



East Lothian Council
Licensing

18 MAR 2025

Received

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

2(i)

**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)

2(a) Licence Number of Premises ELO 384

2(b) Name and Address of Premises Newhailes Estate

Musselburgh, East Lothian

Post Code Tel. No.

Email

The National Trust for Scotland Enterprises Ltd
Hermiston Quay
5 Cutlins Road
Edinburgh
EH11 4DE

Post Code

Tel. No. _____ Email address _____

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

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)**

Q7 - Add additional capacity of 650 persons within external area for specific events such as Festhales.

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.

Additional external area to be used for specific events such as Festhales

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)

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)

Lodged by email

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.

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)

17.03.25

Date _____

Capacity APPLICANT / AGENT (delete as appropriate)

If agent, please provide details

Full name Alison Smith - TLT Solicitors

Address 9th Floor, 41 West Campbell Street
Glasgow, G2 6SE

Post Code _____

Tel. No. 07919 628077 Email address Alison.Smith@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 – Newhailes

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>YES</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>NO</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>	11AM	11PM
<i>Tuesday</i>	11AM	11PM
<i>Wednesday</i>	11AM	11PM
<i>Thursday</i>	11AM	1AM
<i>Friday</i>	11AM	1AM
<i>Saturday</i>	11AM	1AM
<i>Sunday</i>	11AM	12MN

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>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
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**If YES – provide details*

Extra hours to be added to the terminal hour as per Board guidelines.
Any additional hours granted by the Board for special occasions from time to time.

<i>Films</i>	YES	YES	YES
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
5(d) <i>Activity</i>	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
<i>Outdoor drinking facilities</i>	YES	YES	YES
5(e) <i>Activity</i>	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
<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.

Activities listed above may take place prior to core hours but no alcohol will be sold outwith core hours.

Activities will not continue after core hours unless extended hours are in place.

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 premise will operate as an attraction and private hire event space with catering provision. Weddings, receptions and other celebrations will take place. Private, corporate, community and charity events may include fundraising (raffles, auctions and the like). Tastings and samplings, demonstrations and events such as exhibitions may occur from time to time. Special events including product launches.

Ceremonies, meetings, conferences and presentations may take place from time to time.

5(g) Late night premises opening after 1.00am

Question 5

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

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

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

Children and young persons will be permitted access at management discretion

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

0-17 years.

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

All times.

6(e) Provide statement regarding the **PARTS** of the premises to which children and

young persons will be allowed entry

All public parts

Question 7

CAPACITY OF PREMISES

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

On sale:

550

650 – additional external capacity for specific events such as Festhailes

Question 8

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

Personal details

8(a) *Name*

Sharon Brown

8(b) *Date of birth*



8(c) *Contact address*



8(d) Email address

--

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
01.09.19	City of Edinburgh Licensing Board	258744

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 Alison Smith – TLT Solicitors..... * (see note below)

Date 17.3.25

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory 07919 628077 Alison.Smith@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.

Licensing

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 19 March 2025 09:56
To: Licensing
Subject: ELO384 - VARIATION - NEWHAILE ESTATE MUSSELBURGH EH21 6RY
Attachments: MAJOR VARIATION APPLICATION_NEWHAILES.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.

Morning,

No police objections

PSOS ref 907665

regards

Stephen

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 8th April 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0 384, NEWHAILES ESTATE, MUSSELBURGH, EAST LoTHIAN

I can confirm that the application has been discussed with the applicant's agent. The site notice was correctly displayed.

The changes applied for are:

- Increase capacity by 650 to allow for specific events such as Festhailes
- Included new outdoor area on layout plan

I have received no complaints about the premises; however I guided the premises licence holder to make this variation following the Festhailes event last year.

Licensing Standards Officer

Herkes, Gillian

From: Muir, Marion
Sent: 08 April 2025 17:05
To: Licensing
Cc: Grant, Shona; Environmental Protection; Douglas, Andrew
Subject: FW: Major Variation Application - Newhailes Estate, Musselburgh, East Lothian - ELO 384
Attachments: Operating plan.doc; Layout plan - additional external area.pdf; Major Variation Application_ Newhailes.pdf

Dear Licensing

I would advise that Business Compliance (Food and Safety) have no objections in principle to the attached application for Major Variation, I have however copied this email to colleagues in Environment Protection in relation to the addition of events such as "Festhailes" in the outdoor space as I am not sure if they have received this application directly.

Best regards

Marion

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 18 March 2025 13:40
To: Muir, Marion <mmuir@eastlothian.gov.uk>
Subject: FW: Major Variation Application - Newhailes Estate, Musselburgh, East Lothian - ELO 384

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 18 March 2025 12:52
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>; Torquil Cramer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; [REDACTED]
[REDACTED] Burke, Kat <kat.burke@nhs.scot>
Subject: FW: Major Variation Application - Newhailes Estate, Musselburgh, East Lothian - ELO 384

Hi

Please find attached Major Variation for Newhailes Estate, Musselburgh for report/Representation by 9th April, 2025.

Kind regards

Gillian
Gillian Herkes
Licensing Officer
Democratic & Licensing Services

Herkes, Gillian

From: Robertson, Scott
Sent: 20 March 2025 08:11
To: Licensing
Subject: RE: Major Variation Application - Newhailes Estate, Musselburgh, East Lothian - ELO 384

Hi Gillian,

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

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: 18 March 2025 12:52
To: 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>; Torquil Cramer
(torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; [REDACTED]
[REDACTED] Burke, Kat <kat.burke@nhs.scot>
Subject: FW: Major Variation Application - Newhailes Estate, Musselburgh, East Lothian - ELO 384

Hi

Please find attached Major Variation for Newhailes Estate, Musselburgh for report/Representation by 9th April, 2025.

Kind regards

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



Law Society
of Scotland

Accredited paralegal
liquor licensing



East Lothian Council
Licensing

- 3 APR 2025

Received

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

LICENSING (SCOTLAND) ACT 2005, SECTION 20

3 (i)

*Delete as appropriate

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

Margiotta

The Hay Shed

5 Longniddry Farm Steading

Longniddry

EH32 0QJ

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.

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.

JELCM Limited

1 Cliftonhall Industrial Estate

Newbridge Industrial Estate

Newbridge

EH28 8PJ

Company Number SC649872

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

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.*

Caterina Margiotta, [REDACTED]

Elena Francesca Margiotta, [REDACTED]

Joseph Ross Margiotta, [REDACTED]

Luisa Margaret Margiotta, [REDACTED]

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

Question 3 – Previous applications

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

YES ☐ NO ☒

If YES – provide full details _____

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)

Retail unit within a new development at Longniddry Farm Steadings,
containing a variety of commercial operators.

Question 6 – To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES ☐ NO ☐

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

Signature _____ * (see note below)

Date 3/4/15

APPLICANT / AGENT (delete as appropriate)

Macdonald Licensing

21a Rutland Square

Edinburgh, EH1 2BB

Telephone number and email address of signatory

0131 229 6181

alistair@macdonaldlicensing.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.

For use by the Licensing Board only Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

For use by the Licensing Board only If application is for a Premises Licence – Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

For use by the Licensing Board only If application is for a Provisional Premises Licence Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Margiotta
The Hay Shed
5 Longniddry Farm Steading
Longniddry
EH32 0QJ

Question 1

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

<i>I(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>NO</i>
<i>I(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>YES</i>
<i>I(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>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10am	10pm
Tuesday	10am	10pm
Wednesday	10am	10pm
Thursday	10am	10pm
Friday	10am	10pm
Saturday	10am	10pm
Sunday	10am	10pm

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO
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**If YES - provide details*

[illegible]

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	No	N/A	N/A
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)	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

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
<i>Outdoor drinking facilities</i>	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
<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.

Recorded music, namely background music, may be played prior to licensed hours commencing, as the property may open from 7am.

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.

Hot food takeaway (there will be a limited amount of hot food available, together with coffees and teas).

Deliveries (which may include alcohol).

The shop may open at 7am and remain open until 10pm each day.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
--	----------------

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

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 -- 26.5 m²

Question 8

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

Personal details

8(a) *Name*

--

8(b) *Date of birth*

--

8(c) *Contact address*

--

8(d) *Email address and telephone number*

--

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

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 3/4/25

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, 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.



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

SECTION 50
PLANNING CERTIFICATE

APPLICANT: **JELCM Limited**

NAME AND
ADDRESS OF
PREMISES: **The Hay Shed, 5 Longniddry Farm Steading, Longniddry, EH32 0QJ**


SECTION 50 PLANNING CERTIFICATE

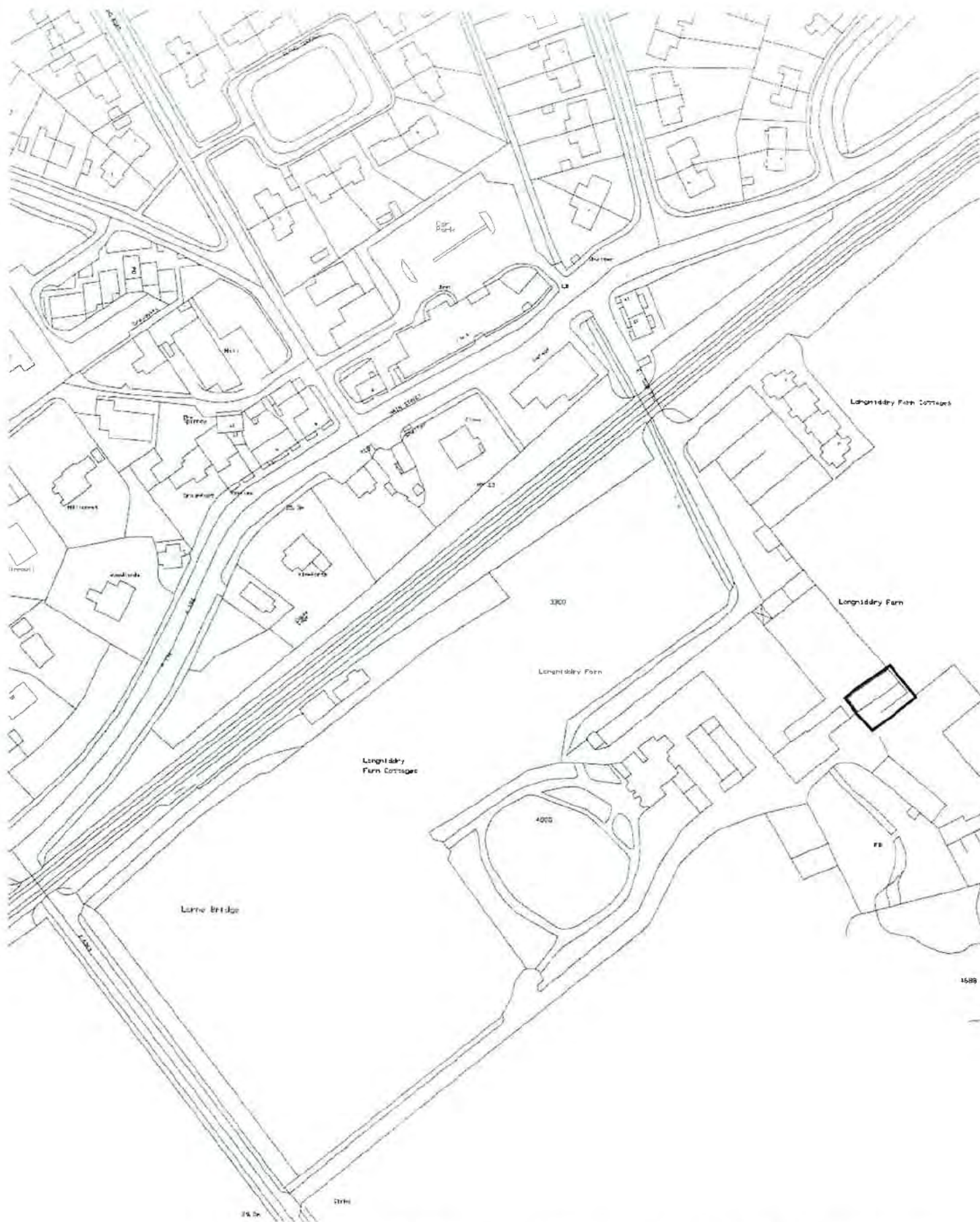
- ☐ I confirm that planning permission (ref:.....) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- ☐ I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

- ☒ I confirm that planning permission (ref: 23/00393/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:	2 nd April 2025
Keith Dingwall Chief Planning Officer			



0 10 50m

LOCATION PLAN 1:1250 SCALE



“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
*Delete as appropriate		

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

Question 2

Disabled access to, from and within the premises

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

As refurbished premises, there will be a Building Warrant for the fitting out work, and the work will require to comply with the rules on accessibility etc. Certainly the premises will be accessible by someone in a wheelchair for instance or with a mobility issue.

Question 3

Facilities available

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

As aforesaid, the premises will be designed in way to be accessible to wheelchair users, and generally to meet the criteria for facilitating visits to the premises, not only by customers with a mobility issue, but also sight, hearing etc.

Part of the Staff Training will be to explain to staff how to identify such customers and provide them with assistance as and when required. The Margiotta outlets are already pro active in this respect, including the two stores in East Lothian that they have.

Question 4

Other provisions

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

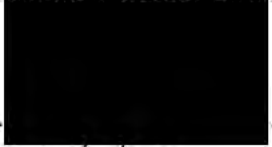
Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness.

It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature  * (see note below)

Date 17/4/20

Capacity APPLICANT/AGENT

Telephone number and email address of signatory.....

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, 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."



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

This Application is by JELCM Ltd, owned and operated by the Margiotta family. Margiotta Ltd operate eight convenience stores in Edinburgh and are well known and well respected in Edinburgh. They have since taken over Aberlady Village Store, and in 2021 opened up a new store in Gullane. These have proved very successful and they decided that they would like to expand in East Lothian and open another outlet. They consider this development in Longniddry as an exciting opportunity. A Building Warrant for the fit out has been applied for and the work is nearing completion. It is hoped that the premises might open on 1st June. Of course opening dates are dependent on various factors but Occasional Licences will shortly be applied from that date. If it is clear that the date is to be postponed we shall advise the Board accordingly.

In general the Margiotta shops range in size from fairly small, to quite substantial, and are all overseen by members of the family. Younger members of the family are now involved to a larger extent as well. They are the Directors of this Company and all have Personal Licences.

The Application deals with the following issues:-

- Standard hours for an off sales Licence
- Recorded Music as an Activity. This is simply background music which they play in all of their shops. The volume will be at a level that is conducive to people carrying on their business of shopping and for staff serving. It will not be loud.
- Alcohol display capacity and location as shown on the Layout Plan.

- There is an element of hot food sold plus coffees, and also deliveries may take place. That is the case in their Edinburgh and East Lothian stores and they will just repeat the formula which works very well.
- With regard to the shop hours, all of their current shops remain open until 10pm, which is the maximum Statutory Hours for an off-sale. We have also provided that they may open at 7am in the morning.
- Finally there is a Layout Plan showing the new layout including the alcohol display area

ON CONSUMPTION

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

As explained above a convenience store type of business with a range of products, including groceries, fresh fruit and veg, toiletries and alcohol, which is what the shop provides at the moment.

OFF CONSUMPTION

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

With regard to deliveries, deliveries are carried out by Margiotta staff who have received the two hour statutory training. The Board's Conditions in respect of Deliveries will be accepted.

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:

Not applicable.

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:

Not applicable.

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:

As explained above Recorded Music will be played at an appropriate level. None of the others are applicable.

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:

Not applicable.

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:

Not applicable.

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:

The shop will open from 7am. Recorded Music may be played during that period and the general business of the shop, other than the sale of alcohol, will be available from then. No alcohol will be sold or supplied until the commencement of 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:

As explained, there will be a limited hot food (rolls, pies, pizza, for takeaway) available along with teas and coffees.

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.

There is of course no restriction on access by children and young persons in off-sales. The store would expect to have children and young persons as customers, sometimes unaccompanied. From the point of view of the sale of alcohol, our clients are experienced in implementing Challenge 25, appropriate staff training and due diligence. This will be strictly enforced here as well.

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

Preventing Crime and Disorder

Our clients have had no issues in their East Lothian or Edinburgh and would not expect to have here, in this environment. One of the Margiotta family will be the Premises Manager and staff will be employed, probably locally.

Our clients wish to fit into the town in the same way as the they do in other areas and the main business will be from locals, but of course there are a large number of visitors to the area and no doubt many of them visit Longniddry and the shop will cater for them as well.

On that basis the last thing they would want to do is create any issues or concerns regarding crime and disorder. We have already made reference to the sale of alcohol to children and young persons, but they will be equally strict with regard to people who have already consumed alcohol. This is not expected to be an issue but they will be diligent, especially in the initial period when they open.

Potential theft is an issue that all shops have to deal with these days but our clients will have a new CCTV system when they open and this will be closely monitored. In particular alcohol display areas will be in view of the staff to deal with potential theft of alcohol, as well as other products.

Securing Public Safety

The premises is going through a major refurbishment and public safety of customers and of course staff is taken into account when this is done. There will be CCTV for the protection and assistance of staff and customers alike. There have been no public safety issues at any of their shops. They are responsible and experienced operators.

Customers with any form of disability, be it mobility, sight, hearing etc will be treated accordingly and their safety will be paramount. Aisles will be wide and counters will be easily used by customers with any form of issue.

Preventing Public Nuisance

Recorded Music in the premises will be played at a low volume appropriate for a shop.

They do not consider that their shop will cause any inconvenience. It is not anticipated this will be an issue. Obviously in the first few weeks or months of opening, our clients will welcome input from local neighbours if there has been an increase in any form of inconvenience, which they will then address.

Protecting and Improving Public Health

Our clients are responsible retailers and are fully aware of the concerns of the Government, alcohol agencies and the public at large.

They consider that they have contributed to the increased standards in the off-sale trade, including training, and heightening the awareness and responsibility of staff and management in their shops.

Protecting Children and Young Persons From Harm

As explained above children and young persons will be welcomed onto the premises and monitored if appropriate. They would also expect most children and young persons to be local and over time for staff to get to know them, know how old they are, and do not envisage there being any issues.

APPLICATION SUPPORTING COMMENTS

Additional Information

This is a significant investment for our clients and their third place in East Lothian. It will be a high standard of shop. They are a local family business but are large enough to compete for suppliers with the majors, and will be looking even more to East Lothian for suppliers, and to pass on that benefit to the customers.

They consider East Lothian to already be a thriving part of Scotland, but with a growing population resulting in increased demand for first class services in terms of shopping, restaurants and bars etc they wish to increase their participation in.

East Lothian is of course a major producer of fresh fruit, vegetables and meat and they would certainly envisage looking locally for their supplies.

Supporting Comments

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

This is an exciting project by the Developer, bringing back into use previously unused/ semi-dilapidated buildings and they obtained the relevant permissions to convert it into retail and other commercial operations. There is an interesting mix of operators within the site which used also bring additional customers to the shop. Hopefully some of the visitors to the shop will take advantage of these other operations as well! They are delighted with their current East Lothian operations and hope they can add a Premises Licence to this business. All of their other shops have Licences.

The Directors are the next generation of Margiotta's. They all grew up with their parents being involved in this business so have a lot of experience for their ages! All Directors have Personal Licences.


Margiotta have been looking in East Lothian for another outlet and Longniddry, and this development, have proved to be a very attractive proposition.

SIGNATURE AND DECLARATION BY APPLICANT

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

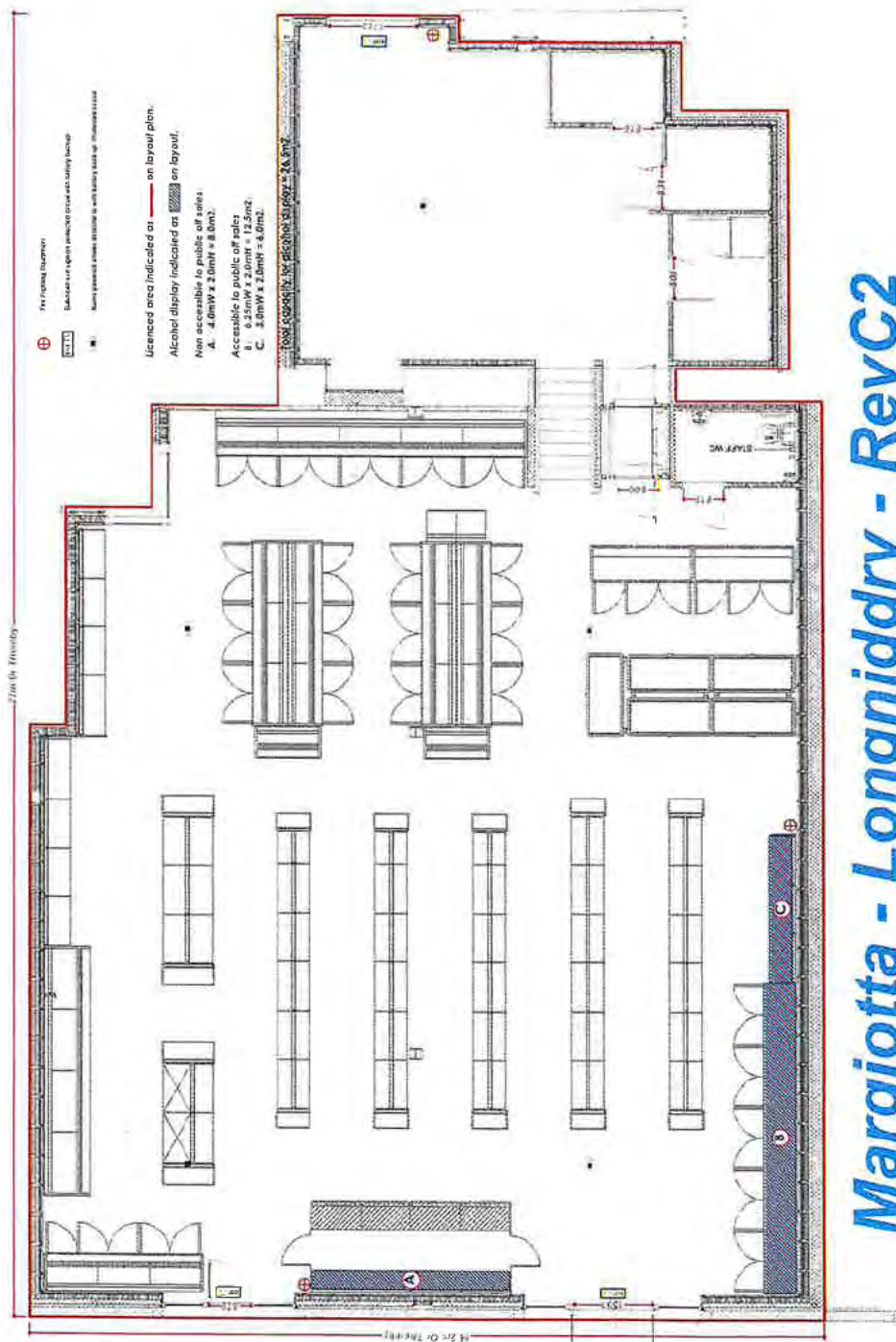
(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

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

Signature	
Date	3/4/25

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com



Margiotta - Longniddry - RevC2



Margiotta
The Hay Shed
5 Longniddry Farm Steading
Longniddry

to scale@**A3**



0 100m

Aitken, Christine (Licensing)

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 15 April 2025 09:02
To: Licensing
Subject: LIC06 Premises - no convictions - EL416 MARGIOTTA, LONGNIDDRY EH32 0QJ
Attachments: LIC06 PREMISES - NO CONVICTIONS - EL416 MARGIOTTA, LONGNIDDRY EH32 0QJ.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.

Morning,

No police objections

PSOS ref 913528

Regards

Stephen

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 28th April 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

MARGIOTTA, THE HAY SHED, 5 LONGNIDDRY FARM STEADING, LONGNIDDRY, EAST LoTHIAN EH32 0QJ

I refer to the above subject and can confirm that the applicant's agent has liaised with the LSO in relation to this application and the site notice was displayed.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

The premises is a new conversion and not yet in operation within a new housing development in Longniddry.

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

The off sales capacity applied for is 26.5 m². Within an 800m radius there are four other licensed premises and two premises which hold provisional premises licences. Two of the premises licenses are for off sales only and one of the provisional premises licences is for off sales only.

I recommend the following condition be considered in relation to deliveries of alcohol which the applicant has detailed they will accept:

- 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 provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.

Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 14 April 2025 12:02
To: Licensing
Subject: RE: Margiotta, Longniddry Steading, Longniddry _ Provisional Licence - EL419

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 www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 08 April 2025 13:33
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@firescotland.gov.uk; kat.burke@nhs.scot; longniddrycommunitycouncil@gmail.com
Subject: FW: Margiotta, Longniddry Steading, Longniddry _ Provisional Licence - EL419

Hi All

Please find attached Provisional premises application for report/representation by 30th April, 2025.

Kind regards

Gillian

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

Please note :- My working days are Tuesday to Friday



Accredited paralegal
liquor licensing

FL413

CAN 70067



East Lothian Council
Licensing
- 7 FEB 2025
Received

APPLICATION FOR PREMISES LICENCE / PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

3(ii)

*Delete as appropriate

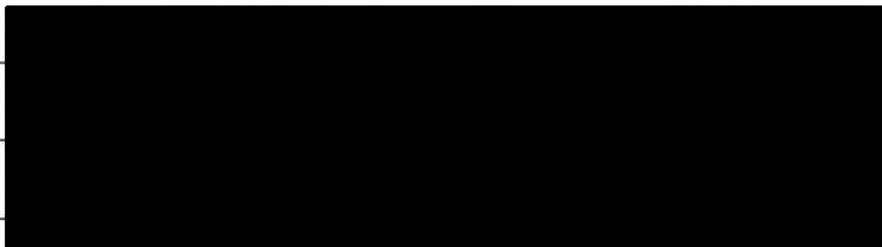
Question 1 – Name, address and postcode of premises to be licensed

Gilmerton House , North Berwick, East Lothian, EH38 5LQ

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.

Colin Carter Campbell



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.

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

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.*

* 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)

Gilmerton House is a luxurious private house and exclusive-use estate located in East Lothian.

Gilmerton House welcomes guests for private stays, golfing retreats, corporate events and weddings/functions and events.


Question 6 – To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES ☐ NO ☐

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

Signature  * (see note below)

Date 7 February 2025

~~XXXXXX~~ / AGENT (delete as appropriate)

Telephone number and email address of signatory T: 0131 473 5276

E: emma.summers@shepwedd.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 Gilmerton House,
North Berwick, East Lothian

Post Code EH39 5LQ

- 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	10am	1am
Tuesday	10am	1am
Wednesday	10am	1am
Thursday	10am	1am
Friday	10am	1am
Saturday	10am	1am
Sunday	10am	1am

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	10am	10pm
Tuesday	10am	10pm
Wednesday	10am	10pm
Thursday	10am	10pm
Friday	10am	10pm
Saturday	10am	10pm
Sunday	10am	10pm

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES ☒ NO ☐

*If YES – provide details

Festive extended hours for on-sales as per Board Policy

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

ACTIVITY	ACTIVITY PROVIDED? YES / NO	To be provided during core licenced hours. Please confirm YES / NO	Where activities are also to be provided outwith core licensed hours. Please confirm YES/NO
----------	--------------------------------	---	--

5a.

Accommodation	YES	YES XXX	YES XXX
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	NO

Social functions including:

5b.

Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES

Entertainment, including:

5c.

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

5d.

Outdoor drinking facilities	YES	YES	YES
-----------------------------	-----	-----	-----

5e.

Adult Entertainment	NO	NO	NO
---------------------	----	----	----

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

Gilmerton House is a luxurious Georgian private mansion which welcomes guests for private stays, golfing retreats, corporate events and weddings with exclusive use of the house.

Accommodation is provided and will be outwith the licensed hours.

Conferences may start before core hours but will not start before 9am and will end no later than the terminal hour.

Restaurant and bar meals facilities - there is no restaurant as such but catering will be provided for guests who are staying at Gilmerton House and Lodge. Breakfast may be served before core hours but will not start before 7am and catering will end no later than the terminal hour.

Weddings/funerals/birthdays/retirements etc. may start before core hours but will not start before 9am and will end no later than the terminal hour

Clubs and other group meetings may start before core hours but will not start before 9am and will end no later than the terminal hour.

Recorded music may be played before core hours but will not start before 9am and will end no later than the terminal hour

Films may be played in guests rooms and these may be outwith core hours.

Gaming may take place outwith core hours for guests who are using the house. There is a snooker table and guests may also play cards. This may take place before core hours and may go beyond terminal hour.

Indoor/outdoor sports - clay pigeon shooting, golf putting and driving take place on the estate. This may start before core hours as part of an event but not before 7am and will end no later than the terminal hour.

Televised sports - the guests have TVs in their rooms and therefore sports may be played outwith core hours.

Outside drinking areas - these areas may be used outwith core hours but not before 7am and will end no later than terminal hour.

Outdoor drinking area – marquees – if marquees are to be erected in the outside areas the licence holder will comply with Building Standards guidance in relation to temporary structures. The terminal hour for marquees when in use for events/functions will be 12am and the terminal hour for all other outdoor areas will be 10pm.

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

Gilmerton House is an exclusive use mansion house which can be booked for corporate events, golfing retreats, weddings/events/functions and themed events (including casino nights, karaoke, race nights, wine tasting, auctions, BBQs, product launches/promotions, business and other meeting facilities, charity events, wine/drink/food tasting events, art and other exhibitions and fashions shows), cooking school classes, talks and lectures and training courses.

Mobile bars may be used as required in the premises and marquees for events/functions

Alcohol deliveries may be provided from Gilmerton House of their branded Gilmerton wine or spirits. Deliveries will only be undertaken in accordance with the relevant provisions of the Licensing (Scotland) Act 2005.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?

YES ☐ NO ☐

When fully occupied, are there likely to be more customers standing than seated?

YES ☐ NO ☐

6. ON-SALES ONLY – CHILDREN AND YOUNG PERSONS

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?

YES ☒ NO ☐

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

Children and young persons will be allowed access to the premises to attend a function/event etc. and stay at Gilmerton House. Children will require to be accompanied by an adult.

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

0-17

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

Children and young persons will be allowed access during core hours and can stay until terminal hour when attending a function/event.

Children and young persons will be allowed access at all times if they are staying at Gilmerton House.

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

Children and young persons will be allowed access to all public parts of Gilmerton House and grounds as per the layout plans.

7. CAPACITY OF PREMISES

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

On sales - 487 guests

Off sales - 6.72m2

8. PREMISES MANAGER

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

Full Name TBC at confirmation

Date of birth

Contact address

Post Code

Tel. No.

Email address

Personal licence

Date of issue

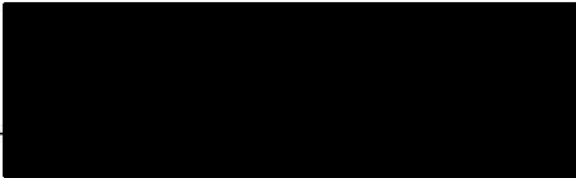
Name of Licensing Board issuing

Reference no. of personal licence

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 7 February 2025

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

Tel. No. of signatory 0131 473 5276

Email address emma.summers@shepwedd.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.



SCHEDULE 6 Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

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 house is accessible from both front and rear car parks. We have moveable ramps to assist guests should guests require it.

The ground floor of the main house and the external function room to the rear of the house are both wheelchair friendly and easily accessible.

3. FACILITIES AVAILABLE

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

A new toilet block is current under construction. This will include a unisex accessible toilet.

The dining room on the ground floor has an accessible table.
Tables which are provided for functions/events will also be accessible.

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.

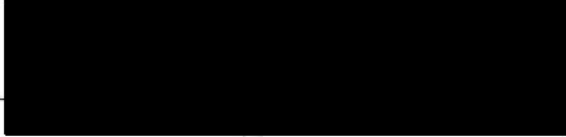
Assistance dogs are allowed on the premises.

Staff are able to provide assistance to guests who may require help reading menus or when ordering items (for example, assisting guests by taking drinks to a table, etc.)

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature  * (see note below)

Date 18 March 2025

Capacity Agent

APPLICANT/AGENT (delete as appropriate)

Tel. no. of signatory 0131 473 5276

Email emma.summers@shepwedd.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

Gilmerton House is a luxurious private house and exclusive-use estate.

Gilmerton House welcomes guests for private stays of up to 24 guests (20 guests staying in the main house and four guests in lodge house), golfing retreats, corporate events and weddings/events throughout the year.

ON CONSUMPTION

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

The on consumption will be for guest staying at the house and those attending an event/wedding/corporate event/golfing retreat.

Mobile bars may be used for events held at Gilmerton.

OFF CONSUMPTION

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

Off sales will be from the cellar area only. Gilmerton House produces it's own wine. Guests will be accompanied to the cellar where they can choose their own wine, order and then it will be dispatched from here.

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:

Gilmerton House offers accommodation for up to 24 guests.

Gilmerton House may be used for conferences/corporate events.

We don't offer restaurant facilities and bar meals as such but have added these to the operating plan. Private caterers will prepare food off site and bring this on site to serve at events/weddings etc. They also provide tables/chairs etc. for events in the marquees and The Laundry House event space.

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:

Gilmerton House is a wedding/event venue. This is for private exclusive use. Some of the guests may stay at the house with other non-resident guests attending later. The house has a newly constructed event space (The Laundry House) and there are sites in the grounds where marquees can be erected.

We are finding more frequently that guests are enquiring about holding weddings/events during the week as this is becoming more popular.

Weddings/birthdays/retirements/funerals/other may start before 9am but will end not later than terminal hour

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 may be played in Gilmerton House but not before 9am and will end no later than terminal hour.

Live performances, dance facilities and theatre may be provided as part of events being held at the house but not before 9am and will end no later than terminal hour.

Gaming may take place in the house in the form of playing cards and billiards table and may take place outwith core hours by guests staying at Gilmerton.

Indoor/outdoor sports consist of clay pigeon shooting, golf putting and driving and may take place as part of an event but not before 7am and will end no later than terminal hour.

Films and and televised sports will take place at Gilmerton as part of an event but also outwith core hours as guests have access to these within their rooms.

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:

Outdoor drinking is provided at Gilmerton as per the layout plan.

There are areas for marquees for events. If a marquee is required we use contractors who will erect the marquee and dismantle after use. We have requested a terminal hour of 12am for marquees to accommodate a later finish for outside events.

BBQs may be held outside as part of an event.

Outside areas will not be used before 7am and will end no later than terminal hour.

There are various outdoor sports which take place within the grounds as outlined above.

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:

Conferences, weddings/funerals/birthdays/retirements etc. clubs and other group meetings may start before core hours but will not start before 9am and will end no later than the terminal hour

Recorded music may be played before core hours but will not start before 9am and will end no later than the terminal hour.

Films and televised sports may be played in guests rooms and these may be outwith core hours.

Gaming may also take place outwith core hours for guests who are staying in the house e.g. snooker and cards.

Indoor/outdoor sports/outdoor drinking area - these may take place outwith core hours but not before 7am and will end no later than terminal hour. Guests may use the garden grounds from 7am on a nice morning for breakfast or children staying at Gilmerton can play in garden.

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:
Gilmerton House is an exclusive use mansion house. From April to September each year Gilmerton House hosts between 20 to 30 weddings.

The other activities are more on an ad hoc/as requested basis and are less frequent.

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.

Baby changing facilities are available for children under 5 and are located in the male and female toilets on the ground floor. There is also a mobile changing unit which can be utilised when required.

High chairs are available for use when required.

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

Preventing Crime and Disorder

Please see attached document Promotion of Licensing Objectives

Securing Public Safety:

Please see attached document Promotion of Licensing Objectives

Preventing Public Nuisance:

Please see attached document Promotion of Licensing Objectives

Protecting and Improving Public Health:

Please see attached document Promotion of Licensing Objectives

Protecting Children and Young Persons From Harm:

Please see attached document Promotion of Licensing Objectives

APPLICATION SUPPORTING COMMENTS

Additional Information

Please see attached document Promotion of Licensing Objectives

Supporting Comments

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

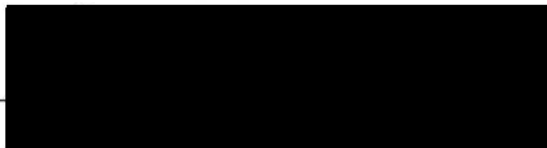
SIGNATURE AND DECLARATION BY APPLICANT

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 18 March 2025

Promotion of Licensing Objectives

Premises Name: Gilmerton House, North Berwick, East Lothian, EH38 5LQ

Preventing Crime and Disorder

- We will implement of a crime prevention policy, which would need to be developed with Police Scotland.
- We will ensure that appropriate instruction, training and supervision of staff.
- We will operate Challenge 25 Scheme.
- We will provide an effective and well maintained CCTV system in and around the premises.
- We will operate a zero tolerance on drug use on the premises.
- We will ensure there are security policies and regular toilet checks are carried out.
- We will ensure there is proper management of people entering and leaving the premises.
- We will provide litter bins and lighting outside the premises.
- We will ensure that we display material discouraging drink driving and promoting awareness of schemes in relation to safety and responsible drinking.
- We will provide a choice of size of measures.
- We will maintain a sales refusals book.
- We will ensure guests have vacated the premises by terminal hour to comply with core hours.
- We will keep an incident book and daily register which lists complaints, incidents and actions taken by staff and management, including type of entertainment provided and approximate number of guests in attendance. Other items of interest to be included are details of official visitors to the premises i.e. LSO, Police and other officials, the time premises are cleared of guests and grounds cleared.

Securing Public Safety

- We will provide an effective and well maintained CCTV system in and around the premises.
- We will employ adequate numbers of suitably trained staff.
- We will have a written policy on how to deal with customers and any other person on the premises who may have become incapacitated or vulnerable through drink or drugs
- Staff will ensure empty bottles and glasses are regularly cleared from tables
- First aid facilities and trained staff will be available on the premises.
- We will inform the police and LSO of any special event that is to take place on the premises or of any incident or issues that relate to public safety.
- We will take account of the occupancy capacity of the premises when taking bookings for events to ensure this is not exceeded, also ensure the nature of activities is appropriate for Gilmerton House and that the event/function is held within core hours and not exceeded.
- We will ensure that fire risk assessment of the premises are kept up to date and ensure that all escape routes have appropriate signage and guests are aware of escape protocol whilst at Gilmerton House.
- Guest who books events/functions at Gilmerton House will provide us with a guest list which provides a customer profile which will allow the house to cater appropriately for all guests e.g age or disability.
- We will have a risk policy concerning the use of special effects such as lasers, pyrotechnics, foam and smoke machines for events.
- We will have a risk policy concerning cleaning and housekeeping processes, deliveries and property maintenance.

Preventing Public Nuisance

- We will adhere to any local conditions imposed by the Licensing Board and Planning Department.
- We will ensure appropriate instruction, training and supervision of staff to prevent incidents of public nuisance.
- We will ensure proper management of people entering and leaving the premises.
- We will have effective policy on controlling noise and movement of guests using outdoor areas, including areas used by smokers.
- a litter and waste management policy should be in place, provisions should be made for the recycling of cans, glass bottles, plastic glasses and rubbish in appropriate receptacles at responsible times between 9am and 9pm, which will not affect nearby residents.
- We will ensure that sound tests are carried out to ensure that noise from equipment used in providing live or amplified music, non-amplified music, singing and speech sourced from licensed premises is not intrusive in any adjoining or nearby residential property.
- Where necessary, reduction of volume of amplified music and live entertainment to protect health and prevent neighbour nuisance.
- When guests are leaving Gilmerton after event/functions, guests who are not staying at Gilmerton House are provision onward transportation by coach. Coaches come on to the grounds to collect guests and we consider sufficient provision of transport to prevent nuisance to neighbouring properties.
- We will provide an effective and well maintained CCTV system in and around the premises.
- We will employ, when necessary, Security Industry Authority (SIA) licensed staff.

Protecting and Improving Public Health

- We will display relevant material discouraging drink driving.
- We will promoting awareness of schemes in relation to safety and responsible drinking
- We will provide an effective and well maintained CCTV system in and around the premises.
- We have a workplace alcohol policy in order to raise awareness, minimise harm and ensure that staff are able to access help (without fear of job loss) when an alcohol related problem arises.
- We will ensure that customers are aware of choice in relation to alcohol measures, especially in the case of wine, e.g. small, medium and large measures should be available.
- We will ensure that customers are aware of choice in relation to the strength of alcohol in drinks such as wine and beer.
- Where deliveries of alcohol are made to households or other premises, delivery staff must be trained to the same level as those involved in the sale or supply of alcohol from licensed premises. Challenge 25 checks must be made and the mandatory delivery records must be kept in accordance with statutory regulations and made available to Police and the LSO on request. No alcohol must be left at premises if the occupier is under 18 or a responsible adult is not present.
- There is availability of low alcohol and alcohol free alternatives.
- Tap water that is fit for drinking free of charge is available on request.
- Gilmerton has a policy to deal with guests who have consumed excessive alcohol.
- Where necessary there will be a reduction of volume of amplified music and live entertainment to protect the health of guests and staff and prevent neighbour nuisance.
- We will ensure that there are no irresponsible drinks promotions and MUP is strictly adhered to.

Protecting Children and Young Persons from Harm

- appropriate instruction, training and supervision of staff in accordance with recognised standards
- risk assessments for all areas to which children and young persons have access.
- Where deliveries of alcohol are made to households or other premises, delivery staff must be trained to the same level as those involved in the sale or supply of alcohol from licensed premises. Challenge 25 checks must be made and the mandatory delivery records must be kept in accordance with statutory regulations and made available to Police and the LSO on request. No alcohol must be left at premises if the occupier is under 18 or a responsible adult is not present.
- Fixed fireguards should be fitted to all open fires and mobile heaters should not be used when young children are on the premises.
- Non-glass drinking containers are be available for children on request.
- There are appropriate control measures to ensure that children and young persons do not purchase or consume alcohol on the premises
- We will exclude children from areas in which gambling is taking place such as casino, poker or race nights.
- We will operate challenge 25 Scheme.
- We will ensure that ensure that children are not exposed to strong language, violence or disorder.
- Baby changing facilities are available to both genders and area accessible.
- There are high chairs available for use by young children.
- There are children's menus available.



East Lothian Council

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

**SECTION 50
PLANNING CERTIFICATE**

APPLICANT:	Colin Carter-Campbell
NAME AND ADDRESS OF PREMISES:	Gilmerton House, North Berwick, EH38 5LQ

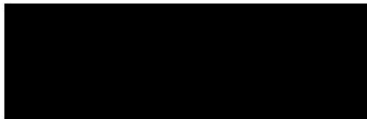
SECTION 50 PLANNING CERTIFICATE

- ☐ 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: 21/01258/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:	7 th February 2025
Keith Dingwall Chief Planning Officer			

All levels and dimensions are to be checked on site prior to construction or fabrication and any discrepancies are to be reported to the relevant authority. Work to within dimensions only. Do not fabricate to these dimensions. The drawings and information contained are the intellectual property of LDA and not to be re-distributed without explicit consent.

REVISIONS

- 12.12.24 CW Draft Issue for Review
- A 23.12.24 CW Premises Licence Issue
- B 21.01.25 CW Premises Licence Issue



KEY

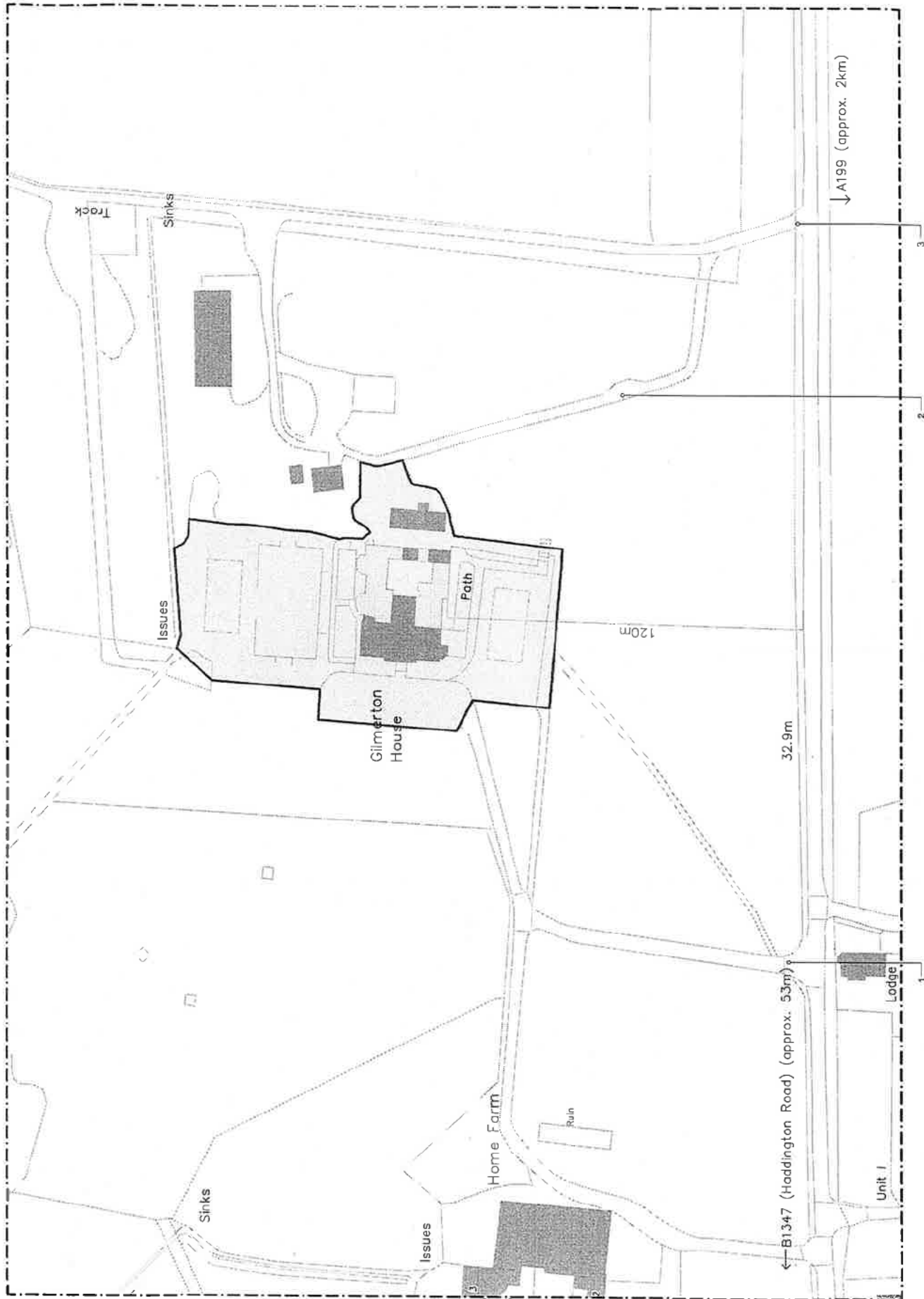
- Indicates Premises Licence Boundary
- Children within this area
- The applicants ownership boundary extends beyond this layout
- Private Area excluded from Premises Licence
- External Licensed Area (Approx. 0.72 ha)

NOTES

- Main gate (guest access)
- Existing service access & guest route
- Service Access gate

GENERAL NOTES

- All work to comply with the Building (Scotland) Regulations 2004 as amended
- All site works to be in accordance with the Construction (Design and Management) Regulations 2015.
- All products to be installed per manufacturers instructions.
- All dimensions in mm & are to be verified on site
- Drawings for the purpose of Premises Licence Application only.



076

01 Location Plan
1:1250

18 WALKER STREET EDINBURGH EH3 7LP 0131 2257186 mail@cardielba.co.uk

1:1250 / A3

PROJECT
Gilmerton House,
Premises Licence

DRAWING
Location Plan

DRAWING NO.
21044/PL001B
Premises Licence

LB/A

20/03/2025

Your Ref: EL413

Our Ref: 908296

The Clerk of the Licensing
Board
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
Dalkeith, EH22 3AX

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
GILMERTON HOUSE
GILMERTON HOUSE, U159 (01) FROM GILMERTON (B134, EAST FORTUNE,
ATHELSTANEFORD, EAST LOTHIAN, EH39 5LQ.
COLIN CARTER CAMPBELL [REDACTED]**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully

Gregg Banks
Divisional Commander

For enquiries, please contact the Licensing Department on 0131 654 5557.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 10th April 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

GILMERTON HOUSE, NORTH BERWICK, EAST LoTHIAN EH38 5LQ

I refer to the above subject and can confirm that the applicant has previously liaised with the LSO in relation to this application. I visited the premises, and the site notice was correctly displayed on the main gate.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

Following several meetings over the last 3 years guidance was given that a premises licence may be more suitable to the operations at Gilmerton House. The premises has been used as an events venue for occasions such as weddings, private parties, golf retreats and corporate events. Over the last 3 years regular occasional licences have been granted at Gilmerton House. Due to the volume of occasional licences the Licensing Board asked that an application for a premises licence be submitted.

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

On sales hours have been requested between 10am – 1am Monday – Sunday. This is outwith the on sales hours detailed in the Board's Statement of Licensing Policy. I refer the Board to section 20.1 – 20.4, in particular section 20.3 as the proposed on sale hours exceed 14 hours per day, and section 20.4 as the on sales hours start prior to 11am.

Off sale hours of 10am – 10pm have been requested, with a capacity of 6.72 m² within the cellar.

I have confirmed that there will always be a member of staff at the premises whilst guests are staying. This is to ensure that the licensing objectives and conditions of the premises licence once confirmed are adhered to at all times.

Should the Board grant the licence, I recommend the following condition be considered in relation to deliveries of alcohol:

- 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 provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.

Licensing Standards Officer

Herkes, Gillian

From: Johnson, Darren
Sent: 20 March 2025 08:29
To: Licensing
Subject: FW: Provisional Licence for Gilmerton House, Athelstaneford
Attachments: Gilmerton House Provisional Application.pdf

Hi

No objections.

Darren

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 19 March 2025 16:14
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: Provisional Licence for Gilmerton House, Athelstaneford

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 19 March 2025 15:08
To: Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.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>; all@haddingtoncc.org.uk; Licensing Standards Officer <lso@eastlothian.gov.uk>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>
Subject: Provisional Licence for Gilmerton House, Athelstaneford

Hi All

Please find attached Provisional Licence for Gilmerton House, Athelstaneford, North Berwick for report/representation by 10th April, 2025.

Kind regards

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

Licensing

From: Robertson, Scott
Sent: 21 March 2025 11:52
To: Licensing
Subject: RE: K1219.31: Gilmerton House - Amended Operating Plan [SWLLP-LEGALDIV.FID5301329]

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 www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 20 March 2025 11:00
To: Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.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>; all@haddingtoncc.org.uk; Licensing Standards Officer <lso@eastlothian.gov.uk>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>
Subject: FW: K1219.31: Gilmerton House - Amended Operating Plan [SWLLP-LEGALDIV.FID5301329]
Importance: High

Hi All

Please find attached an amended Operating plan to include deliveries.

Kind regards

Gillian

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

Please note :- My working days are Tuesday to Friday

EL 418

7881



East Lothian Council
Licensing

18 MAR 2025

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

3(iii)

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

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

PREMIER GIFFORD, DUNS ROAD, GIFFORD EH41 4QW

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.



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

N/A

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

N/A

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

N/A

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.*

N/A

* 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
N/A	N/A			

- (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)

THE PREMISES IS A SINGLE STOREY BUILDING OPERATING AS A
CONVENIENCE STORE IN THE CENTRE OF GIFFORD. THE AREA IS A MIXTURE OF
MAINLY RESIDENTIAL PROPERTIES WITH OTHER RETAIL UNITS

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?

n/a
~~YES~~ ☐ ~~NO~~ ☐

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

Signature  _____ * (see note below)

Date 17/3/2025

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

Telephone number and email address of signatory TEL 07909 754134

Email: gordon@gneconsultancy.co.uk

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 PREMIER GIFFORD
DUNS ROAD, GIFFORD.

Post Code EA41 4QW

- 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	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

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES ☐ NO ☒

*If YES – provide details

N/A

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
----------	--------------------------------	---	--

5a.	Accommodation	No	N/A	N/A
	Conference facilities	No	No	No
	Restaurant facilities	No	No	No
	Bar meals	No	No	No

Social functions including:

5b.	Weddings, funerals, birthdays, retirements etc.	No	No	No
	Club or other group meetings etc.	No	No	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
-----	-----------------------------	----	----	----

5e.	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 OUT WITH CORE HOURS.

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

THE SALE OF FOOD, FRESH FOODS, NON-FOOD ITEMS & OTHER HOUSEHOLD GOODS, AND THE PROVISION OF ANCILLARY SERVICES WITHIN AND OUTWITH LICENSED HOURS. THE STORE WILL TRADE FROM 7AM TO 10PM DAILY SUBJECT TO CUSTOMER DEMAND.

FOOD TO GO

HOME DELIVERY OF FOOD & 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

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

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

N/A

7. CAPACITY OF PREMISES

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

TOTAL OFF SALES 26.27m²

8. PREMISES MANAGER

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

Full Name _____

Date of birth _____

Contact address _____

_____ Post Code _____

Tel. No. _____ Email address _____

Personal licence

Date of issue _____

Name of Licensing Board issuing _____

Reference no. of personal licence _____

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 17/3/2025

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

Tel. No. of signatory 07909 755 134

Email address gordon@gneconsultancy.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.



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

THE PREMISES IS A CONVENIENCE STORE THAT OFFERS A WIDE RANGE OF GROCERIES, FRESH FOODS, HOUSEHOLD ITEMS, TOBACCO, LOTTERY, PAY POINT & GENERAL SERVICES.

ON CONSUMPTION

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

NOT APPLICABLE

OFF CONSUMPTION

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

THE STORE CORE HOURS FOR SELLING ALCOHOL WILL BE 10 AM TO 10 PM MON - SUN FOR OFFSALES.

HOME DELIVERY OF FOOD & ALCOHOL WILL BE OFFERED THROUGH THE SHAPPY SHOPPER APP.

**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;

NOT APPLICABLE

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:

NOT APPLICABLE

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 BACKGROUND MUSIC WILL BE PLAYED ALL TRADING HOURS. THIS IS PREMIER FM WHICH IS A MIXTURE OF ADVERTS AND RADIO 2 STYLED MUSIC.

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:

NOT APPLICABLE

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:

NOT APPLICABLE

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:

THE STORE WILL OPEN AT 7AM DAILY FOR THE SALE OF
GENERAL CONVENIENCE STORE GOODS & SERVICES.
BACKGROUND MUSIC WILL BE PLAYED ALL OPERATIONAL
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:

HOME DELIVERY OF FOOD & ALCOHOL – SNAPPY SHOPPER APP.
FOOD TO GO – IS FROM A BAKERY COUNTER WITH A
'GRAB & GO' CONCEPT.

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.

NOT APPLICABLE

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

Preventing Crime and Disorder:

- All staff will be issued with an age verification policy, which includes a policy on dealing with the sale or service of alcohol to drunk persons.
- An electronic refusals log will be in place to record any refusal of the sale of alcohol.
- CCTV camera system is being installed which will have an external camera to view customer leaving or entering the premises.
- The premises will have at least 1 SCPLH holder and all other staff will have received their mandatory 2-hour training before commencing the sale of alcohol.
- The premises will display Challenge 25 signage to ensure no sale of alcohol is made to any person appearing to look under the age of 18.

Securing Public Safety:

- The premises will manage litter in the vicinity of its location on a regular basis.
- All staff are trained on customer service skills and with particular focus on ensuring a safe shopping environment is provided for customers.
- As part of their customer service training they have been coached on identifying and managing any potential conflict situations.
- The convenience store has modern CCTV camera's to monitor customers.

Preventing Public Nuisance:

- Due to the premises location we will minimise noise from deliveries etc by ensuring full consideration to local residents at all times. Deliveries will be made during normal working times.
- The premises will trade until 10pm, which we believe will minimise any late evening conflict situations.

Protecting and Improving Public Health:

- All alcohol products offered for sale will have unit measures on each bottle or can which is now industry standard.
- All alcohol product promotions being offered will be in line with licensing legislation.
- All staff will be fully trained to understand the daily/weekly recommended maximum alcohol consumption levels.

Protecting Children and Young Persons from Harm:

- The premises will have a written policy in relation to the prevention of the sale or supply of alcohol to under 18's.
- Visible age verification requirements will be displayed in the premises.
- All staff will fully understand the proof of age scheme and acceptable forms of ID.
- Staff will monitor customers for unusual shopping patterns to prevent alcohol purchase for young people by an agent.
- An electronic refusals log will be in place to record any sales refusals.

APPLICATION SUPPORTING COMMENTS

Additional Information

None

Supporting Comments

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

The premises has held a premises licence previously until it was revoked in Dec 2023. I am an experienced retailer with previous experience in forecourt retailing and convenience stores in Fife. We are the only convenience store in Gifford and our ability to be able to provide our customers with as wide a range of products including alcohol as is possible does restrict the service we can provide. Being successful would enable the community to have a viable convenience store and give them options than driving to Haddington 6 miles away.

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

17/3/2025



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.

Access to the premises is available via one main entrance door. This is a manual door that opens inwards.

This doorway is wheelchair accessible.

The premises is one level flooring surface throughout the site.

There is suitable space within the premises to accommodate wheelchairs and customers who may have mobility difficulties.



SCHEDULE 6 Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

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.

Access to the premises is available via one main entrance door. This is a manual door that opens inwards.
This doorway is wheelchair accessible.
The premises is one level flooring surface throughout the site.
There is suitable space within the premises to accommodate wheelchairs and customers who may have mobility difficulties.

3. FACILITIES AVAILABLE

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

The serving counter area can be accessed by wheelchair users.

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 is offered to all customers when they enter the premises irrespective of whether they have a disability or not.
All staff have been trained to identify those who may appear to require support or assistance.

ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT BUILDING STANDARDS TECHNICAL HANDBOOK. ALL WORKS TO BE CARRIED OUT TO THE FULL SATISFACTION OF THE INSPECTING BUILDING CONTROL OFFICER.

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HELIX
ARCHITECTURE STUDIO

17 Cockburn Street, Falkirk, FK1 1DJ
Tel: 01324 875723

Email: info@helixarchitecturestudio.com

CLIENT

GORDON EMSLIE

PROJECT
UNSW ROAD, GIFFORD,
ADDINGTON, EH41 4QW

RAWING
LICENSING DRAWING

CALE
S NOTED @ A3

STATUS	RAWN	M/01/24

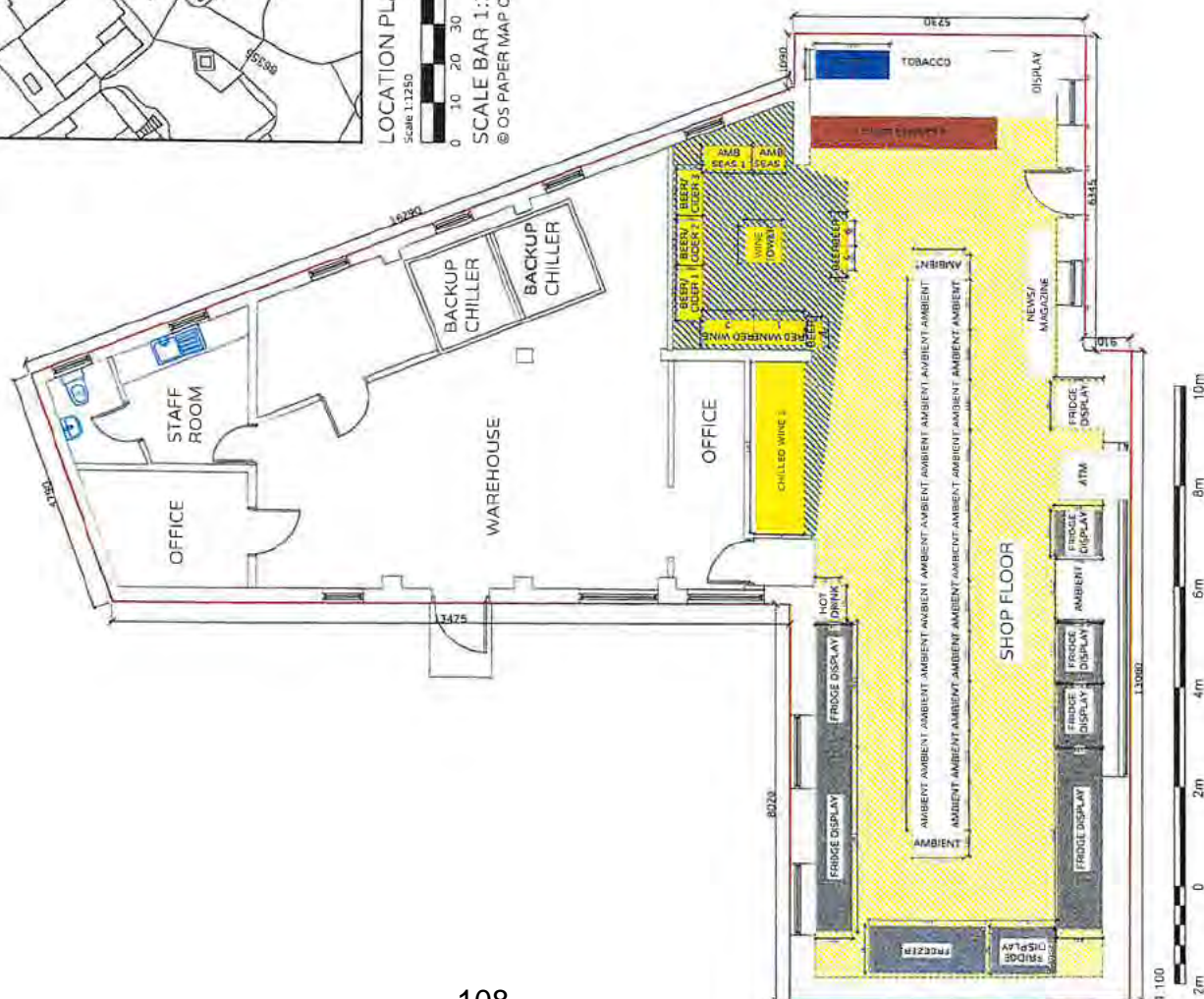
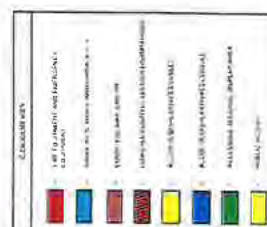
DRAWING NO. 1192/LIC REV -



SCALE BAR 1:1250

© OS PAPER MAP COPYING LICENCE - 100057038

ALCOHOL DISPLAY AREA

TOTAL FLOOR AREA: 15M²[illegible]

**APPLICATION FOR A
SECTION 50
PLANNING CERTIFICATE****1) NAME AND ADDRESS OF APPLICANT:**

Name:

PRASANTA BASAKAR

Tel No:

Address:

Mobile:

Postcode:

Email:

2) NAME AND ADDRESS OF AGENT (if applicable)

Name:

GORDON GINSIE
GNE CONSULTANCY LTD

Tel No:

Address:

47 WINDYBEE DRIVE
REDDINGMUIRHEAD
FAULHILL

Mobile:

Postcode:

FK2 0TB

Email:

gordon@gneconsultancy.co.uk

3) NAME AND ADDRESS OF PREMISES TO BE LICENSED:

PREMIER GIFFORD, DUNS ROAD, GIFFORD

Postcode: EH41 4QW

4) HAVE YOU BEEN ISSUED A PROVISIONAL PREMISE LICENCE? (check appropriate):

Yes

No

5) ARE YOU APPLYING FOR (check appropriate):

Premises Licence:



Provisional Premises Licence:

6) PROVIDE THE FOLLOWING INFORMATION:Date and Planning
Reference Number of
Planning Permission

UNKNOWN

96/00346/HIS

Date and Planning Reference Number of
Certificate of Lawful Use or Development:

1996

UNKNOWN

7) APPLICATION CHECKLIST:

I/We hereby certify that the operating and layout plan(s) as required by section 20 of the Act have been attached and that I intend to lodge exact copies with the Licensing Board (tick boxes)

Operating Plan Attached



Layout Plan Attached

**8) SIGNATURE OF APPLICANT/AGENT (delete as appropriate)**

Date

17/12/2024

Licensing

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 24 March 2025 09:38
To: Licensing
Subject: LIC06 PREMISES - NO CONVICTIONS - PREMIER GIFFORD EH41 4QW
Attachments: LIC06 PREMISES - NO CONVICTIONS - PREMIER GIFFORD EH41 4QW.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.

Morning,

No police objections

PSOS ref 908706

Regards

Stephen

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 10th April 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

PREMIER GIFFORD, DUNS ROAD, GIFFORD, EAST LoTHIAN EH41 4QW

I refer to the above subject and can confirm that the applicant's agent has liaised with me in relation to this application. I have visited the premises, and the site notice was correctly displayed.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

The premises has been a local shop for a significant period. The premises licence at this premises was revoked in Dec 2023, following a determination that the premises licence holder was not a fit and proper person. This individual has remained the landlord for the property. It is my understanding that the shop has been leased to the applicant and there is an agreement that he as tenant will hold the premises licence and be premises manager if granted and confirmed. I have viewed the lease and at the time of viewing it referred to the landlord holding the premises licence. I have since been sent an updated lease, but it appears there is still some confusion within as to who is responsible for the administration of the premises licence. I have enquired about the relationship between the applicant and the previous premises licence holder, and I have been informed that it is a business relationship and that the previous licence holder will not be involved in the running of the shop or the sale of alcohol. I visited the premises in November 2024 and met with the applicant Mr Baskaran and his agent. At this time, I was informed that Mr Baskaran would be working in the shop and living locally. He informed me that his wife would also be working in the premises until the business was established and then he would employ staff.

On Friday 4th April 2025, I visited the shop again to check the site notice. There was one staff member working who I spoke with. I asked the staff member if Mr Baskaran worked at the shop, and he said no. He said that he was one of three staff members who lived together the rented property in Gifford (address of applicant given). The applicant was previously the premises manager at a shop in Burntisland. I have confirmed with Fife Licensing Board that he was removed from this position at the beginning of April 2025.

Currently I'm concerned about the applicant's apparent lack of involvement in the premises. It is the only convenience shop within the village with the next nearest similar premises being in Haddington.

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

The off sales capacity applied for is 26.27 m². Within an 800m radius there are 2 other premises as follows:

Goblin Ha Hotel (currently closed) – on and off sales

Tweeddale Arms Hotel – on and off sales

Should the Board grant the licence, I recommend the following condition be considered in relation to deliveries of alcohol:

- 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 provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.

Licensing Standards Officer

Licensing

From: Robertson, Scott
Sent: 21 March 2025 11:57
To: Licensing
Subject: RE: Premier Gifford, Duns Road, Gifford - Provisional Licence

Hello,

A section 50 certificate has been granted for this premises and as such I raise no objection 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 www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 20 March 2025 13:02
To: Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)
<lothianscotborderslicensingeastmid@scotland.pnn.police.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>; Licensing Standards Officer
<lso@eastlothian.gov.uk>; 'kat.burke@nhs.scot' <kat.burke@nhs.scot>; ChairGiffordCC@gmail.com
Subject: FW: Premier Gifford, Duns Road, Gifford - Provisional Licence

Hi All

Please find attached Provisional Licence application for Premier, Gifford for report/representation by 10th April, 2025.

Kind regards

Gillian

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

Please note :- My working days are Tuesday to Friday

