

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 12th May 2025

Subject: LICENSING (SCOTLAND) ACT 2005

6(i)

PREMISES LICENCE REVIEW

**EL0272 – WIREMILL SOCIAL CLUB, 4 BALCARRESS ROAD, GOOSE GREEN,
MUSSELBURGH, EAST LoTHIAN EH39 4AN**

On 7th May 2025, I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

The East Lothian Licensing Board wishes to review the above premises licence under section 37 under the grounds in section 36(3)(za) and 36(a) of the Act.

In terms of Section 38(4) of the Act, I have prepared this report outlining information relevant to the review for the consideration of Licensing Board Members.

Licensing Standards Officer

Summary of Information

Premises licence – EL0272, Wiremill Social Club

On 1st September 2009, following conversion, East Lothian Licensing Board granted a premises licence under the Licensing (Scotland) Act 2005 at Wiremill Social Club, 4 Balcarres Road, Goose Green, Musselburgh, East Lothian with premises licence number EL0272. The premises licence holder is Wiremill Social Club deemed to be the committee.

On 16th February 2015, John Derek Johnson was granted a personal licence by East Lothian Licensing Board with number EL1155 and expiry date 15/02/2025. Mr Johnson completed his 5-year refresher training in 2020 as required.

On 25th March 2015, a minor variation application was granted to appoint John Derek Johnson as premises manager on premises licence EL0272, Wiremill Social Club.

On 15th February 2025, personal licence number EL1155 for John Johnson, expired and no renewal application was submitted.

The Licensing Board did not receive any notification from the premises licence holder at Wiremill Social Club in relation to the premises manager's personal licence expiry or that he had left his position as premises manager.

I was made aware by PC Stephen Gibson that an incident of disorder had occurred at Wiremill Social Club on 22nd February 2025, which police attended and found alcohol was being sold. It was established that the premises manager's personal licence had expired the week before.

On 26th February 2025, I spoke with Ashley McGarvie, Committee Secretary. I informed her that all sales of alcohol that had occurred whilst John Johnson's personal licence had expired were a breach of premises licence mandatory condition 4 and an offence under Section 1 Licensing (Scotland) Act 2005. I asked that all sales of alcohol cease immediately until a suitable premises manager was appointed. I detailed the correct process to appoint a premises manager by way of minor variation. I informed PC Stephen Gibson of this phone call.

On 27th February 2025, the Licensing Board received a notification of office bearers, detailing the committee members elected on 17th November 2024 as follows:

Chair – Gayle McGill

Secretary – Ashley McGarvie

Treasurer – Lynn Hastie

Vice Chair – Ross McGarvie

Bar Convenor – Cheryl Vickers

On 28th February 2025 a minor variation application was granted to appoint Cheryl Vickers as premises manager, submitted by Ashley McGarvie.

I have been made aware that Police are investigating the matters above and that it was established that the premises manager left in November following the election of the committee at the AGM.

Over the last 3 years, I have received some noise complaints about the premises from neighbouring residents. Numerous meetings have been held with the premises licence holder (committee) to try and resolve the issue and improve compliance. Guidance has been given by Environmental Protection Officers, Licensing Standards Officers and Police in relation to managing the premises. Mr Johnson was never present at these meetings, however, each time I asked if he was still in post I was informed, he was. The complaints have historically been submitted over the spring and summer period with a gap over the winter months. I received a recent complaint on Saturday 3rd May 2025, detailing loud music to the extent the DJ could be heard talking. I contacted the committee and Ashley McGarvie responded that the committee were taking all reasonable steps to monitor the noise using the guidance previously given by Environmental Protection Officers. Prior to the recent complaint the last complaint was received in August 2024. I have been in contact with the Environmental Protection Officers and at this stage it would not be considered an actionable noise nuisance, and further information would be required.

Licensing Board's Powers on Review

Licensing (Scotland) 2005 Section 39 (1) At a review hearing in relation to any premises licence, the Licensing Board may, if satisfied that a ground for review is (whether or not on the basis of any circumstances alleged in the premises licence review proposal or application considered at the hearing) take such of the steps mentioned in subsection (2) as the Board considers necessary or appropriate for the purposes of any of the licensing objectives.

(2) Those steps are—

- (a) to issue a written warning to the licence holder,
- (b) to make a variation of the licence,
- (c) to suspend the licence for such period as the Board may determine,
- (d) to revoke the licence.

(3) On making a variation under subsection (2)(b), the Board may provide for the variation to apply only for such period as they may determine.

The circumstances suggest that the current committee were not in control of the premises and have failed in their responsibilities as premises licence holders. The sale of alcohol without a premises manager was permitted and mandatory premises licence condition 4 was breached.

Licensing Standards Officer

14/05/2025

Your Ref: **EL272**

Our Ref: 922155

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

IN CONFIDENCE FOR THE ATTENTION OF EAST LoTHIAN LICENSING BOARD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
REQUEST FOR INFORMATION REGARDING
LICENCE NO: EL272
PREMISES: WIREMILL SOCIAL CLUB
4 BALCARRES ROAD, GOOSE GREEN, MUSSELBURGH, EAST LoTHIAN,
EH21 7SB.
PREMISES LICENCE HOLDER: Wiremill Social Club Committee**

In regard to the request for review of Licenced premises EL272, Wiremill Social Club, Musselburgh after invitation from Carlo Grilli, Clerk to the Licensing Board, I wish to report the following on behalf of Police Scotland.

The premises license holder is the Wiremill Social Club Committee, and the current Designated Premises Manager is Cheryl Vickers. Cheryl Vickers holds Personal Liquor Licence EL2344 granted by East Lothian Licensing Board on 18th February 2025.

The previous Designated Premises Manager was John Derek Johnson who held a Personal Liquor Licence EL1155 granted by East Lothian Licensing Board. This Personal Licence expired on 16th February 2025. Mr Johnson left the employment of the Wiremill Social Club on 7th December 2024. From this date onward there was no Dedicated Premises Manager for the Wiremill Social Club in place.

PS-20241215-0011

OFFICIAL

On 15th December 2024, police were called by staff at the Wiremill Social Club reporting a disturbance within the premises. Officers attended and observed patrons within drinking alcohol. The person in charge on police attendance was Gail McGill, chair of the committee.

PS-20250222-3603

On 22nd February 2025, police were contacted by staff and members of the public regarding an ongoing disturbance within the premises. Officers noted that patrons within were drinking alcohol within the premises.

On 27th February 2025, Police Scotland received an application from East Lothian Council to substitute the Designated Premises Manager of the Wiremill Social Club to Cheryl Vickers. This application was signed and dated 26th February 2025. The relevant checks were carried out by Police Scotland and the application was returned to East Lothian Council with no police objections.

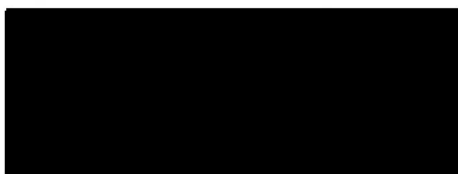
Between 1st March 2025 and the date of this correspondence there have been three inspections of the Wiremill Social Club. No issues were highlighted during these inspections.

Police Scotland fully support the request from East Lothian Council that the premises license of the Wiremill Social Club should be reviewed as the premises has failed to comply with the licensing objectives and the Licensing (Scotland) act 2005 as follows.

The premises operated between 7th December 2024 and 27th February 2025 without a Designated Premises Manager being in place.

Police Scotland respectfully submit this report to the Board for consideration in full support of the review request submitted by East Lothian Council.

Yours faithfully



Gregg Banks
Divisional Commander

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

Licensing

From: Grilli, Carlo
Sent: 07 May 2025 10:45
To: Licensing Standards Officer; lothianscotborderslicensingeastmid@scotland.police.uk
Cc: stephen.gibson@scotland.police.uk; Licensing
Subject: FW: Review Proposal - EL0272 - Wiremill Social Club, Musselburgh - Request for Information

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Dear Licensing Standards Officer and Police Scotland,

Under section 37 Licensing (Scotland) Act 2005, East Lothian Licensing Board proposes to initiate a review of premises licence EL0272 – Wiremill Social Club, 4 Balcarres Road, Goose Green, Musselburgh, East Lothian. Premises licence holder – current committee.

Information has come to the attention of the Licensing Board that alcohol was sold at the premises without a premises manager for the period between November 2024 and February 2025 and during this time there was an incident of disorder in February 2025. The licensing Board wish to consider this under the following grounds for review within section 36 Licensing (Scotland) Act 2005:

- 3(Za) giving regard to the licensing objectives the licence holder is not a fit and proper person to be the holder of a premises licence,
- 3(a) that one or more of the conditions to which the premises licence is subject has been breached.

The licensing objectives to be considered are preventing crime and disorder, securing public safety and preventing public nuisance.

In the course of the review the Licensing Board may include information that the Board considers relevant to the alleged ground of review in relation to the licence holder, connected persons in relation to the licence holder or interested parties in relation to the licenced premises.

Therefore the Board request information from the following agencies in relation to the premises – Licensing Standards Officer and Police Scotland.

Please submit this information by **close of business on the 14th of May** to allow this hearing to come forward at may's board on 22nd of May.

Please note that the reason for this coming through in short timeframe is that there is already a Personal License application that has been reported on by the LSO linked to this premises and these matters should be heard at the same board. Further this needs to be heard within the statutory 42day period therefore the May board is the only scheduled board meeting that would comply with this.

Please respond directly to licensing@eastlothian.gov.uk

Kind Regards

Carlo

Our Reference: CG/GH

Date: 8th May 2025

Private & Confidential

Committee of Wiremill Social Club
4 Balcarres Road
Musselburgh
East Lothian
EH21 7SB

COPY

Dear Committee Chair – Gayle McGill

LICENSING (SCOTLAND) ACT 2005 – SECTION 37(1)

NOTIFICATION OF PREMISE REVIEW HEARING

EL0272 – Wiremill Social Club, 4 Balcarres Road, Musselburgh, East Lothian EH21 7SB

The Licensing Board, has resolved to hold a review hearing, in terms of Section 37(1) of the Licensing (Scotland) Act 2005, on the grounds of giving regard to the licensing objectives the licence holder is not a fit and proper person to be the holder of a premises licence and one or more of the conditions to which the premises licence is subject to has been breached. The condition detailed in Mandatory Condition 4 – The Premises Manager.

The Review Hearing will be heard at the next meeting of the Licensing Board to be in the Council Chambers, Town House, High Street, Haddington or by Hybrid System at 10.00am on **Thursday 22nd May 2025**.

The Committee Office Bearers are entitled to attend the hearing, and the Board members may, but are not obliged to, invite you to give your views in respect of this matter. If you wish someone else to represent you at the Hearing, you will be required to provide a written mandate confirming that they are instructed to do so. You can provide that mandate to this office in advance of the Hearing.

The Licensing Board has asked the Licensing Standards Officer and Police Scotland to prepare a report into this matter for their consideration at the Hearing.

A copy of the reports, details of the Board hearing and agenda will be sent to you in due course.

Yours sincerely

Carlo Grilli
Clerk to the Licensing Board

Direct Dial : 01620 827664

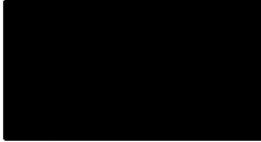
E-mail : licensing@eastlothian.gov.uk

Our Reference: CG/GH

Date: 8th May 2025

Private & Confidential

Gayle McGill
Committee Chair – Wiremill Social Club



COPY

Dear Committee Chair – Gayle McGill

**LICENSING (SCOTLAND) ACT 2005 – SECTION 37(1)
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EL0272 – Wiremill Social Club, 4 Balcarres Road, Musselburgh, East Lothian EH21 7SB

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E-mail : licensing@eastlothian.gov.uk

Our Reference: CG/GH

Date: 14th May 2025

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Gayle McGill
Committee Chair – Wiremill Social Club



Carlo Grilli
CLERK OF THE LICENSING BOARD

John Muir House
Haddington
East Lothian
EH41 3HA
licensing@eastlothian.gov.uk

Dear Committee Chair – Gayle McGill

**LICENSING (SCOTLAND) ACT 2005 – SECTION 37(1)
NOTIFICATION OF PREMISE REVIEW HEARING
EL0272 – Wiremill Social Club, 4 Balcarres Road, Musselburgh, East Lothian EH21 7SB**

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Clerk to the Licensing Board

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E-mail : licensing@eastlothian.gov.uk

Our Reference: CG/GH

Date: 14th May 2025

Private & Confidential

Committee of Wiremill Social Club
4 Balcarres Road
Musselburgh
East Lothian
EH21 7SB



Carlo Grilli
CLERK OF THE LICENSING BOARD

Dear Committee Chair – Gayle McGill

John Muir House
Haddington
East Lothian
EH41 3HA
licensing@eastlothian.gov.uk

**LICENSING (SCOTLAND) ACT 2005 – SECTION 37(1)
NOTIFICATION OF PREMISE REVIEW HEARING**

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