) as Agent
Dat	e _	5 December 2024	
Cap	oacit	ty APPLICAN / AGENT delete as approp	riate)
If a	gen <sup>.</sup>	t, please provide details	
Full	nan	me LYNN SIMPSON (TLT LLP) as Age	nt
Ada	dres	TLT Solicitors, Cadworks, Floor 9, 41 V	West Campbell Street, Glasgow
y <del></del>		Post Code	G2 6SE
Tel.	No.	Email address	S Lynn.Simpson@TLT.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.)

# **OPERATING PLAN**

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

# Question 1

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

YES
NO

# Question 2

STATEMENT OF  $\mathit{CORE}$  TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION  $\mathit{ON}$  PREMISES

Day	ON 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	

# Question 3

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

Day	OFF Consumption		
	Opening time	Terminal hour	
Monday	10.00AM	10.00PM	
Tuesday	10.00AM	10.00PM	
Wednesday	10.00AM	10.00PM	
Thursday	10.00AM	10.00PM	
Friday	10.00AM	10.00PM	
Saturday	10.00AM	10.00PM	
Sunday	10.00AM	10.00PM	

# Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO
*If YES – provide details	
N/A	

# 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	NO	NO
Conference facilities	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO
5(b) Activity  Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm  YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	NO	NO	NO
Club or other group meetings etc.	NO	NO	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours — please confirm  YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	МО	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
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm  YES/NO	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  YES/NO	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.

Recorded background music may be played within and outwith 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.

Sale of goods consistent with the business of a supermarket both within and outwith core hours, at all times 24/7, provided the requisite permissions are in place.

Click and collect service and on line sales/deliveries may also take place during and outwith core hours.

#### 5(g) Late night premises opening after 1.00am

decibel level exceed 85dB?	d that you are providing live or recorded music, will the	IN/A
When fully occupied, are th	here likely to be more customers standing than seated?	N/A

#### 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	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

N/A			_

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

N/A		

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

	N/A		
I			

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

N/A					
Question 7					
CAPACITY OF PREM			au wer over		
What is the proposed c		s to which this	application re	elates?	
Off sales – 44.98301					
Permanent - 37.7830	11m²				
Seasonal – 7.2m <sup>2</sup>					
Question 8					
REMISES MANAGER licence)	(NOTE: not require	ed where app	lication is fo	r grant of p	rovisional pre
Personal details					
Personal details 8(a) Name					
	REASLEY				
8(a) Name	REASLEY				
8(a) Name PETER ROBERT GR	REASLEY				
8(a) Name PETER ROBERT GR	REASLEY				
8(a) Name PETER ROBERT GR					
8(a) Name  PETER ROBERT GR 8(b) Date of birth					
8(a) Name  PETER ROBERT GR 8(b) Date of birth					
8(a) Name  PETER ROBERT GR 8(b) Date of birth					
8(a) Name  PETER ROBERT GR 8(b) Date of birth					
8(a) Name  PETER ROBERT GR 8(b) Date of birth					
8(a) Name  PETER ROBERT GR 8(b) Date of birth	iss				

#### 8(e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
26 JAN 2017	EAST LOTHIAN	EL1360

# 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 5 DECEMBER 2024

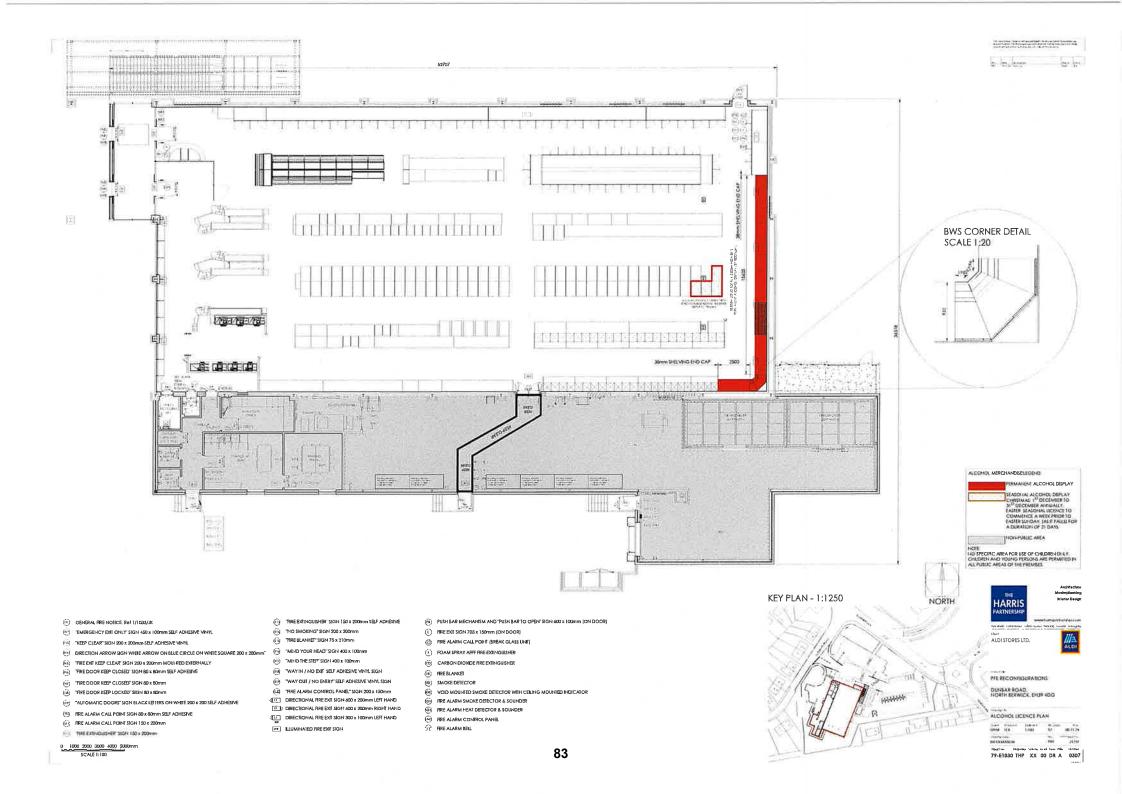
Capacity ...LYNN SIMPSON (TLT LLP) as Agent .. AGENT (delete as appropriate).

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.



# **EAST LOTHIAN COUNCIL**

# **Licensing Standards**

C. Grilli

To:

			Clerk to the Licensing Board
/		Date:	20 <sup>th</sup> December 2024
Subject:	LICENSING (SCOTLAND) ACT 2005		
	PREMISES LICENCE MAJOR VARIATION		
	EL053, ALDI, 48-52 DUNBAR ROAD, NOR	RTH BERW	TICK, EAST LOTHIAN EH39 5AB
	rm that the premises have been visited in reatly displayed.	lation to t	his variation application. The site notice
The change	es applied for are:		
• To increa	ase the off sales capacity on the operating pla	an	
• To amen	d the layout plan for the increased capacity		

I have received no complaints about the premises and have no adverse comment in relation to the

**Licensing Standards Officer** 

changes.

From: Licensing Standards Officer

# Licensing

From:

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

Sent:

11 December 2024 09:48

To:

Licensing

Subject:

MAJOR VARIATION - ALDI, NORTH BERWICK - LAYOUT CHANGE & INCREASE IN

ALCOHOL CAPACITY

**Attachments:** 

LIC38 PREMISES VARIATION - NO ADVERSE COMMENT ALDI, NORTH BERWICK.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 - 883949

Regards Iain

#### Herkes, Gillian

From:

Muir, Marion

Sent:

10 December 2024 17:06

To:

Licensing

Cc:

Herkes, Gillian; Trading Standards

Subject:

FW: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar

Road, North Berwick, EH39 5AB (EL0153)

**Attachments:** 

Signed Major\_Variation\_application - #58 Aldi, North Berwick - PFE2025.pdf;

Proposed Operating Plan - Aldi #58 North Berwick (PFE2025).pdf; 79-E1030-THP-

XX-00-DR-A-0307-P01-ALCOHOLLICENCEPLAN.pdf

**Dear Licensing** 

Hope you are all well.

In relation to the attached application (which relates to an increase of permanent off-sales capacity), I would advise that Business Regulation- Environmental Health (Food and Safety) have no objections to this application. I have copied this email to colleagues in Trading Standards for their information.

Best regards

Marion

Marion Muir, Business Compliance- Environmental Health, East Lothian Council 01620 827234/07990 540729

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>

**Sent:** Tuesday, December 10, 2024 3:54 PM **To:** Muir, Marion <mmuir@eastlothian.gov.uk>

Subject: FW: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar Road, North Berwick, EH39

5AB (EL0153)

From: Licensing <a href="mailto:licensing@eastlothian.gov.uk">licensing@eastlothian.gov.uk</a><br/>
Sent: Tuesday, December 10, 2024 1:36 PM

Sent. Tuesday, December 10, 2024 1.30 FW

**To:** Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer

<lso@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment

Reception <environment@eastlothian.gov.uk>; Torquil Cramer (torquil.cramer@firescotland.gov.uk)

<torquil.cramer@firescotland.gov.uk>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>;

secretary@northberwickcommunitycouncil.org.uk

Subject: FW: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar Road, North Berwick, EH39

5AB (EL0153)

Hi

#### Licensing

From:

Robertson, Scott

Sent:

11 December 2024 10:17

To:

Licensing

Subject:

RE: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar

Road, North Berwick, EH39 5AB (EL0153)

Hello,

I have no comments or objections to this variation 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 <a href="www.eastlothian.gov.uk">www.eastlothian.gov.uk</a>

From: Licensing <a href="mailto:licensing@eastlothian.gov.uk">licensing@eastlothian.gov.uk</a>

Sent: Tuesday, December 10, 2024 1:36 PM

To: Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)

<lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer

<lso@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment

Reception <environment@eastlothian.gov.uk>; Torquil Cramer (torquil.cramer@firescotland.gov.uk)

<torquil.cramer@firescotland.gov.uk>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>;

secretary@northberwickcommunitycouncil.org.uk

**Subject:** FW: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar Road, North Berwick, EH39 5AB (EL0153)

Hi

Please find attached Major Variation for Aldi Stores, 48-52 Dunbar Road, North Berwick for report/representation by 2<sup>nd</sup> January 2025.

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

#### Herkes, Gillian

From:

Trading Standards

Sent:

11 December 2024 13:09

To:

Licensing

Cc:

Herkes, Gillian

Subject:

RE: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar

Road, North Berwick, EH39 5AB (EL0153)

Good afternoon, TS have no issue with the above.

Kind regards

Gillian

From: Muir, Marion <mmuir@eastlothian.gov.uk>
Sent: Tuesday, December 10, 2024 5:06 PM
To: Licensing licensing@eastlothian.gov.uk>

Cc: Herkes, Gillian <gherkes@eastlothian.gov.uk>; Trading Standards <tradingstandards@eastlothian.gov.uk>

Subject: FW: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar Road, North Berwick, EH39

5AB (EL0153)

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Marion Muir, Business Compliance- Environmental Health, East Lothian Council 01620 827234/07990 540729

From: Environmental Health/Trading Standards <e hts@eastlothian.gov.uk>

Sent: Tuesday, December 10, 2024 3:54 PM
To: Muir, Marion <mmuir@eastlothian.gov.uk>

Subject: FW: Application for major variation - Aldi Stores Limited -#58 Aldi, 48-52 Dunbar Road, North Berwick, EH39

5AB (EL0153)

From: Licensing < licensing@eastlothian.gov.uk>
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**To:** Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer