



APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

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. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL0133

2(b) Name and Address of Premises Co-op, 2B Elcho Road, Longniddry, East Lothian

Post Code EH32 0LB Tel. No. 0141 333 0636 (AGENT)

Email info@mshblicensing.com (AGENT)

2(c) Full Name and Address of Current Licence Holder

Co-operative Group Food Limited, 1 Angel Square, Manchester

Post Code M60 0AG

Tel. No. 0141 333 0636 (AGENT) Email address info@mshblicensing.com (AGENT)

3. NATURE OF VARIATION

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

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

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

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)**

On the Operating Plan, amend the box at Q5(f) to read: "The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005."

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.

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)

The most recent version of the premises licence has only been issued electronically.

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  (See note 5 overleaf)

Date 4th July 2025

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

If agent, please provide details

Full name Audrey Junner

Address Hill Brown Licensing, The Forsyth Building, 5 Renfield Street, Glasgow

Post Code G2 5EZ

Tel. No. 0141 333 0636

Email address info@mshblicensing.com

Note 1

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

OPERATING PLAN

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

Question 1

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

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

Question 2

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

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

Question 3

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

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

Question 4

SEASONAL VARIATIONS

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

N/A

Question 5

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

COL. 1 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>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	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
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	NO	NO	NO
<i>Club or other group</i> <i>meetings etc.</i>	NO	NO	NO
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>	NO	NO	NO
<i>Dance facilities</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO

<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
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.

Background music will be played within and outwith core hours.

5(f) any other activities

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

The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance 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?	N/A
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	N/A
	*Delete as appropriate	

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

N/A

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

N/A

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

N/A

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

N/A

Question 7

CAPACITY OF PREMISES

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

Off Sales – 21.228m2

Question 8

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

Personal details

8(a) Name

David Browning

8(b) *Date of birth*

8(c) *Contact address*

100

8(d) *Email address*

info@mshblicensing.com (AGENT)

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
06/07/2021	East Lothian Council	EL1736

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)

Audrey Junner, Hill Brown Licensing
The Forsyth Building, 5 Renfield Street
Glasgow G2 5EZ

Date ...4th July 2025.....

CapacityAGENT

Telephone number and email address of signatory ...0141 333 0636 / info@mshblicensing.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.

Co-op Home Deliveries
Supplementary Information

Board: East Lothian

Application: Major Variation

This application seeks to add the following wording at Question 5(f) of the Operating Plan: *'The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and compliance with the relevant provisions of the Licensing (Scotland) Act 2005.'*

Home deliveries are something that Co-op have been rolling out across their business for some time and the former situation with COVID-19 has only strengthened the appetite and need for this service as part of their business. Co-op already operate deliveries successfully from many stores across Scotland, and the rest of the UK, and this application simply seeks to allow them to do so from premises in East Lothian, in line with your Statement of Licensing Policy.

As an experienced operator, Co-op have robust procedures in place in respect of home deliveries. They are, of course, compliant with the relevant provisions of the Licensing (Scotland) Act 2005 and Challenge 25 is implemented at the point of delivery. Their procedure dictates that alcohol is only ever delivered to a person and is never left unattended in any way (for example, delivered to a 'safe place'). Although it is not a legislative requirement, all delivery drivers employed direct by Co-op receive 2 hours' mandatory licensing training and any third-party drivers receive training via their courier companies to a standard that Co-op are entirely satisfied with.

Co-op operate three types of delivery, as follows -

In-store

- The customer visits the store and swipes their home delivery card at in-store home delivery terminal
- The customer selects delivery slot on home delivery terminal – these are normally between 10am and 6pm Monday – Saturday, but some stores offer smaller delivery windows
- Home delivery terminal produces a slip for the customer to scan at the till
- Customer then completes their shopping as normal and goes to the till to make payment
- Colleague scans the slip which alerts the till that this is a delivery purchase
- Colleague will serve customer and take payment as normal, carrying out Challenge 25 check at the till where appropriate
- Customer leaves and the shopping is stored awaiting delivery
- Delivery is added to driver's 'Home Delivery Round signoff' document which includes a further Challenge 25 prompt for the driver
- Delivery is made to customer at the allotted time by colleague using Co-op home delivery van
- Alcohol is only ever delivered to a person and is never left unattended in any way – for example delivered to a 'safe place'
- At point of delivery, if a person is deemed to be under aged 25 then the driver will request compliant photographic identification
- If proof of age ID is not suitable or no other person deemed over age 25 is available then the order will not be delivered and taken back to the store

- Alternatively the age-restricted products will be retained by the delivery driver and the rest of the order is delivered to the customer. A refund would be issued for the age-restricted products not delivered or the customer is contacted for re-delivery if appropriate
- At the end of the day the 'Home Delivery Round signoff' document is filed with the store's age related paperwork for 12 months
- All of this information is available to store colleagues on HDI ('How Do I?') system and in the home delivery drivers' handbook
- If drivers feel unsafe or threatened by someone while out on delivery, this is reported immediately to Co-op. Full training and guidance is also provided to the driver should any incidents need to be reported to the Police.

Deliveroo

- 'Opening' hours on the Deliveroo website/app match the licensed hours of the store and customers can only place an order when the service is open
- The customer enters their postcode into the Deliveroo website/app and is shown the store or stores that deliver to their address
- There is a clear warning on the website/app that customers must be over 18 to purchase alcohol and that Challenge 25 is in operation on delivery
- They place an order online and this is sent to the store
- The store can accept or reject the order depending on whether they have the products ordered in stock. If the order is accepted, payment is taken from the customer.
- The order is picked in store by colleagues
- Once picked, the order is collected by a Deliveroo rider who delivers the goods to the customer's home
- If the order contains an age restricted item, this is flagged to the Deliveroo rider and they carry out a Challenge 25 check. This is recorded on their device and is auditable. These records are held electronically but not passed directly back to the store. They are held in Head Office and can be accessed at any point if and when required
- All customers, regardless of their age and the Challenge 25 Policy, must verify their age to the Deliveroo Rider using a valid form of Photo ID. If a customer fails an ID check or is intoxicated and the alcohol cannot be delivered then the Deliveroo Rider is asked to dispose of the product in a responsible way and not return the item(s) to store.
- If riders feel unsafe or threatened by someone while out on delivery, this can be reported immediately to Deliveroo within the Rider App. Full training and guidance is also provided to the rider should any incidents need to be reported to the Police.

E-Commerce

- Customers enter their postcode into the shop.coop website and can select their preferred store
- Customers select the items they would like to purchase and place their order. This is sent to the chosen store and payment pre-authorised at this point.
- Before orders are placed, customers must agree to terms and conditions which state that you must be over 18 to use the service
- It also states before placing the order that the customer may be asked for photographic identification due to the operation of their Challenge 25 policy

- Challenge 25" age verification policy is in operation and at the time of delivery the drivers ask customers who do not look 25 or over, to verify that they are over 18 by producing a valid photographic ID.
- The store is not able to reject the order – all orders must be fulfilled. If an item is out of stock, it can be substituted for another or removed from the order.
- The order is then picked by store colleagues before the order is confirmed and payment taken (this will always be during licensed hours)
- The order is collected and delivered by a third party courier.
- Orders are only ever delivered to an individual and would never be left in a 'safe place', for example.
- The delivery drivers are provided training on the delivery of Age Restricted Goods prior to them carrying out delivery of age restricted goods. A record of this training can be provided to Co-op upon request.
- If the order contains an age restricted item, this is flagged to the courier and they carry out a Challenge 25 check. This is recorded on their devices and is auditable. Co-op can request a copy of all deliveries of age restricted goods and all refusals of age restricted goods and the record must be passed to Co-op within three days
- The delivery driver must not deliver any age restricted goods to a person who cannot, upon request, verify their age by producing valid photographic identification. They also must not deliver any age restricted goods to a person who they know to be intoxicated.
- If drivers feel unsafe or threatened by someone while out on delivery, this is reported immediately to Co-op. Full training and guidance is also provided to the driver should any incidents need to be reported to the Police.

Relevant sections of the Act:

- **S.108** – Delivery to/by children or young persons - It is an offence to deliver alcohol to children or young persons. The usual age verification system are in place. Challenge 25 is instigated at the point of delivery. Purchasers must confirm that they are 18+ to purchase online.
- **S.119** – Delivery from vehicles etc. – Day and delivery book requirements. Day book will be kept on the dispatching premises, and delivery book with the driver. Both will contain a record of the quantity of alcohol, description, price and name of person to be delivered to. Electronic receipts are kept for 12 months.
- **S.120** – Prohibition on late night deliveries – Alcohol cannot be delivered between midnight and 6am. Electronic systems are in place which do not allow for this. This covers all sales i.e. orders are placed and payment made within licensed hours of 10am – 10pm. Heads of Terms, tills, Deliveroo, website etc. are all set up as such.

09/07/2025

Your Ref: EL133

Our Ref: 937541

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



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 VARIATION OF A PREMISES LICENCE
CO-OP LONGNIDDRY
2B ELCHO ROAD, LONGNIDDRY, EAST LOTHIAN, EH32 0LB.
CO-OPERATIVE GROUP FOOD LIMITED, 1 ANGEL SQUARE, MANCHESTER
M60 0AG**

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

The variation requested consists of

- The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

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

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

Yours faithfully



Gregg Banks
Divisional Commander

For enquiries, please contact the Licensing Department on 0300 424 0033.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 28th July 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0133, CO-OP, 2B ELBO ROAD, LONGNIDDRY, EAST LoTHIAN EH32 0LB

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

The changes applied for are:

- To add deliveries as follows to the operating plan – “The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.

I have been provided with a copy of the delivery policy for Co-op which describes operations and complies with the Act.

I recommend the Board considers the following condition:

- 1) Should a service of delivery of alcohol to customers be conducted, the terms of the Licensing (Scotland) Act 2005 Section 119 and those of the Board’s statement of licensing policy on deliveries of alcohol, should be complied with.

Licensing Standards Officer

Herkes, Gillian

From: Anshus, Oyunn
Sent: 16 July 2025 11:35
To: Licensing
Cc: Harling, Karen (Licensing)
Subject: 25/01024/LICVAR - Co-op, 2B Elcho Road, Longniddry, East Lothian, EH32 0LB (Licence No. EL0133)
Attachments: bacs - East Lothian Council (Longniddry).pdf; Operating Plan - Major Var Home Deliveries (Longniddry).doc; Major Var App - Home Deliveries (Longniddry).pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

I share the following information re this application, following a visit to the shop yesterday.

The plan is for part of the shop floor to be converted to a Just Eat collection unit. This would in my opinion require a layout plan that has not been provided in the application. Co-op staff will pick food off shelves and add into the collection unit. The delivery service is to be carried out by people making deliveries for Just Eat. I have asked for the Shop Manager to get in touch with me with more details. The shop floor is small. I lack information about how temperature control for use by food will be managed.

I cannot at present comment on this application due to lack of information.

Kind regards,

Oyunn Anshus

Senior Environmental Health Officer - Business Compliance

Place, Protective Services, East Lothian Council, John Muir House, Court Street, Haddington, East Lothian EH41 3HA

M 07855 187997 | **E** oanshus@eastlothian.gov.uk | **W** www.eastlothian.gov.uk

From: Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>
Sent: 08 July 2025 14:13
To: Anshus, Oyunn <oanshus@eastlothian.gov.uk>
Subject: FW: Co-op, 2B Elcho Road, Longniddry, East Lothian, EH32 0LB (Licence No. EL0133)

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 08 July 2025 14:04
To: Licensing Standards Officer <lso@eastlothian.gov.uk>; Lothian & borders Police <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>; Fire (<torquil.cramer@firescotland.gov.uk> <torquil.cramer@firescotland.gov.uk>; longniddrycommunitycouncil@gmail.com; 'Burke, Kat' <kat.burke@nhs.scot>
Subject: FW: Co-op, 2B Elcho Road, Longniddry, East Lothian, EH32 0LB (Licence No. EL0133)

Hi

Major Variation application for East Lothian Co-op 2B Elco Road, Longniddry for report/representation by 30th July 2028.

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



Law Society
of Scotland

Accredited paralegal
liquor licensing

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE

RESPECT US AS WE RESPECT YOU



O'Reilly, Arlene

From: Robertson, Scott
Sent: 10 July 2025 11:41
To: Licensing
Subject: RE: Co-op, 2B Elcho Road, Longniddry, East Lothian, EH32 0LB (Licence No. EL0133)

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 July 2025 14:04
To: Licensing Standards Officer <lso@eastlothian.gov.uk>; Lothian & borders Police
<lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Environment Reception
<environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>;
Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>;
longniddrycommunitycouncil@gmail.com; 'Burke, Kat' <kat.burke@nhs.scot>
Subject: FW: Co-op, 2B Elcho Road, Longniddry, East Lothian, EH32 0LB (Licence No. EL0133)

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