



# 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)

- Increase in on-sales capacity from 12 to 20
- Increase in off-sales capacity 7.96 m<sup>2</sup>
- Online order deliveries 6am - 12am.

**2. PREMISES LICENCE DETAILS**

2(a) Licence Number of Premises EL 0380

2(b) Name and Address of Premises The Cheese Lady  
3 Covert St, Haddington

Post Code EH41 3JD Tel. No. 01620 823 729

Email svetlana@thecheeselady.co.uk

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

The Cheese Lady Limited  
3 Covert Street  
Haddington Post Code EH41 3JD

Tel. No. 01620 823 729 Email address svetlana@thecheeselady.co.uk

**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)

*Premises capacity*

- On-sales from 12 to 20 people.*
- Off-sale to 7.96 m<sup>2</sup>*

*Other activity: online order deliveries*

**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 shelving in the alcohol retail area.*

**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)

---

---

---

---

**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 £ 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 21.06.25

Capacity APPLICANT / AGENT (delete as appropriate)

**If agent, please provide details**

Full name \_\_\_\_\_

Address \_\_\_\_\_

Post Code \_\_\_\_\_

Tel. No. \_\_\_\_\_ Email address \_\_\_\_\_

**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 \_\_\_\_\_

*The Cheese Lady*

*3 Court Street*

*Hadlington*

Post Code

*EH41 3JD*

- 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	11am	10pm
Tuesday	11am	10pm
Wednesday	11am	10pm
Thursday	11am	10pm
Friday	11am	10pm
Saturday	11am	10pm
Sunday	11am	10pm

**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



**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 licenced 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.	Yes	Yes	Yes

Entertainment, including:

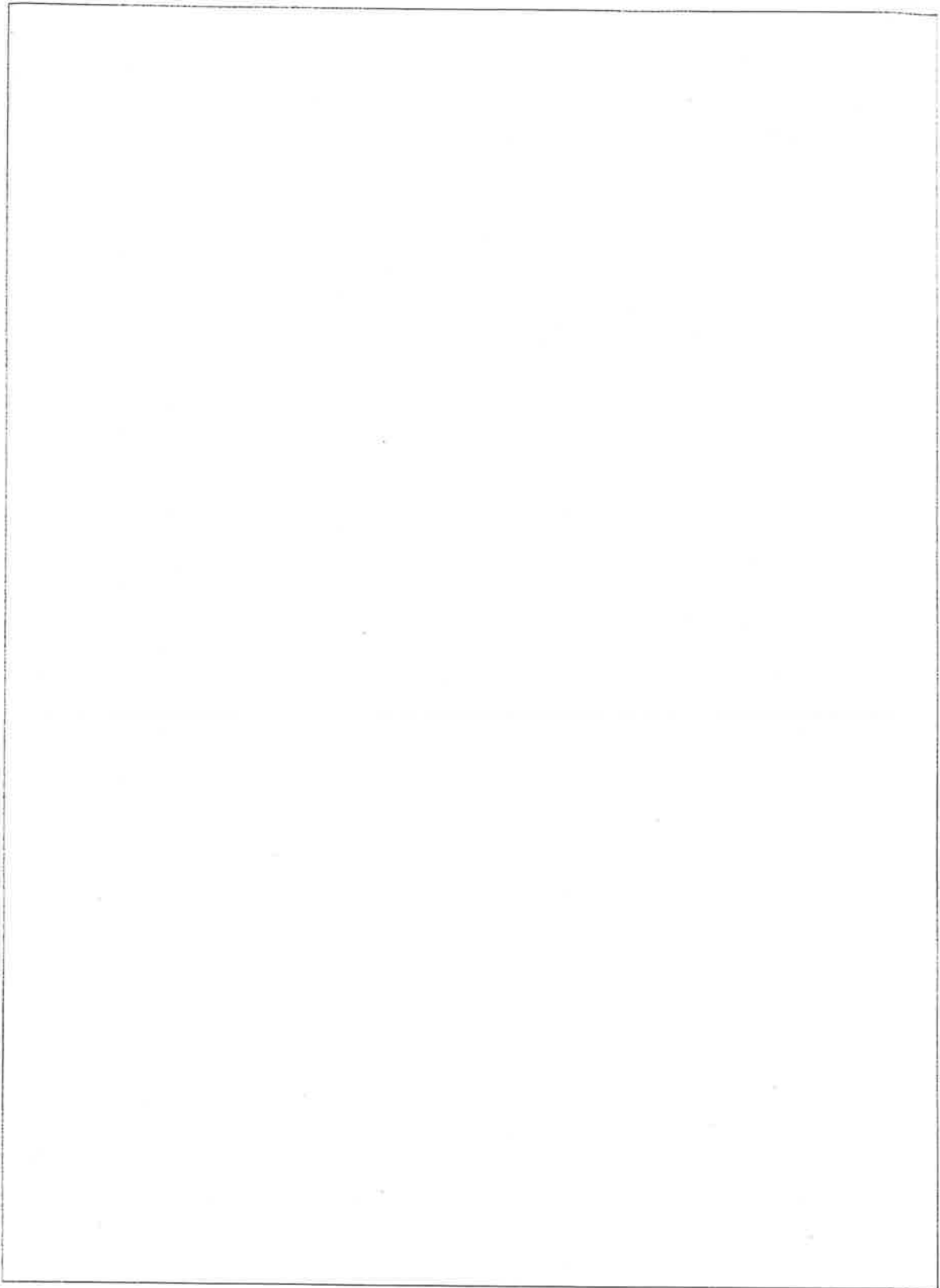
5c. Recorded music – see 5(g)	No	No	No
Live performances – see 5(g)	No	No	No
Dance facilities	No	No	No
Theatre	No	No	No
Films	No	No	No
Gaming	No	No	No
Indoor/outdoor sports	No	No	No
Televised sport	No	No	No

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.



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

*• We wish to hold day and/or evening tastings*

*• Outline order deliveries:*

- Age verification for under 25s*
- Deliveries 6am - 12am.*

**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 will only be allowed accompanied by a responsible adult; They will be allowed into the shopping area but not for sitting at the micro cafe. Children will not be allowed to attend tastings.*

**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

*During core hours.*

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

*Front shop only.*

**7. CAPACITY OF PREMISES**

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

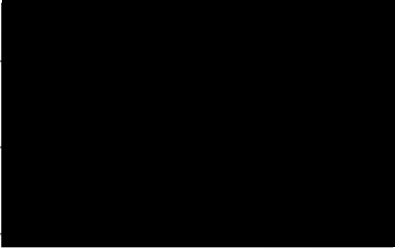
On-sales : 20 people  
Off-sales: 7.96 m<sup>2</sup>

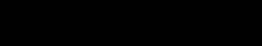
**8. PREMISES MANAGER**

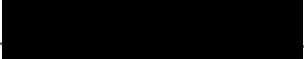
**(NOTE: not required where application is for grant of provisional premises licence)**

Full Name Svetlana Kukharчук

Date of birth 

Contact address 

Post Code 

Tel. No.  Email address svetlana@thecheeselady.co.uk

**Personal licence**

Date of issue 12.11.2010

Name of Licensing Board issuing Tife Licensing Board

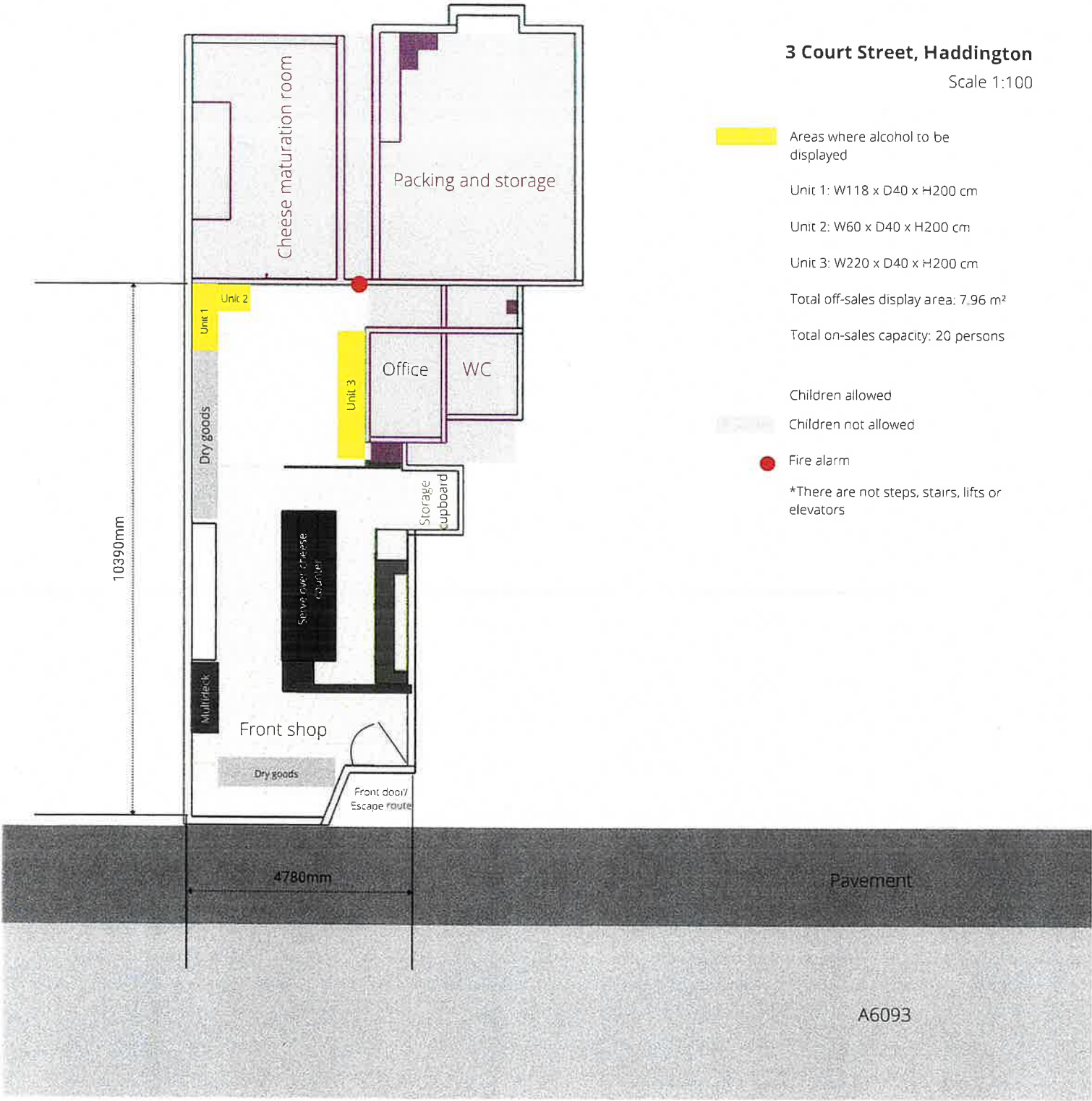
Reference no. of personal licence FI 2554





**3 Court Street, Haddington**

Scale 1:100



- Areas where alcohol to be displayed
- Unit 1: W118 x D40 x H200 cm
- Unit 2: W60 x D40 x H200 cm
- Unit 3: W220 x D40 x H200 cm
- Total off-sales display area: 7.96 m<sup>2</sup>
- Total on-sales capacity: 20 persons
- Children allowed
- Children not allowed
- Fire alarm
- \*There are not steps, stairs, lifts or elevators

02/06/2025

Your Ref: EL0380

Our Ref: 927568

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 VARIATION OF A PREMISES LICENCE  
THE CHEESE LADY  
3 COURT STREET, HADDINGTON, EAST LOTHIAN, EH41 3JD.  
THE CHEESE LADY LTD, 3 COURT STREET, HADDINGTON EH41 3JD**

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

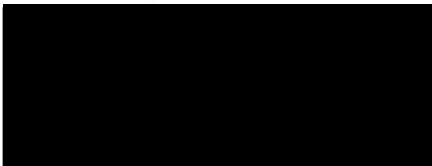
The variation requested consists of

- **Increase in premises capacity to 20 persons**
- **Add online order & deliveries**
- **Additional shelving for alcohol in retail area, capacity 7.96m<sup>2</sup>**

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 0131 654 5557.

# EAST LOTHIAN COUNCIL

## Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

---

Date: 14<sup>th</sup> July 2025

**Subject: LICENSING (SCOTLAND) ACT 2005**

**PREMISES LICENCE MAJOR VARIATION**

**EL0380, THE CHEESE LADY, 3 COURT STREET, HADDINGTON, EAST LOTHIAN EH41 3JD**

I can confirm that the application has been discussed with the applicant and premises have been visited in relation to this variation application. The site notice was correctly displayed.

The changes applied for are:

- Increase in off sales to 7.96m<sup>2</sup>
- Increase in on sales capacity to 12-20 people
- Addition of deliveries as an activity

In relation to on sales capacity this should be listed as the maximum number of people and not a range. I suggest this should be taken as 20 people.

I have received no complaints about the premises, however the premises licence holder has been guided to make this variation following activities not listed on the operating plan being conducted at the premises and the layout plan and off sales capacity previously being unclear. It is unclear if the delivery of alcohol would be with a delivery of food items or on its own.

I recommend that the board consider the below condition 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.

Licensing Standards Officer

**O'Reilly, Arlene**

---

**From:** Johnson, Darren  
**Sent:** 29 May 2025 16:12  
**To:** Licensing  
**Subject:** FW: Major Variation for The Cheese Lady, 3 Court Street, Haddington  
**Attachments:** 2025 TCL Layout plan.pdf; Major\_Variation\_application - The Cheese Lady.pdf; Premises Licence - The Cheese Lady.pdf; Operating\_Plan\_Application\_The Cheese Lady.pdf

Hi

No objections subject to standard conditions.

Darren

---

**From:** Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>  
**Sent:** 29 May 2025 15:41  
**To:** Johnson, Darren <djohnson@eastlothian.gov.uk>  
**Subject:** FW: Major Variation for The Cheese Lady, 3 Court Street, Haddington

Hopefully the last one for today, fingers crossed.

Tracey

---

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** 29 May 2025 15:35  
**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>; Cramer, Torquil <torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; all@haddingtoncc.org.uk  
**Subject:** FW: Major Variation for The Cheese Lady, 3 Court Street, Haddington

Good Afternoon

Please find attached Major Variation for The Cheese Lady, 3 Court Street, Haddington to add online deliveries, change capacity of shop to 20 people and off sales capacity 7.96m2 for report/representation by 23<sup>rd</sup> June, 2025.

Kind regards

Gillian

Gillian Herkes  
Licensing Officer  
Democratic & Licensing Services  
John Muir House  
Haddington  
East Lothian Council

## Herkes, Gillian

---

**From:** Robertson, Scott  
**Sent:** 30 May 2025 10:39  
**To:** Licensing  
**Subject:** RE: Major Variation for The Cheese Lady, 3 Court Street, Haddington

Hello,

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

Regards  
Scott

Scott Robertson | Assistant Planner – Planning Delivery | East Lothian Council | John Muir House | Haddington  
EH41 3HA

T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

---

**From:** Licensing <licensing@eastlothian.gov.uk>  
**Sent:** 29 May 2025 15:35  
**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>; Cramer, Torquil <torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; all@haddingtoncc.org.uk  
**Subject:** FW: Major Variation for The Cheese Lady, 3 Court Street, Haddington

Good Afternoon

Please find attached Major Variation for The Cheese Lady, 3 Court Street, Haddington to add online deliveries, change capacity of shop to 20 people and off sales capacity 7.96m2 for report/representation by 23<sup>rd</sup> June, 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

Email title: Licensing Board Applications – Objection by NHS Lothian Public Health

As a statutory partner in the licensing forum and reviewer of applications, NHS Lothian value receiving license applications and the opportunity to comment.

NHS Lothian continue to support the licensing board particularly in relation to the objectives of protecting and improving public health, and protecting children and young people from harm.

The licensing regime does not have responsibility for promoting business growth, but does have a legal requirement to promote the licensing objectives of ***Preventing crime and disorder; Securing public safety; Preventing public nuisance; Protecting and improving public health Protecting children and young persons from harm.***

Alcohol deaths in Scotland are increasing. There were 1,276 alcohol specific deaths registered in Scotland in 2022, an increase of 2%.<sup>1</sup> Levels of alcohol related harm in relation to crime, community safety, child welfare, health and wellbeing are concerning and have a greater affect in our most deprived communities, contributing to inequalities.

**NHS Lothian is submitting the following objection with regards to the premises applications at:**  
**The Cheese Lady**  
**3 Court Street**  
**Haddington**  
**EH413JD**

**The objection is based on the application being inconsistent with one or more of the licensing objectives.**

**We believe the application listed above is located within an area we have identified as having higher health related harm.<sup>2</sup>**

There has been good evidence for over a decade that increased alcohol outlet density is associated with harms to health. Overprovision of alcohol creates harm by directly increasing opportunities for purchases, and influences the perceived normality of alcohol consumption, including the exposure to children and young people. Overprovision also makes it more difficult for people to recover from alcohol dependence. Specifically within Scotland, researchers at the University of Edinburgh have found that alcohol related mortality and morbidity are significantly higher in neighbourhoods with a greater density of alcohol outlets (on and off sales). This relationship was particularly striking for off sales outlet density.<sup>3</sup>

#### Protecting and improving public health

There is strong evidence that when alcohol is more available, due to more places to buy or longer opening hours, people buy and drink more, resulting in an increase in harm to health and alcohol related crime.<sup>4</sup>

<sup>1</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

<sup>2</sup> As calculated by Public Health and submitted to be considered as part of the licensing statement consultation.

<sup>3</sup> [https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4415114/#:~:text=An%20IQR%20increase%20in%20off,%2C%2015%25%20higher%20mortality\).](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4415114/#:~:text=An%20IQR%20increase%20in%20off,%2C%2015%25%20higher%20mortality).)

<sup>4</sup> <https://exilens.stir.ac.uk/>

Excessive use of alcohol is linked to a range of physical and mental health problems, as well as accidental injury and premature mortality. Medical conditions linked with alcohol use include high blood pressure, liver disease, stroke, cancer and brain damage.

The license board should consider the cumulative implication for each license application across the population, including implication on children and young people, and those recovering from alcohol dependency. The licencing board has a powerful role in reducing availability and acceptability over time, by acting on both the number and opening hours of on and off licence premises.

More licensed premises contribute to population alcohol related harm: <sup>5, 6</sup>

- Alcohol-specific deaths are 4.3 times higher in the most deprived areas compared to the least deprived areas (1.8 times higher for all causes of death).
- Alcohol related death rates in neighbourhoods with the most off-sales outlets were 2.4 times higher than in neighbourhoods with the least.

#### Protecting children and young persons from harm

Alcohol use is the leading cause of harm in young people and increases the risk of alcohol dependency in adulthood. Children have no control over what they are exposed to and therefore limiting exposure to alcohol is crucial, especially since:<sup>7</sup>

- Off sale alcohol outlets accounted for 47% of children's exposure.
- Children living in the most deprived communities were almost 5 times more likely to be exposed to off sale alcohol outlets than children in the least deprived areas.
- Children living in the most deprived communities were almost 3 times more likely to be exposed to on sale alcohol outlets than children in the least deprived areas.
- Children in deprived areas experienced 31% of their exposure to off sales outlets within 500 m of their homes compared to 7% for children from less deprived areas.
- Children from all areas received 22—32% of their exposure within 500 m of schools, but the proportion of this from off sales outlets increased with area deprivation.

Thank you for considering this written objection. We will not be objecting in person. Please contact us directly if you wish to discuss further.

<sup>5</sup> <https://www.alcohol-focus-scotland.org.uk/media/310734/alcohol-outlet-availability-and-harm-in-city-of-edinburgh.pdf>

<sup>6</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

<sup>7</sup> Inequalities in children's exposure to alcohol outlets in Scotland:  
<https://bmcpublihealth.biomedcentral.com/articles/10.1186/s12889-022-14151-3>