

SUMMARY - Application for Premises Licence: Hopetoun Farm Shop

Submission date: 27th June 2011
By: Donald Noble for the Hopetoun Estate
Response deadline: Monday 9th August 2011 (extended by exception from 29th July 2011 due to mis-addressing of WLLB notification to NCC)

Licensing Board Hearing: Friday 12th August 2011 at 10.00am
in WLC Council Chamber, Civic Centre, Livingston

Operating Plan:

Alcohol sales for off-premises consumption *only*

Core (off-sales trading) hours:

Mon - Fri: 10.00 - 18.00

Sat - Sun: 10.00 - 17.00

Licensed area:

Triangular area at right front of sales floor containing:

▲ Alcohol table: 1.8m x 1.5m = 2.7 m²

▲ Shelving: 4.5m x 2m + 1.2m x 2m = 11.4 m²

▲ Secure area: 2m x 1m = 2 m²

Premises Details:

Located away from residential properties "in wooded area"

Operated as farm shop, including bakery, butcher counter, delicatessen & produce sales

Also "special events - occasional evening cookery / tasting events (may be outwith core hours)"

"Parking for 60 cars"

Trading hours:

Mon - Fri: 08.00 - 18.00

Sat: 09.00 - 17.00

Sun: 10.00 - 17.00

Manager: Elaine Shirley, Bathgate, Personal Licence No: WL990

NCC Secretary's Notes & Comments:

- ▲ In the most recent WLC Survey of Licensed Premises, Newton CC District is identified as over-served per population "without observable adverse effects on health or public safety".
- ▲ There are 3 licensed premises in the NCC district:
 - ▲ Duddingston Arms, Newton (on- and off-licence sales)
 - ▲ Hopetoun House (on-premises consumption only)
 - ▲ Newton Stores, Newton (off-premises consumption only)
- ▲ WLLB's Legal Assistant assured me that alcohol-related activities (off-sales or free on-premises "tasting" consumption) outside core hours can only be undertaken if an additional, special licence is requested and granted, but James has told me that it's more complicated than this, and will advise us in a follow-up email
- ▲ There are no public toilets in the Hopetoun Farm Shop. These are not required for off-sales. WLLB's assistant thought that these would likely be a pre-condition for any special licence, but again James will explain the more complex situation to us
- ▲ If the CC makes an objection or representation regarding this application, at least one Community Councillor **must** attend the hearing



Secretary Newton Community Council
<newtoncc.sec@gmail.com>

More: Licensing Application by Hopetoun Farm Shop

Secretary Newton Community Council
<newtoncc.sec@gmail.com>

4 August 2011
16:58

To: "McInnes, Douglas" <mcinnes100@yahoo.co.uk>, "Thornton, Janet" <jmthornton@fsmail.net>, "Boggon, Bill" <boggon@lineone.net>, "Jamieson, Ron" <midward@btinternet.com>, "Ormond, Rupert" <rupert.ormond.mci@gmail.com>, "Muir, Gordon" <gordon.jg.muir@gmail.com>, Tweetie Nimmo <nimmo@onebillinternet.co.uk>
Cc: James Gourlay <jamesgourlay@live.co.uk>
Bcc: "Thornton, Janet" <janet.thornton@diageo.com>

Councillors:

Some of you have already responded about this, and there does seem to be a commonality of view emerging. For completeness, however, this email conveys the promised additional information.

After consideration, James has recused himself from this matter on the basis of his commercial interest. Very kindly he has nonetheless provided me with the additional information regarding the application, spoken to Dougal and Leslie on behalf of the CC, and provided his view of the application as landlord of the Duddingston Arms. I provide this information below:

1. Regarding 'special licence' requirements, so long as tasting / sampling events take place between 10.00 - 22.00 hrs., irrespective of whether a fee of any sort is charged, so long as a personal licence-holder in good standing supervises the event, an occasional licence would enable alcohol to be provided. Occasional licences are granted automatically (i.e. without community notification or hearing) on payment of a £10 fee by a personal licence-holder in good standing
2. Regard the availability of public toilets, it is unlikely that WLLB would seek to enforce the requirement for an occasional licence, but if it did, it's probable that staff toilets could be used to fulfil the requirement for a one-off event
3. New Hopetoun Gardens has no concerns regarding the application
4. The Duddingston Arms is supportive of the application

I hope you find this useful. Again, I would be grateful to have the views of all Councillors by **Saturday, 6th August**.

Thanks very much
Evelyn



Secretary Newton Community Council <newtoncc.sec@gmail.com>

Hopetoun Farm Shop Off-Licence Application

Hudson, Linda <Linda.Hudson@westlothian.gov.uk>
To: Secretary Newton Community Council <newtoncc.sec@gmail.com>

8 August 2011 09:40

.. thanks for that.

Linda.

From: Secretary Newton Community Council [mailto:newtoncc.sec@gmail.com]
Sent: 07 August 2011 13:54
To: Hudson, Linda
Subject: Hopetoun Farm Shop Off-Licence Application

Dear Ms Hudson

After consideration, the Newton Community Council has agreed to make no submission regarding the Hopetoun Farm Shop off-sales licence application.

Thank you very much for taking the time to make the details of this application available to us, and for your extra help in explaining points of information and procedure to me. This allowed our Community Council to take an informed view.

Best regards

Evelyn

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Evelyn Woollen

Secretary, Newton Community Council

www.NewtonCC.btik.com

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<http://www.westlothian.gov.uk>
