

EL 419

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East Lothian Council
Licensing

27 FEB 2025

Received

Police, Fire, NHS

By: EHS,
LSO CPSC

APPLICATION FOR PREMISES LICENCE / PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

Advert 9/3 → 25/3

last adj 25/3

Question 1 – Name, address and postcode of premises to be licensed

Carlo's

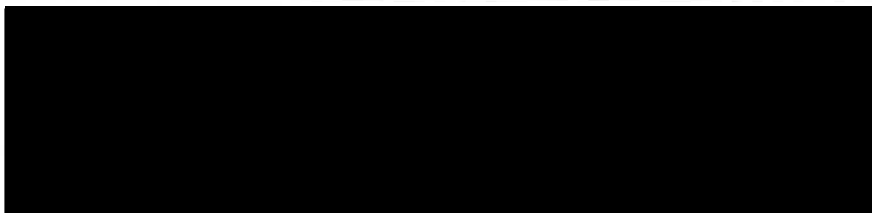
40e Links Road, Port Seton, EH32 0EA

3d

Question 2 – Particulars of applicant

2(a) Where applicant is an individual, provide full name, date & place of birth, home address including postcode, telephone number & email address.

Carlo Andreucci



2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

Question 3 – Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?

YES ☐ NO ☒

If YES – provide full details _____

Question 4 – Previous convictions

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)

YES ☐ NO ☒

If YES – provide full details. For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974.

NAME	DATE	COURT	OFFENCE	SENTENCE

- (1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

The contents of this Application are true to the best of my knowledge and belief.

Signature _____ * (see note below)

Date 26/2/21

APPLICANT / AGENT (delete as appropriate)

Macdonald Licensing

21a Rutland Square

Telephone number and email address of signatory Edinburgh, EH1 2BB

0131 229 6181

alistair@macdonaldlicensing.com

I have enclosed the relevant documents with this application – please tick the relevant boxes

☒ Operating plan

☒ Layout plan (highlighting the area where alcohol is sold/consumed)

☒ Planning certificate

☐ Building standards certificate

☐ Food hygiene certificate

* Data Protection Act 2018

The information on this form may be held on an electronic public register which may be available to members of the public on request.

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Carlo's Fish Bar & Restaurant
40e Links Road
Port Seton
EH32 0DZ

Question 1

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

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

Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11am	11pm
Tuesday	11am	11pm
Wednesday	11am	11pm
Thursday	11am	11pm
Friday	11am	11pm
Saturday	11am	11pm
Sunday	11am	11pm

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	No	No	No
Restaurant facilities	Yes	Yes	Yes
Bar meals	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
Receptions including Weddings, funerals, birthdays, retirements etc.	Yes	Yes	Yes
Club or other group meetings etc.	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
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	Yes	Yes	Yes

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES
	<i>*Delete as appropriate</i>	

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 welcomed. No restriction in the takeaway section. In the seating area, children may be unaccompanied until 7pm. No restriction on young persons.

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

No restriction (0-17 years).

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

No restriction.

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

All public areas.

Question 7

CAPACITY OF PREMISES

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

On Sales – 48 customers

Off Sales – 1.11 square metres

Question 8

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

Personal details

8(a) *Name*

--

8(b) *Date of birth*

--

8(c) *Contact address*

--

8(d) *Email address*


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8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of  the best of my knowledge and belief.

Signature * (see note below)

Date 26/2/15

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

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.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.



SUPPLEMENTARY APPLICATION INFORMATION

This information is required in relation to all Premises Licence/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

BUSINESS PROFILE

Please describe your business offering

This is a Restaurant and Takeaway, specialising in Italian Cuisine and providing a facility for customers either to dine in or to purchase a takeaway for consumption off the premises.

The premises opened a few weeks following a major refurbishment.

The Application includes on sales and off sales.

ON CONSUMPTION

(a) Please describe the type of business you intend to operate in respect of On consumption.

On sales will be for these customers in to have something to eat for consumption in the restaurant, and the off sales will be for customers who are purchasing or collecting a takeaway.

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

Not applicable.

Activities Outwith Licensed Core Hours - In your Operating Plan, at 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

Our clients may open prior to core hours for early morning snacks and breakfast but no alcohol will be sold or supplied before licensed hours commence.

Any Other Activities - In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

We have mentioned deliveries.

We have also mentioned takeaways.

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

This is a family friendly facility. It is expected that families will come here for a sit down meal and children will be very welcomed.

There will be baby changing facilities available

Children may also be with adults to order or collect a takeaway, and Young Persons may be unaccompanied for this purpose.

Protecting and Improving Public Health

This is a food driven business, offering a range of foods, not just Italian meals, but a variety of food stuffs that you might expect in a takeaway, including pizzas, burgers, kebabs, fish & chips etc. Soft drinks are available, plus teas and coffees.

Drink will be very much ancillary to the main offering of food, whether to sit in or takeaway. If our clients considered that alcohol had to be refused for any reason, including a customer being under the influence or drunk, or showing any behaviour that might indicate a vulnerability, such as misuse of drugs etc, then they will be refused alcohol.

Protecting Children and Young Persons From Harm

As we've already mentioned, these premises will be family friendly, and Children and Young Persons will be welcomed.

Staff will be trained to look out for any issues, and any specific requirements of Children and Young Persons and to facilitate the family having a good time while they are in the restaurant.

APPLICATION SUPPORTING COMMENTS

Additional Information

This is a large investment by our Applicants family, and they are sure that there is a demand in Port Seton for an outlet of this type. They want to provide a sit in facility as well as takeaways, and the initial reaction has been extremely positive.

Supporting Comments

i.e. reasons why the Board should support your application.

This is the restoration of former licenced premises by a responsible proposed licensee and his family, including his daughter Lucia and her husband Loris Di Vetta (the chef).

It is a large investment in a town that hopefully you can agree will appreciate this. It will of course be used by tourists and visitors to Port Seton, but it is also aimed at the Local Community and our client expects to build up a regular clientele. That seems to be the early indication.

Our client would ask for the Boards support in realising this.

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

This is a newly refurbished unit in Port Seton and there should be no issue with access by a customer in a wheelchair. See photo attached.

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

There is table service available, and the area for takeaways is quite large and should not create difficulties for someone in a wheelchair. However staff will be trained to monitor queues and deal with customers with issues involving mobility, sight, hearing etc accordingly.

The safety and well-being of the customers and staff, is of paramount importance to the applicants.



East Lothian Council

LICENSING (SCOTLAND) ACT 2005
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

SECTION 50
PLANNING CERTIFICATE

APPLICANT: **Lucia Di Vetta**

NAME AND
ADDRESS OF
PREMISES: **Carlo's, 40E Links Road, Port Seton, EH33 2AP**

SECTION 50 PLANNING CERTIFICATE

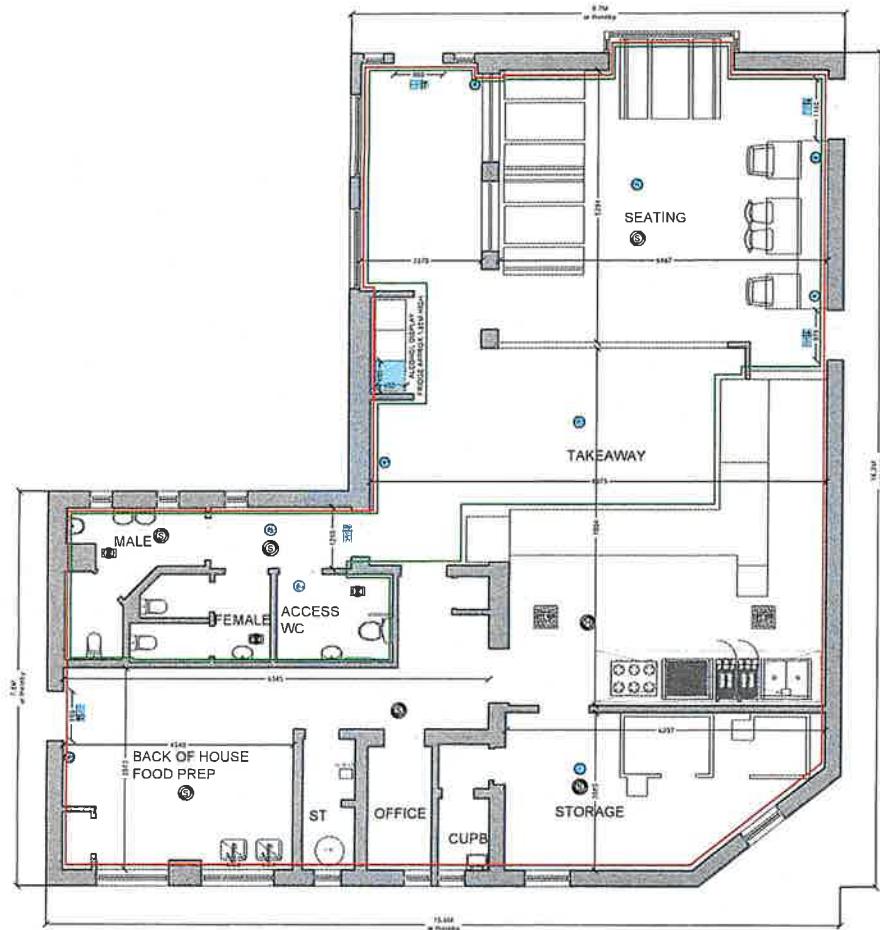
- ☐ I confirm that planning permission (ref:.....) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- ☐ I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

- ☒ I confirm that planning permission (ref: 13/00752/P) has been obtained in respect of the construction or conversion of the subject premises.
- ☐ I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License to cover the above proposals.

Signed:		Date:	21 st February 2025
Keith Dingwall Chief Planning Officer			



Ground Floor Plan
Scale 1/100



Site Location Plan
Scale 1/1250

LEGEND:

- ① HEAT DETECTOR
- ② SMOKE DETECTOR
- ③ EMERGENCY LIGHTING
- ④ ILLUMINATED EXIT SIGNAGE
- ⑤ FIRE ALARM PUSH
- LICENSED AREA
- ACCESS FOR CHILDREN & YOUNG PERSONS

FIRE MASTER NOTES

Fire Warning System to comply with British Standard BS39: Part 1, 2002.

Emergency Lighting System to comply with British Standard BS266: Part 1, 2005, (Maintained-2 hour duration) and BS EN 1838: 1999 (or BS 5266-7: 1999).

Firefighting Equipment to comply with British Standard EN3, British Standard 7863: 1995, British Standard 5306-3:2003 and British Standard 5306-8: 2000.

Signs and Notices to comply with the Health and Safety (Safety Signs and Signals) Regulations 1996 and/or British Standard 5499: Part 1, 2002.

The applicant must ensure that the upholstered furniture satisfies the Cigarette and Match Ignitability Test specified in British Standard 5852: 1990 (1998).

A Certificate of Compliance to the aforementioned British Standards should be issued by a competent person and forwarded to the Fire Authority prior to, or on the date of final inspection of the premises.

rev	date	details	by	rev	date	details	by

THIS DRAWING WAS PREPARED TO OBTAIN BUILDING CONTROL AND/OR PLANNING PERMISSION AND CAN ONLY BE USED AS A WORKING DRAWING WITH PERMISSION FROM FORMAT BUILDING DESIGN.

THIS OFFICE'S LIABILITY ENDS UPON THE RECEIPT OF A DECISION FROM BUILDING CONTROL AND/OR THE PLANNING DEPARTMENT.

THIS DRAWING IS NOT TO BE REPRODUCED WITHOUT PERMISSION.

CONTRACTOR NOT TO DEVIATE FROM THE APPROVED DRAWING WITHOUT INFORMING FORMAT DESIGN.

ALL SIZES AND DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR AND MANUFACTURER.

SERVICES OFFERED:

MEASURED SURVEYS
PLANNING CONSULTANTS
FEASIBILITY STUDIES
NEW BUILDS

PLANNING APPLICATIONS
LISTED BUILDING APPLICATIONS
BUILDING WARRANT APPLICATIONS
LIQUOR LICENSING DRAWINGS
DEED PLANS

drawing title: Licensing Plan

job title: 40 E links Road, Port Seton

client: Carlo Andreucci

status: Licensing

scale: @A3

drawing no. 14531 04 01

date: 17.02.25

drawn: MJ

format DESIGN

FADADS Limited

Holyrood Business Park 146 Duddingston Road West Edinburgh EH16 4AP

Tel 0131 651 7665
Fax 0131 659 6003

Email: formatdesign@fadi.com
Web: www.formatbuildingdesign.com



EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 10th March 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

CARLO'S, 40E LINKS ROAD, PORT SETON, EAST LoTHIAN EH32 0EA

I refer to the above subject and can confirm that the applicant has liaised with the LSO in relation to this application.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

On my visit the premises is newly opened after refurbishment. I spoke with Mr Andreucci who explained who the business would be run, with the intention that his daughter Lucia Di Vetta will become premises manager should the provisional premises licence be granted and then confirmed. The premises has started to operate using occasional licences submitted by Ms Di Vetta. Signage was displayed and staff training was already completed.

I can confirm that the application is compliant with the act.

The off sales capacity applied for is 1.11 m². Within an 800m radius there are 4 other premises as follows:

Co-op, 41 Links Road, Port Seton – Off sales

The Seaglass, Links Road, Port Seton – On and off sales

The Thorntree, 100 High Street, Cockenzie – On and off sales

Cockenzie and Port Seton Bowling and Recreation Club, King George V Park – On and off sales

I recommend the following condition be considered 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.

If successful in obtaining the provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.

Licensing Standards Officer

04/03/2025

Your Ref: EL414

Our Ref: 902982

The Clerk of the Licensing
Committee
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 GRANT OF A
PREMISES LICENCE
CARLO'S FISH BAR & RESTAURANT
40E LINKS ROAD, PORT SETON, EAST LOTHIAN, EH32 0DZ.
CARLO ANDREUCCI [REDACTED]**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Gregg Banks
Divisional Commander

For enquiries, please contact the Licensing Department on 0131 654 5557.

Licensing

From: Robertson, Scott
Sent: 03 March 2025 08:28
To: Licensing
Subject: RE: EL414 - Carlo's, 40e Links Road, Port Seton EH32 0EA - Application for Provisional Premises Licence

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: 28 February 2025 10:41
To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; Kat Burke (kat.burke@nhs.scot) <kat.burke@nhs.scot>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; cockenzieandportseton@hotmail.com
Subject: EL414 - Carlo's, 40e Links Road, Port Seton EH32 0EA - Application for Provisional Premises Licence

Hi

Please find attached EL414 - Carlo's, 40e Links Road, Port Seton EH32 0EA - Application for Provisional Premises Licence for report/representation by 25th March 2025.

Regards

Alison

Alison Rafferty
Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

****please note my working week is Monday, Tuesday, Thursday, Friday**

Protect Our Privacy: use a password manager to store your passwords. Never leave passwords near your computer or use the same password for multiple applications

Licensing

From: Macdonald, Holly
Sent: 28 February 2025 14:46
To: Licensing
Subject: SR: 25/00267/LICPRM - 14/00113/COM Carlo's Fish Bar And Restaurant
Sensitivity: Confidential

Hello,

14/00113/COM

In relation to Carlo's Fish Bar And Restaurant, the provisional licence that was received by the department can be approved at this stage. No comments for the licence, a Section 50 certificate may be issued in the future if the full licence application is received.

Thanks so much

Best Wishes

Holly Macdonald (*She/Her*)
Environmental Health Officer
Business Compliance
Protectice Services
East Lothian Council
Phone: 07713326029
Email: hmacdonald@eastlothian.gov.uk
Website: www.eastlothian.gov.uk

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



East Lothian Council