

Our Ref: CG/ca/EN/L/Review

Date: 22nd May 2025

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

COPY

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Dear Sir/Madam

**LICENSING (SCOTLAND) ACT 2005 - OUTCOME OF REVIEW HEARING
SUSPENSION OF PREMISES LICENCE
EL0272 - Committee of Wiremill Social Club, 4 Balcarres Road, Musselburgh, East
Lothian, EH21 7SB**

East Lothian Licensing Board, at its meeting of 22nd May 2025, held a Review of the premises licence of the above premises, in terms of Section 37(1) of the Licensing (Scotland) Act 2005.

The Board decided to **suspend** the Premises Licence for a period of one month with immediate effect, in terms of Section 37(1) of the Licensing (Scotland) Act 2005.

Accordingly, you must not sell alcohol until 26th June 2025. The police have been advised of this suspension.

You have a right of appeal to the Sheriff Principal. The suspension will continue to have effect while any appeal is being considered.

Yours faithfully

Carlo Grilli
Clerk to the Licensing Board

Cc: Police Scotland – E Division Headquarters, Newbattle Road, Dalkeith

Direct Line: 01620 827867
e-mail: licensing@eastlothian.gov.uk

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Dear Chair - Gayle McGill

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Dear Treasurer - Lynn Hastie

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Committee of Wiremill Social Club



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Dear Ross McGarvie

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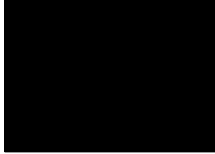
Cc: Police Scotland – E Division Headquarters, Newbattle Road, Dalkeith

Direct Line: 01620 827664
e-mail: licensing@eastlothian.gov.uk

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Date: 22nd May 2025

Committee of Wiremill Social Club



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Dear Secretary - Ashley McGarvie

**LICENSING (SCOTLAND) ACT 2005 - OUTCOME OF REVIEW HEARING SUSPENSION
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Cc: Police Scotland – E Division Headquarters, Newbattle Road, Dalkeith

Direct Line: 01620 827664
e-mail: licensing@eastlothian.gov.uk

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

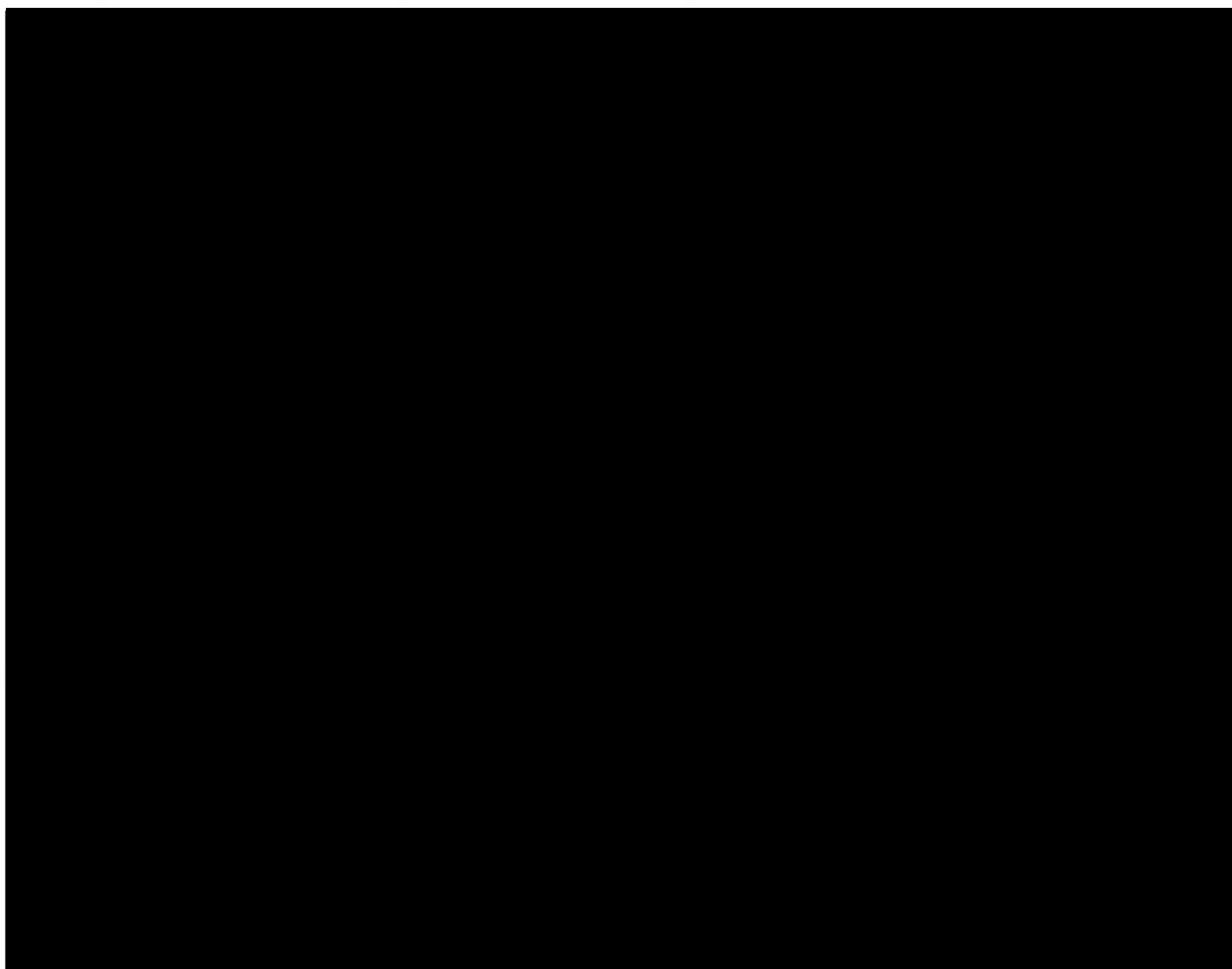


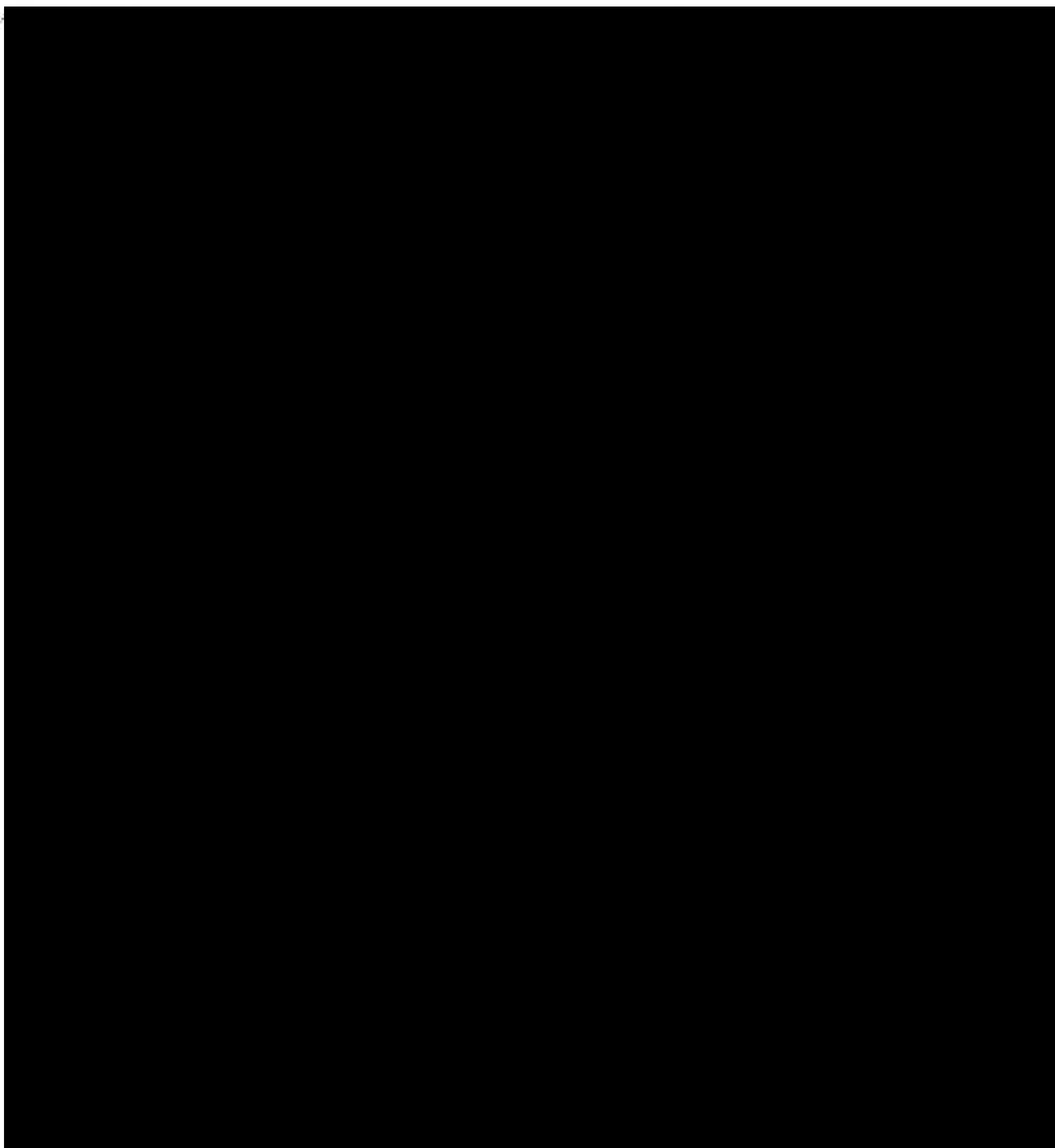
**POLICE
SCOTLAND**

Keeping people safe

Gregg Banks
Chief Superintendent
Divisional Commander
The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

**IN CONFIDENCE FOR THE ATTENTION OF EAST LOTHIAN LICENSING
BOARD**





Gregg Banks
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: 12th May 2025

Subject: LICENSING (SCOTLAND) ACT 2005

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