



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)

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
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	YES
Restaurant facilities	YES	YES	YES
Bar meals	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
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	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
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	YES	YES	YES
Dance facilities	YES	YES	YES
Theatre	YES	YES	YES

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

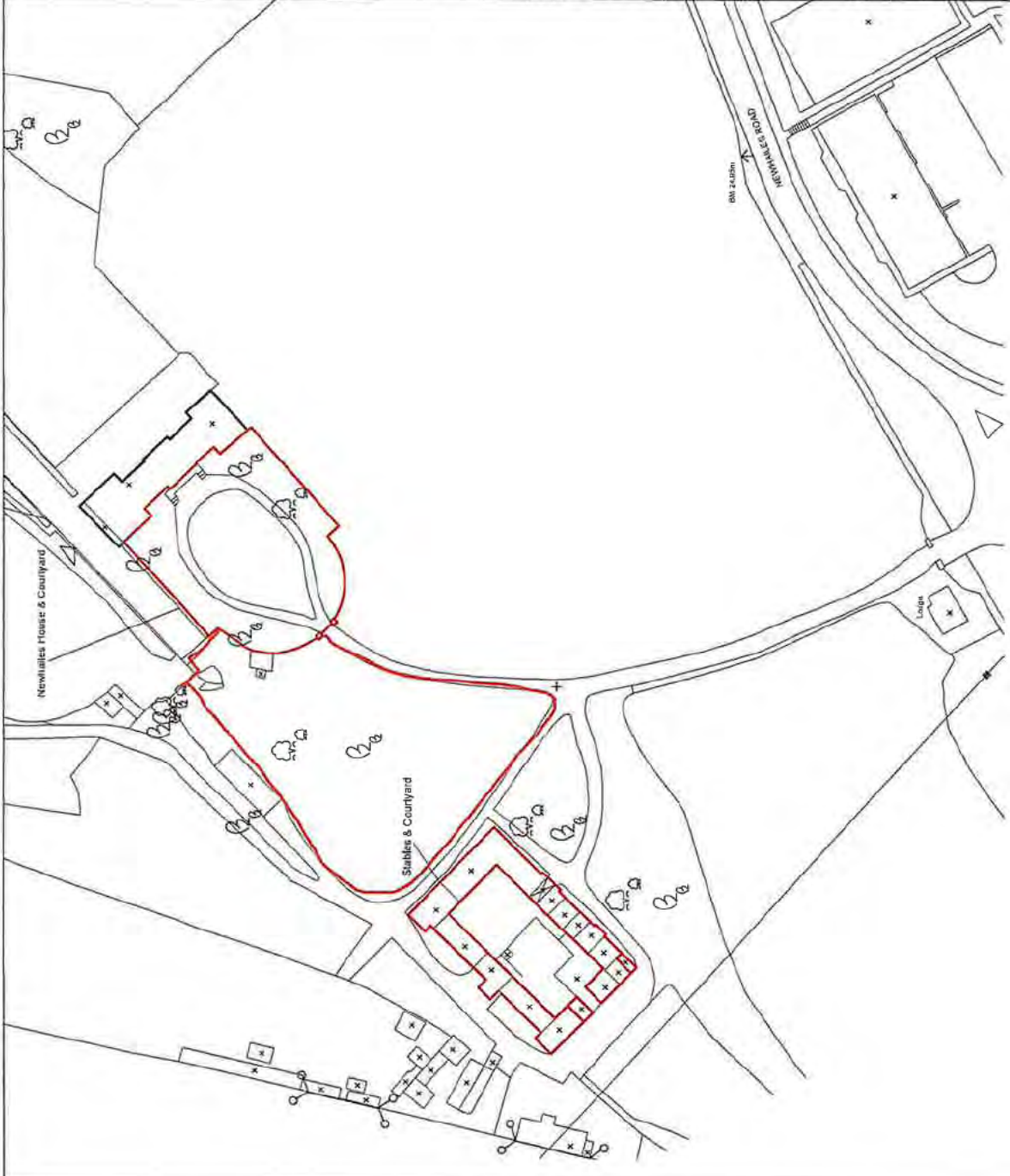
Capacity APPLICANT/AGENT (delete as appropriate).

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.

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Key
 --- boundary - new/old/other lines
 x - building foot print
 any structure in the site plan may be subject to change

No.	Description	By	Date
1	Client		

Client
 National Trust for Scotland
 5 Cultins Way
 Hermiston Quay
 Edinburgh
 EH11 4DF

Project
 Newhall's Stables

Drawing Title
 Newhall's Estate - Licensing Plan

Drawing No.
 EDMSC076/LLA/01

Scale
 1:1000

Original Sheet Size A3

gledits
 Drawing Status
 LICENSING
 Drawn
 HM
 Checked
 HM
 Date
 04/21
 Rev.

Gledits Building Surveying Ltd
 80 Hanover Street, Edinburgh EH2 1EL
 Tel: +44 (0)131 240 6500 | gledits.com

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
ELO 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 <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] 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

