



# 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)

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Adding background music within and outwith core hours

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## 2. PREMISES LICENCE DETAILS

**2(a) Licence Number of Premises** EL0216

**2(b) Name and Address of Premises** Day Today, 84 High St

Haddington, East Lothian

Post Code EH41 3ET Tel. No. 01620 825410

Email [REDACTED]

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

Shivakumar Kandaswamy, [REDACTED]

[REDACTED] Post Code [REDACTED]

Tel. No. 01620 825410 Email address [REDACTED]

## 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

None

### **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)**

The shop is being refurbished which results in the alcohol display being relocated along with the installation of a chilled beer room. The capacity gets corrected to 27.66m<sup>2</sup>

Add background music will be played within and outwith core hours.

### **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.

The alcohol display area is being relocated.. New layout plan attached.

### **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)

None

#### 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)

Original premises licence to be posted in.

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#### 5. FEE PAYABLE

Information on fees can be found at

[https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol\\_licences/2](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 £ \_\_\_\_\_ is enclosed ☐

(ii) the proposed Operating Plan is enclosed ☒

(iii) the proposed Layout Plan is enclosed ☒

(iv) the Premises Licence is enclosed ☐

To be  
posted in

Signature \_\_\_\_\_ (See note 5 overleaf)

Date 5th Nov 2025

Capacity APPLICANT / AGENT (delete as appropriate)

### If agent, please provide details

Full name Gordon Emslie, GNE Consultancy Ltd

Address 47 Wallace Brae Drive, Reddingmuirhead, Falkirk

Post Code FK2 0FB

Tel. No. 07909 754134

Email address gordon@gneconsultancy.co.uk

### 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)

**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** Day Today, 84 High St, Haddington

Post Code EH41 3ET

**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

The premises may operate on reduced hours (8pm) on certain public holidays according to customer demand



**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
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**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
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**5e.**

Adult Entertainment	No	No	No
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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) If you propose to provide any activities other than those listed in 5(a) – (e), please provide details or further information below.**

In addition to alcohol, the store will sell a range of soft drinks, confectionery, crisps, cigarettes & tobacco which are within the normal range of items traditionally sold by an off licence.  
Deliveries by Snappy Shopper - orders made and paid for online.  
Hours of operation is 10am to 10pm for alcohol and 7am to 10pm for general goods.

**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 ☐

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable

## 7. CAPACITY OF PREMISES

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

Off sales - 27.66 m2

## 8. PREMISES MANAGER

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

Full Name            Shanthi Shivakumar

Date of birth

Contact address

Post Code

Tel. No.

Email address

### Personal licence

Date of issue 3rd August 2010

Name of Licensing Board issuing **East Lothian Licensing Board**

Reference no. of personal licence EL689





Fire Exit

Fire Extinguisher

Smoke Detector

Children And Young Persons Are Permitted Access To Public Areas Of The Premises

Toilet Area

Display Area of Alcohol (Inaccessible)

Display Area of Alcohol (Inaccessible)

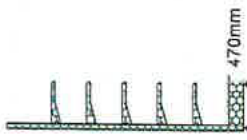
Display Area of Alcohol (Accessible)

Display Area of Alcohol (Accessible)

Licensed Floor Area

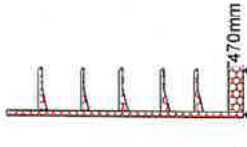
Licensed Floor Area

Profile 1  
Wall Shelving



Height : 2.0m

Profile 2  
Wall Shelving



Height : 2.0m

Total Display Area of Alcohol (Inaccessible)

Inaccessible :- 2.795m(W) x 2.4m(H) = 6.71m2

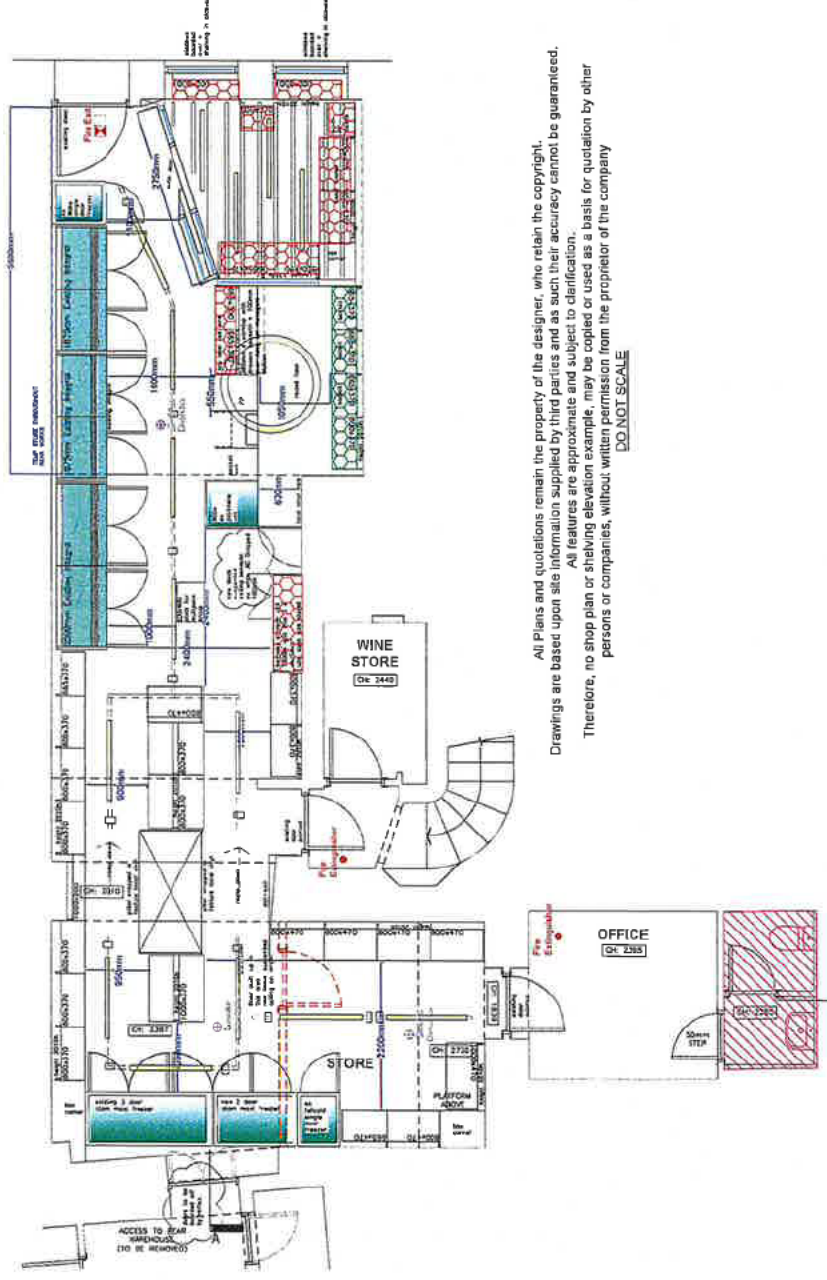
Total Display Area of Alcohol (Accessible)

Accessible Shelving :- 8.396m(W)x 2.4m(H) = 20.15m2

Accessible Stacks :- 0.5m(W)x 1.6m(H) = 0.8m2

Total Display Area Accessible and Inaccessible -

Off Sales Capacity = 27.66m2



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DO NOT SCALE



Vertex R.A.S. Ltd  
Sir William Smith Road  
Kilken Industrial Estate  
Atrioah  
Angus  
DD11 3RD

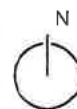
Tel: 01241 876796  
FAX: 01241 876010  
www.vertexscotland.com

Project Details:  
Convenience Store  
84 High Street  
Haddington  
East Lothian  
EH41 3ET

Drawing Title: Proposed  
Drawing No: -  
Scale: 1:50@A2  
Date: 19.08.2025  
Drawn By: JM  
Revision: A  
Project Rep: JM  
Revision By: -



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REV	DESCRIPTION	KM	KM	00.00.00
1	PROJECT NO	23-06		
2	DATE PLANNED	APPROVAL		
3	WORK STAGE	APPROVAL		
4	REVISION			
5	00-001			
6	SCALE 1:500	DATE	SEP 25	
7	1/1/2000	1/4		
8	DATE	SEP 25		
9	BY	KM		
10	CHECKED BY	KM		

SHANTHI SHIVAKUMAR  
84 HIGH STREET  
HADDINGTON  
EH41 3ET

LOCATION PLAN

KEVIN MACKENZIE ARCHITECTURE & DESIGN LTD  
87 MARKET STREET,  
HADDINGTON,  
EAST Lothian  
EH41 4JX

E KEVIN@KMAD.CO.UK T 0773 053 2004



Kevin Mackenzie  
Architecture & Design Ltd



07/11/2025

Your Ref: EL0216

Our Ref: 967702

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  
DAY TODAY HADDINGTON  
84 HIGH STREET, HADDINGTON, EAST LOTHIAN, EH41 3ET.  
SHIVAKAMUR KANDASWAMY**

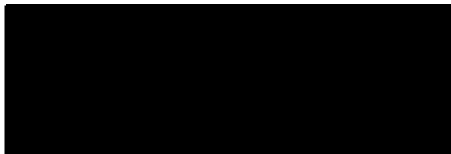
I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of the relocation of the alcohol display, the correction of the capacity to 27.66m<sup>2</sup>, this installation of a chilled beer room and the addition of background music.

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

**OFFICIAL**

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

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Date: 26<sup>th</sup> November 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0216, DAY TODAY, 84 HIGH STREET, HADDINGTON, EAST LoTHIAN, EH41 3ET

I can confirm that the application has been discussed with the premises licence holder Mr Kandaswamy. The site notice was correctly displayed. I understand that there is to be a full refit and structural alterations to the premises to facilitate the changes to the layout and that this will require a closure for the work to be done. Mr Kandaswamy indicated that this would likely be around April 2026.

The changes applied for are:

- Change the layout and altering capacity to 27.66m<sup>2</sup>
- Add recorded music within and outwith core hours

I have reviewed the layout plan submitted and would direct the board to consider premises licence conditions 13(1), in Schedule 3 of the Licensing (Scotland) Act 2005.

*13(1) Subject to sub-paragraph (3), alcohol which is for sale only for consumption off the premises may be displayed only in one or both of the following—*

- (a) a single area of the premises agreed between the Licensing Board and the holder of the licence; or*
- (b) a single area of the premises which is inaccessible to the public.*

Detailed on the layout plan there is a display area that is within a refrigerated room and directly outside this a small display area for non-refrigerated red wine. I would consider this a single area. An additional display area beyond the payment counter and round what appears to be a corner is then marked for display of alcohol. This appears to be in a separate part of the premises and does not form part of the larger area marked towards the front of the premises. I would recommend the Board reviews this area and considers if it is compliant with the above condition.

There is an area behind the counter that is inaccessible which is compliant with the Act.

I have received no complaints about the premises and receive regular communication from Mr Kandaswamy.

Licensing Standards Officer

**Herkes, Gillian**

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**From:** Robertson, Scott  
**Sent:** 11 November 2025 08:21  
**To:** Licensing  
**Subject:** Re: Day Today, 84 High St, Haddington - major variation

Good Morning,

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

Regards  
Scott

Scott Robertson | 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](http://www.eastlothian.gov.uk)

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**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** 06 November 2025 14:24  
**To:** Lothian Scot Borders Licensing East Mid Lothian <lothianscotborderslicensingeastmid@scotland.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>; 'kat.burke@nhs.scot'  
<kat.burke@nhs.scot>; all@haddingtoncc.org.uk <all@haddingtoncc.org.uk>  
**Subject:** FW: Day Today, 84 High St, Haddington - major variation

Good Afternoon

Please find attached Major Variation for 84 High Street, Haddington for report/representation by 30<sup>th</sup> November, 2025.

Kind regards

Gillian

Gillian Herkes

Licensing Officer

Democratic & Licensing Services

John Muir House

Haddington

East Lothian Council

01620 820114

[gherkes@eastlothian.gov.uk](mailto:gherkes@eastlothian.gov.uk)

Please note :- My working days are Tuesday to Friday



Law Society  
of Scotland

Accredited paralegal  
liquor licensing

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