



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 22 MAY 2025
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY**

1

Board Members Present:

Councillor C Cassini
Councillor F Dugdale
Councillor N Gilbert
Councillor G McGuire
Councillor J McMillan (Depute Convener)

Clerk of the Licensing Board:

Mr C Grilli

Attending:

Ms E Barclay, Committees Assistant
Ms S Fitzpatrick, Team Leader – Licensing and Landlord Registration
Ms K Harling, Licensing Standards Officer
Ms G Herkes, Licensing Officer
PC S Gibson, Police Scotland
Ms A O'Reilly, Licensing Officer

Committee Clerk:

Ms L Gillie

Apologies:

Councillor L Bruce (Convener)

The clerk advised that the meeting was being held as a hybrid meeting; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the East Lothian Licensing Board was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for five years from the date of the meeting.

The committee clerk recorded the attendance of Board members by roll call.

Declarations of Interest:

None

Carlo Grilli, Clerk to the Licensing Board, advised that the agenda for the Licensing Board had been amended and after Item 1 Item 6 would be considered and then Item 5. This was approved by members.

There were further changes to the agenda as the meeting progressed to improve the running of the meeting for applicants and their representatives. The minutes reflect the changes to the agenda.

1. MINUTES FOR APPROVAL
East Lothian Licensing Board, 26 April 2025

Board members approved the minutes as an accurate record of the meeting.

6. REVIEW OF PREMISES LICENCE
i) Wiremill Social Club, 4 Balcarres Road, Goose Green,

The review of the premises licence had come before the Board under section 37, grounds in section 36(3)(za) and 36(a) of the Licensing (Scotland) Act 2005.

PC Stephen Gibson advised that they had not been informed that Mr Johnson, the premises manager, left the employment of Wiremill Social Club on 7 December 2024. He further advised that they had received no notification of a substitute. Police have been called to the premises twice, on 15 December 2024 and 22 February 2025, and on both occasions observed alcohol being sold to customers. On 27 February 2025 an application for a substitute premises manager was received by Police Scotland from East Lothian Council. PC Gibson stated that there were no other instances noted and no other inspections.

Karen Harling, Licensing Standards Officer (LSO), advised that on 1 September 2009, East Lothian Licensing Board granted a premises licence, with the committee of Wiremill Social Club being the licence holder. A personal licence was granted to John Derek Johnson on 16 February 2015 and on 25 March 2015 Mr Johnson had an application granted to appoint him as Premises Manager. Mr Johnson's personal licence expired on 15 February 2025 and no renewal application was received. The LSO stated that PC Gibson made her aware of the incident on 22 February and it was then established that Premises Manager's personal licence had expired which is a breach of a premises licence mandatory condition 4 and an offence under section 1 of the Licensing Scotland Act. The LSO advised that she requested that the sale of alcohol cease immediately until a premises Manager was appointed and informed PC Gibson. A minor variation application was received on 28 February, and this was granted to appoint Cheryl Vickers as Premises Manager. The LSO continued by saying that over the last three years there have been complaints about noise and that she along with Environmental Protection Officers and the police had provided guidance. Mr Johnson had never been present at these meetings, but the LSO had been told that he was still in post. The LSO highlighted a recent complaint on 03 May 2025 when it was said that the DJ could be heard talking. The LSO had contacted the committee and been told they were using the guidance that they were given by the Environmental Protection Officers. She continued by stating that prior to the most recent complaint, the last complaint was received in August 2024. The LSO concluded by advising that in her opinion the circumstances suggest that the current committee aren't in control of the premises and failed in the responsibilities of premises licence holders. The sale of alcohol without a Premises Manager was permitted and this breached the mandatory condition for of the premises license.

Lynn Hastie, Treasurer Wiremill Social Club, acknowledged the issues and stated that there was no excuse. She advised of changes to the club including the Chair and treasurer resigning along with the Bar Manager, Mr Johnson. She continued by saying that they had a very busy festive period and had relied extensively on the knowledge and experience of those people who had left. She stated that Mr Johnson told them his licence was still in force until 15 February 2025 and he was still conducting a handover with Ms Vickers after his last day of employment. Ms Hastie acknowledged and apologised unreservedly for the delay of the new licence application and stated that Ms Vickers passed her personal licence on 18 February. She advised that there have been changes made to the committee to reaffirm responsibilities and that they believe it proactive to have a contingency plan in place with Ms Ashley McGarvie, Treasurer Wiremill Social Club, applying for a personal licence in case of future staff changes. Regarding the noise complaints Ms Hastie advised that they have worked with officers to address these. She continued that the complaints had been about quiet events so they cannot understand but do take this on board. The events in December and February when the police were called were ticketed events. The December incident was a domestic argument and the February incident an altercation between individuals who do not live in Musselburgh. In both cases the people involved have been barred. Ms Hastie concluded that the club do take this seriously and are taking the necessary steps.

In response to questions from Councillor McMillan about communication and decisions about barring people, Ms Hastie advised that the Committee meet once a month and that minutes are taken of this meeting. They also had a WhatsApp chat group for matters that arise between meetings, this recently being used by the Chair to request that a member was barred. She added that this member would have the opportunity to attend the next committee meeting to represent themselves.

Councillor McGuire asked about noise monitoring and whether they had any contact with residents and Ms Hastie advised that they have apps on their phones to record decibels. They go to the kitchen door and if it is over 90 decibels, they ask the DJ to turn it down. She also commented that she was on duty on 3 May and had recorded less than 90 decibels. Ms Hastie continued that there was one phone call on 3 May, and she felt that if the issue was persistent and ongoing there would have been more calls. The CCTV was checked by Ms McGarvie for 3 May after and the DJ was not speaking at the time of the report. Ms Hastie continued by advising that flats were built at the back of the building and that a fence had been requested to help dull the noise. She advised that she was not aware of any complaints from them now and added that they would speak to residents to see if anything else can be done.

Councillor Gilbert asked about the use of stewards, and Ms Hastie answered that they did use stewards when they were expecting big numbers, such as on race days.

In response to questions from Councillor Gilbert about committee meetings and their timescales, Ms Hastie advised that the club was run by the committee. The committee met once a month, and they met with the Bar Manager and Assistant Bar Manger also once a month. Ms Hastie added that people were barred immediately following an incident, and that this could be discussed at the next committee meeting, with the person potentially given the opportunity to represent themselves. She noted that the people barred after the December and February incidents were barred outright and not given the opportunity to represent themselves, as their behaviour had not been acceptable.

PC Gibson commented that there was an ongoing police enquiry as there was no personal licence holder in place from 7 December 2024, and this would be reported to the procurator fiscal.

The Convener adjourned the meeting to enable the Board members to discuss the application.

The meeting restarted with Councillor McMillan acknowledging the apology and statement of improvements. He added that they still had concerns about how the club was being managed and advised that he was proposing that Board formally suspend the licence until next Board meeting in a month's time. This would enable there to be time to ask the police and the LSO to work with Wiremill Social Club to put matters in place to reassure the Board. Councillor Gilbert seconded this proposal.

Decision

The East Lothian Licensing Board formally suspended the premises licence until the next Licensing Board Meeting.

5. PERSONAL LICENCE

i. Ashley McGarvie

The personal licence application had come before the Board for the current secretary of the Wiremill Social Club. Police Scotland confirmed there were no convictions or offences, there were no objections from the LSO.

The Clerk of the Board highlighted an error in the agenda and confirmed that this was an application for a personal licence and not a review.

Ashley McGarvie, Secretary Wiremill Social Club, spoke to the application and advised that she had applied as she felt it would be beneficial for the club. She stated it would enable her to get a better understanding and knowledge of how things should work. She added that this would help to ensure that there were no future issues like the ones experienced when staff had left employment recently.

PC Gibson confirmed that there had been no convictions or offences detected.

The LSO advised that having heard the previous review of premises licence, she would support the application for a personal licence.

Councillor McMillan asked Ms McGarvie if she was aware of the previous decision and asked how she saw her role. Ms McGarvie stated that she was aware of the decision and that, as secretary, she should have understood what was going on. She added that now she had completed her personal licence training, she was more aware of what was required. Ms McGarvie continued by saying that she would work along with the rest of the committee and the bar manager to get things in place with the LSO. She concluded by saying that she had previously asked for help or advice from the LSO and Police Scotland and that this was a big learning curve for her.

In response to a question from Councillor Gilbert, Ms McGarvie confirmed she would be happy to pass on her new knowledge to others at the club. She noted that she had already gone over the training with staff and that they would work together on this.

Councillor McMillan highlighted how seriously this was taken, as shown by the previous decision, but added that Ms McGarvie added value to the Committee with the new training completed.

The LSO clarified that it was not possible to do the training until they were granted the licence, so they may have to re do this.

Members commented that they were encouraged by what they had heard about the improvements being made, and thanked Ms McGarvie for her commitment to the role and the training that she had undertaken.

Decision

The East Lothian Licensing Board granted the personal licence application.

2. MAJOR VARIATION OF PREMISES LICENCE APPLICATIONS

i. Newhailes Estate, Musselburgh

The application sought a major variation of premises licence to increase the area covered by the premises licence. There had been no objections from Police Scotland, Planning or the LSO.

Lynn Simpson, TLT Solicitors, spoke to the application and was accompanied by Claire Grant, Operations Manager National Trust. Ms Simpson advised of the various activities and events run at Newhailes Estate, and added that they were applying to add the middle area shown on the layout plan to the premises licence. This area was currently covered by the public entertainment licence only. An occasional licence was granted for the recent Festhailes music festival with feedback being that it worked well. The aim was to allow more flexibility for customers to take their drinks into the wider area and not to add capacity to the event. She added that the usual safeguarding measures would continue to be in place.

PC Stephen Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO advised, for the Board's awareness, that the children's area and playground in the estate was separate. The area being discussed was more of a breakout area from the courtyard, where it could be busy. She concluded by saying that she had received no complaints about the premises or any of the events.

In response to a question from Councillor Gilbert about how often the space would be used, Ms Grant replied that there were no plans to use it in future for any other event. Ms Simpson added that the space would be used for the festival, but there would be a bit of flexibility if other events came about.

Councillor Dugdale asked about last years' event, and Ms Grant advised that the additional space had made things simpler operationally, with customers having more space to move about.

Councillor McMillan asked about measures to ensure that drifting into the children's area was not possible, and Ms Grant advised that the event would be enclosed with barriers and badged security in place.

Councillor McGuire commented that he had attended the festival and that it was excellently run and delivered.

Decision

The East Lothian Licensing Board granted the major variation of premises licence application.

3. PROVISIONAL PREMISES APPLICATION

i. Margiotta, The Hay Shed, 5 Longniddry Farm Steading, Longniddry

The application sought a provisional premises licence for a new store located at the Hay Shed in Longniddry. There had been no objections from Police Scotland, Planning, or the LSO. The LSO had submitted a recommended condition.

Alistair Macdonald, agent, spoke to the application, and was accompanied by Joseph Margiotta, applicant. Mr Macdonald advised that the new store would be located in Longniddry and potentially opening in August. He noted that this was an exciting development and that the stores had a similar reputation in East Lothian as in Edinburgh. He also commented on the tie up with Waitrose. Mr Macdonald stated that the same training and operating standards would be in place as at the other stores, and that local people would be employed. He added that there was car parking, that it was not near any residential premises, and that he was not aware of any objections. He concluded by saying that there would be no deliveries, but that if there were, they would adhere to all legislation and policies as recommended by the LSO.

PC Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO advised that inspections had taken place at other sites and no issues had been identified.

In response to a question from Councillor Gilbert, Mr Margiotta advised that the new store would be close to a carbon copy of the Gullane store.

Councillor McMillan asked about the recruitment process for new staff, and Mr Margiotta informed him that the HR manager did most recruiting, with adverts in existing stores and on various websites. He noted that new staff would be trained at the Head Office before continuing their training at existing stores, and then being moved to the Longniddry store. Mr Margiotta added that they like to promote staff from within existing stores and that the new branch would be run by someone promoted from another store.

Members commented that they believed the new store would be welcomed by local people and a pleasant addition to local shopping.

Decision

The East Lothian Licensing Board granted the provisional premises licence application subject to the following condition:

- 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.

4. OCCASIONAL LICENCES

ii. Margiotta, The Hay Shed, 5 Longniddry Farm Steading, Longniddry (OCC344-347/25) – JELCM Limited

The occasional licence application had come before the Board for a new store to be located in Longniddry, covering the period 1 June 2025 to 26 July 2025. There had been no objections from Police Scotland or the LSO.

Alistair Macdonald, agent, spoke to the application and was accompanied by Joseph Margiotta, applicant. Mr Macdonald advised that the application for occasional licences

was to cover the period from the store opening to the granting of the full application. He added that he would keep the Board advised of the opening date and when the occasional licenses would be required. He asked that permission for these be approved in principle and for the delegation of the grant of the occasional licences.

PC Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO asked to be kept up to date on the store opening date.

The Clerk to the Licensing Board clarified that they were looking to approve all licences applied for, and that the store may choose not to use them and would keep the LSO and Police Scotland informed. Mr Macdonald responded by advising that three of the pending licences would be unlikely to be used, but that he would confirm this. He concluded by saying that it was the principle of the occasional applications to be dealt with under delegated authority when the store was ready to open being requested.

Members agreed they were happy for this to be dealt with under delegated authority.

Decision

The East Lothian Licensing Board granted the occasional licence application.

3. PROVISIONAL PREMISES APPLICATION

ii. Gilmerton House, Athelstaneford, North Berwick

The application sought a provisional premises licence which included an increase in the terminal hours on Sunday to Wednesday. There had been no objections from Police Scotland, Planning, or the LSO. The LSO had submitted recommended conditions.

Kevin Clancy, agent, spoke to the application, and was accompanied by Colin Carter Campbell, the applicant. Mr Clancy described Gilmerton House as a luxurious private house and estate, which provided stays for up to 24 guests. They held weddings, corporate events, golf retreats and private stays. The layout plan showed a small number of rooms excluded from the premises licence application, as these were private rooms for the use of the Kinloch family. Mr Clancy stated that the premises had operated under occasional licences granted to caterers or personal licence holders as required. He added that the use of occasional licences was not ideal over the long term and that the application for a premises licence was the preferred approach. There are no objections to the application and a detailed statement of compliance had been lodged. Mr Clancy picked up on two points, firstly, the 10am commencement hours, which he stated would be for on sales for guests only or champagne breakfasts. The second point was the delivery of alcohol, and Mr Clancy stated that the condition of the LSO was acceptable if they carried out deliveries.

PC Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO highlighted that the on sales time would also be exceeded on Sunday, Monday, Tuesday and Wednesday until 1am. She added that there had been several meetings with Mr Clancy and she welcomed this application.

Mr Clancy apologised, and explained the request for Monday, Tuesday and Wednesday was due to the increase in mid-week weddings. Mr Clancy stated that the change in terminal hour was to ensure consistency.

In response to a question from Councillor McMillan about how they made sure the conditions on occasional licences were being complied with, Mr Campbell advised that they employed an agency who managed the lettings of the big house. Through this, they had a full-time manager who oversaw the operations. They also had a catering company who were well organised, and they had never had any difficulties.

The LSO confirmed that a premises Manager would need to be appointed to be responsible for the day to day running and overall management of the premises. Mr Campbell responded by saying that if someone was required to be there all the time, the Events Manager or Head Caterer could be appointed.

The Clerk to the Licensing Board clarified that the application could go forward, but that a Premises Manager with a Personal Licence would need to be present all or the majority of the time.

Councillor Gilbert queried whether the extended evening hours could be restricted to weddings only and the Clerk of the Licensing Board confirmed this has been done previously. Mr Clancy advised he would be happy to accept that restriction. Councillor Gilbert further requested that the commencement hour of 10am be restricted to weddings.

Decision

The East Lothian Licensing Board granted the provisional premises licence application subject to the following condition:

- 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.
- The commencement hour of 10am and terminal hour of 1am on Sunday, Monday, Tuesday and Wednesday be restricted to pre-arranged wedding celebrations.

3. PROVISIONAL PREMISES APPLICATION

iii. Premier Gifford, Duns Road, Gifford

The application sought a provisional premises licence for a convenience store located in Gifford. There had been no objections from Police Scotland or the LSO. The LSO had submitted one recommended conditions.

Gordon Emslie, agent spoke to the application, and was accompanied by Prasanth Baskaran, applicant. Mr Emslie advised that the licence had been revoked 18 months ago and Mr Baskaran has a new lease for the shop, which was the only shop in Gifford. Mr Emslie stated that not being able to sell alcohol had had an impact on the viability of the shop. The space on the layout plan for alcohol was a combination of shop floor and an inaccessible area behind the counter. Mr Baskaran had made a personal investment in the shop and was an experienced retailer with a good track record. Mr Emslie advised that three members of staff had completed their personal licences and that at any time, a licence holder would be on site. Mr Emslie commented on the LSO report and stated that the landlord was not involved in the running of the shop, and that Mr Baskaran had a new lease. He noted that Mr Baskaran would be responsible for the shop and that one other person had applied to be premises licence holder. He concluded by commenting that the community wanted the shop to be able to sell alcohol, but that they needed to rebuild the goodwill that the shop once had.

PC Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO stated that Mr Emslie had addressed some of the concerns. She added that she had visited in April and the member of staff was not aware of who Mr Baskaran was, but that she visited yesterday and was informed that they were employed by Mr Baskaran who was starting his shift at 4pm. She added that the store had very little stock and that there was a lot of work to be done to build the store up again. There was currently only one other licensed premises open in the village. She concluded by noting the condition on deliveries.

Mr Emslie advised that it was very unlikely that the store would do deliveries but said that they were happy to accept the condition.

Councillor McMillan asked about the plans to rebuild the shop and Mr Baskaran responded by advising that customers were asking him about the sale of alcohol. He also commented on ordering fresh fruit every Friday, which he must throw away after three days, and explained that was the reason there was very little stock during the LSO visit. Mr Baskaran stated that when he was allowed to sell alcohol, he would use Facebook to advertise that the store was under new management. Mr Baskaran mentioned running promotions and increasing the products stocked, noting that there were no hardware stores or hot food outlets. Mr Baskaran said the alcohol licence was the first step and then he would move onto the next step.

In response to questions from Councillor McMillan, Mr Baskaran stated that he did not know what had happened with the previous owners. He said that he was talking with the customers and building a conversation with them. Mr Emslie added that Mr Baskaran had been labelled with what had happened previously. Mr Baskaran knew the previous owners, but it was now a different model. Mr Emslie concluded by saying that it may take some time, and a loss may have to be accepted until the it became more sustainable.

In response to a question from Councillor Gilbert about alcohol sales, Mr Emslie stated that percentage of turnover for this size of typical Co-op store, as this was previously, would be 8-12%, and that for an independent store this can be more at about 18%. He further stated that it was the expectation of most customers that alcohol would be sold. He commented that it was about creating footfall and giving customers a reason to come into the store.

Councillor Gilbert asked how important the sale of alcohol was for the store, and Mr Emslie stated that it was vital as to whether the store survived or not. He also commented that it was about providing as broad a range of products as possible.

Councillor McGuire commented on the community wanting the shop to be successful and asked when Mr Baskaran had taken over, as there were comments about the lack of stock. Mr Emslie responded that Mr Baskaran had taken over the store on 10 June, but that the income coming in was low. Mr Emslie advised that one of his recommendations to Mr Baskaran would be that they attend the Community Council to meet people and try to address some of the concerns. Mr Emslie also commented that there had been a significant investment in the store but that it would be lengthy process to rebuild the business.

Councillor McMillan asked for clarification about Mr Emslie's role, and Mr Emslie stated that he would be happy to come along to the Community Council with Mr Baskaran and to try and help with momentum in any way.

Members stated they were reassured by the comments made.

Decision

The East Lothian Licensing Board granted the provisional premises licence application subject to the following condition:

- 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.

4. OCCASIONAL LICENCES

i. Premier Gifford, Duns Road, Gifford

The occasional licence application had come before the Board for a convenience store located in Gifford covering the period 23 May 2025 to 3 July 2025. There had been no objections from Police Scotland or the LSO.

Gordon Emslie, agent, spoke to the application, and was accompanied by Prasanth Baskaran, applicant. Mr Emslie stated that there was nothing additional that he wished to say in regard to the application. He did note that the application had been made on the occasion that the premises licence was granted. He added that it could take months to get the provisional licence converted, and that they would submit applications on a 42-day rolling programme until the paperwork had been lodged.

PC Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO highlighted the need for staff training, a review of signage within the premises, and to ensure that the full age verification policy was in place.

Mr Emslie confirmed that training records would be submitted and that individuals would be overqualified for what was required, but that they felt this was the correct thing to do.

Decision

The East Lothian Licensing Board granted the occasional licence application.

Sederunt: Councillor Cassini left the meeting

4. OCCASIONAL LICENCES

iv. Genesis Scottish Open, Renaissance Golf Course, Marquees/Outlets – OCC348/25 – Helen Fleming

The occasional licence application had come before the Board for the Scottish Golf Open, covering the period 5 July 2025 to 14 July 2025, including a change to both commencement and terminal hours. There had been no objections from Police Scotland or the LSO.

Helen Fleming, the applicant, spoke to the application. She stated that the application was being presented due the extended hours being offered and that they had requested extended hours as a precautionary measure.

PC Stephen Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO stated that the application had been brought forward for the hospitality marquees and outlets at the Genesis Scottish Open for the period 5 July to 14 July. She advised that some of the dates were before the tournament started and the times were out with board policy. She also noted that this year's application covered marquees and hospitality outlets that had not previously been covered by occasional licenses. Historically it had covered the hospitality contained within the Genesis Lounge and on course. The LSO concluded by highlighting that there were two recommended conditions in relation to the application.

In response to a question from Councillor Gilbert about the reason for the extension to other venues and premises, Ms Fleming advised that there were a couple of events in the lead up to the tournament. She detailed these as being a contractor's barbecue on 5 July and a Genesis wrap party and an event team party on 13 July. The anticipated end time on 13 July was 10.30pm, but in case of an extension to that, they were requesting the licence to continue to 14 July. Ms Fleming added that they were not anticipating alcohol being served in the areas not previously covered but that Adam Kennedy, the project lead, has asked for these to be included on a contingency plan. She commented that they do have a full breakdown of what's included, the menu and drinks being provided in each area, and said she would be happy to include this as part of the drugs and alcohol management plan.

In response to questions from Councillor Gilbert and Councillor McMillan, Ms Fleming confirmed that the additional areas were not for the consumption of alcohol and not the sale of alcohol.

Councillor McMillan asked about the management of the areas, and Ms Fleming advised that she would be on site and for every area with alcohol provision there will be a manager with a personal license.

Councillor McMillan asked for more detail on how the extension to times would be used, and Ms Fleming stated that it would be the clients' decision which they would comply with. She gave the example of last year when a Scottish player won and the potential need to extend hours as a result.

In response to questions from Councillor McMillan, Ms Fleming stated that most of the bars were not pay bars as most of the hospitality is included in the offer. She added that the responsible manager would be responsible for stopping the service of alcohol if necessary. She also advised that there would be an extra couple of managers that could give support if needed when dealing with people.

The Clerk to the Licensing Board clarified that in terms of hospitality, it was still classed as a sale of alcohol if there was a ticket or a cost to enter the event.

Councillor Dugdale asked about children and young people being permitted entry, and Ms Fleming advised that they were not anticipating children or young people to attend, and that this would cover the players' children who may be there.

In response to a question from Councillor McMillan about tee off times and how restrictive sticking to the terminal hours would be, Ms Fleming advised that she was not sure what time the last tee off would be. She added that she believed that they could work to policy hours, but she would like to confirm with her colleagues. Councillor McMillan advised that the decision needed to be made today and that he believed she had agreed they could manage within the policy hours. He further stated that even if there was a local winner, this would give several hours. Ms Fleming replied that the Sunday evening was for the Genesis wrap party with the anticipated end time of 9.30pm and the event team party with an anticipated finish time of 10.30pm. Ms

Fleming said that midnight on Sunday and 11pm on Monday, Tuesday and Wednesday would work.

Ms Fleming asked about the additional hour on Tuesday until 11pm for the charity dinner and the Clerk to the Licensing Board confirmed that an additional hour was granted last year.

Councillor McMillan asked for clarity around the request for a change to hours. He stated that he understood the terminal hours were acceptable except for an additional hour being requested on Tuesday. Councillor McMillan added that he had been informed that the application for 10am was granted last year.

Ms Fleming was asked if she accepted the conditions detailed in the LSO report and Councillor McMillan confirmed the proposal. The proposal being that the 10am start would be allowed, with terminal hours as policy on Monday and Wednesday and every other day except for Tuesday when an additional hour would be granted. Ms Fleming asked about the terminal hours for Thursday, Friday, and Saturday, and was informed this was 1am.

The Clerk to the Licensing Board clarified the position

Decision

The East Lothian Licensing Board granted the occasional licence application subject to the following conditions:

- The Alcohol and Drug Management Plan and Event Plan submitted prior to the event to be adhered to for the duration of the event.
- Individual personal licence holders are allocated to manage each of the bar areas at all times and all staff involved in the sale and or supply of alcohol should have received the two hours mandatory training, as required under the legislation.

4. OCCASIONAL LICENCES

iii. Genesis Scottish Open, Renaissance Golf Course, On Course Hospitality – (OCC349/25), Niall Middleton

The occasional licence application had come before the Board for the Scottish Golf Open, including a change to commencement hours, and covering the period 8 July 2025 to 14 July 2025. There had been no objections from Police Scotland or the LSO.

Niall Middleton, the applicant, spoke to the application, and advised that they had won the contract for the Scottish Open last year and the application this year was very similar, with the addition of a bar at hole 10. Last year's event had been a big success, and they had liaised with the LSO. Mr Middleton stated that the application included a 10am licence for golfers, and that they would adhere to all the terminal hours.

PC Stephen Gibson confirmed that Police Scotland had no comment to make on the application.

The LSO advised that this was the second year of working with the applicant and she had seen the bars and staff at last year's event. She continued by stating that the bars and staff last year were very good with personal licence holders in each area. No concerns were raised, and it was noted that they had complied with everything last year. The LSO added that there was an additional bar this year, but there were no

concerns about this or the 10am start time. She concluded by highlighting the two conditions.

In response to a question from Councillor Gilbert the LSO confirmed that the only change to this year's application was the extra bar due to a restructure.

The Clerk of the Licensing Board proposed that if it was the same application and there were no objections from Police Scotland or the LSO, that the application be dealt with under delegated authority next year. The Board unanimously approved this.

Decision

The East Lothian Licensing Board granted the occasional licence application subject to the following conditions:

- The Alcohol and Drug Management Plan and Event Plan submitted prior to the event will be adhered to for the duration of the event.
- Individual personal licence holders are allocated to manage each of the bars at all times and all staff involved in the sale and or supply of alcohol should have received the two hours mandatory training, as required under the legislation.

Signed

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Councillor J McMillan
Depute Convener of East Lothian Licensing Board

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

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

Dear Chair - Gayle McGill

**LICENSING (SCOTLAND) ACT 2005 - OUTCOME OF REVIEW HEARING SUSPENSION
OF PREMISES LICENCE
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Carlo Grilli
Clerk to the Licensing Board

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

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

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

Dear Treasurer - Lynn Hastie

**LICENSING (SCOTLAND) ACT 2005 - OUTCOME OF REVIEW HEARING SUSPENSION
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Direct Line: 01620 827664
e-mail: licensing@eastlothian.gov.uk

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

Date: 22nd May 2025

Committee of Wiremill Social Club



COPY

Dear Ross McGarvie

**LICENSING (SCOTLAND) ACT 2005 - OUTCOME OF REVIEW HEARING SUSPENSION
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EL0272 - Committee of Wiremill Social Club, 4 Balcarres Road, Musselburgh, East
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Carlo Grilli
Clerk to the Licensing Board

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

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

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

Date: 22nd May 2025

Committee of Wiremill Social Club



COPY

Dear Secretary - Ashley McGarvie

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

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Carlo Grilli
Clerk to the Licensing Board

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

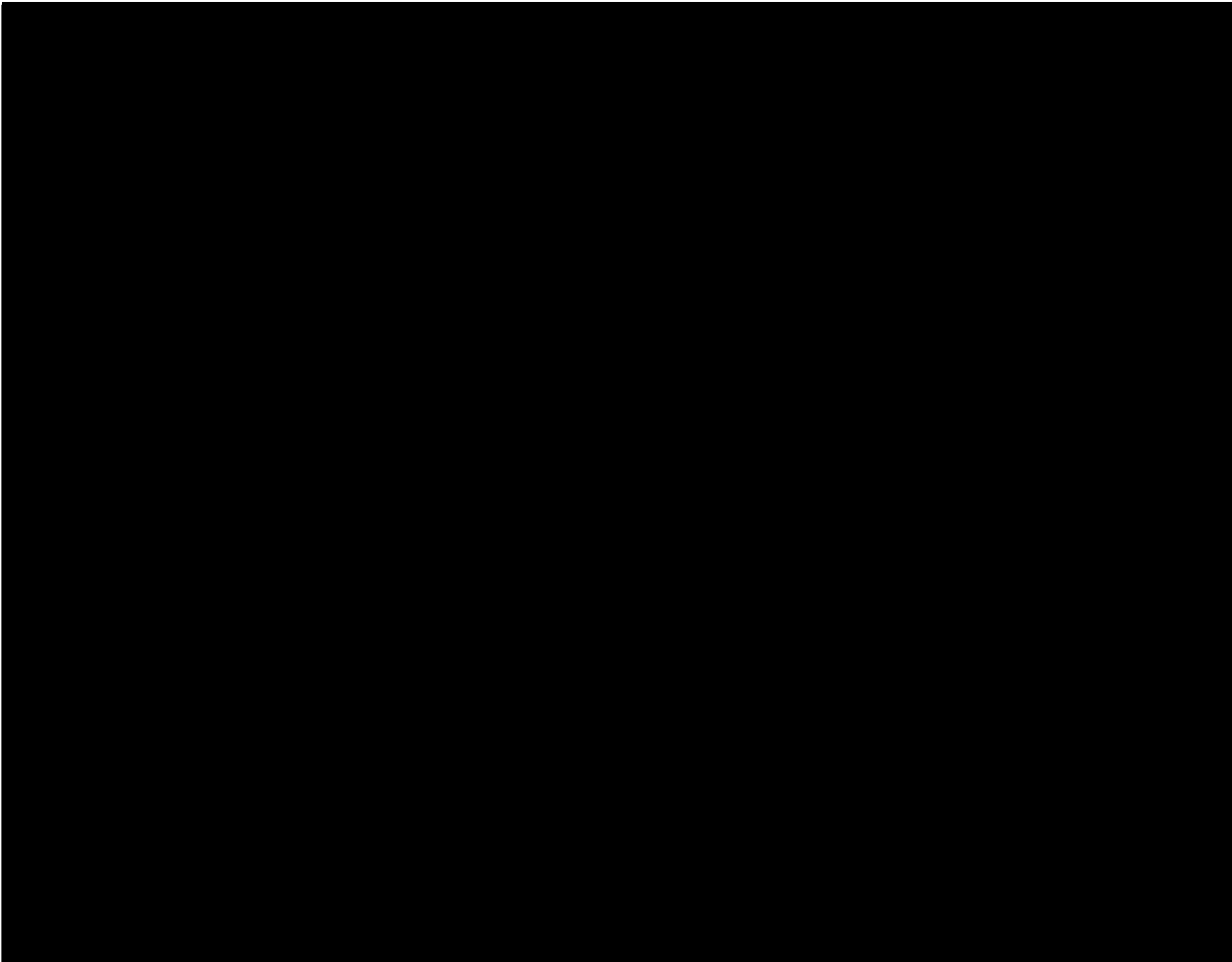


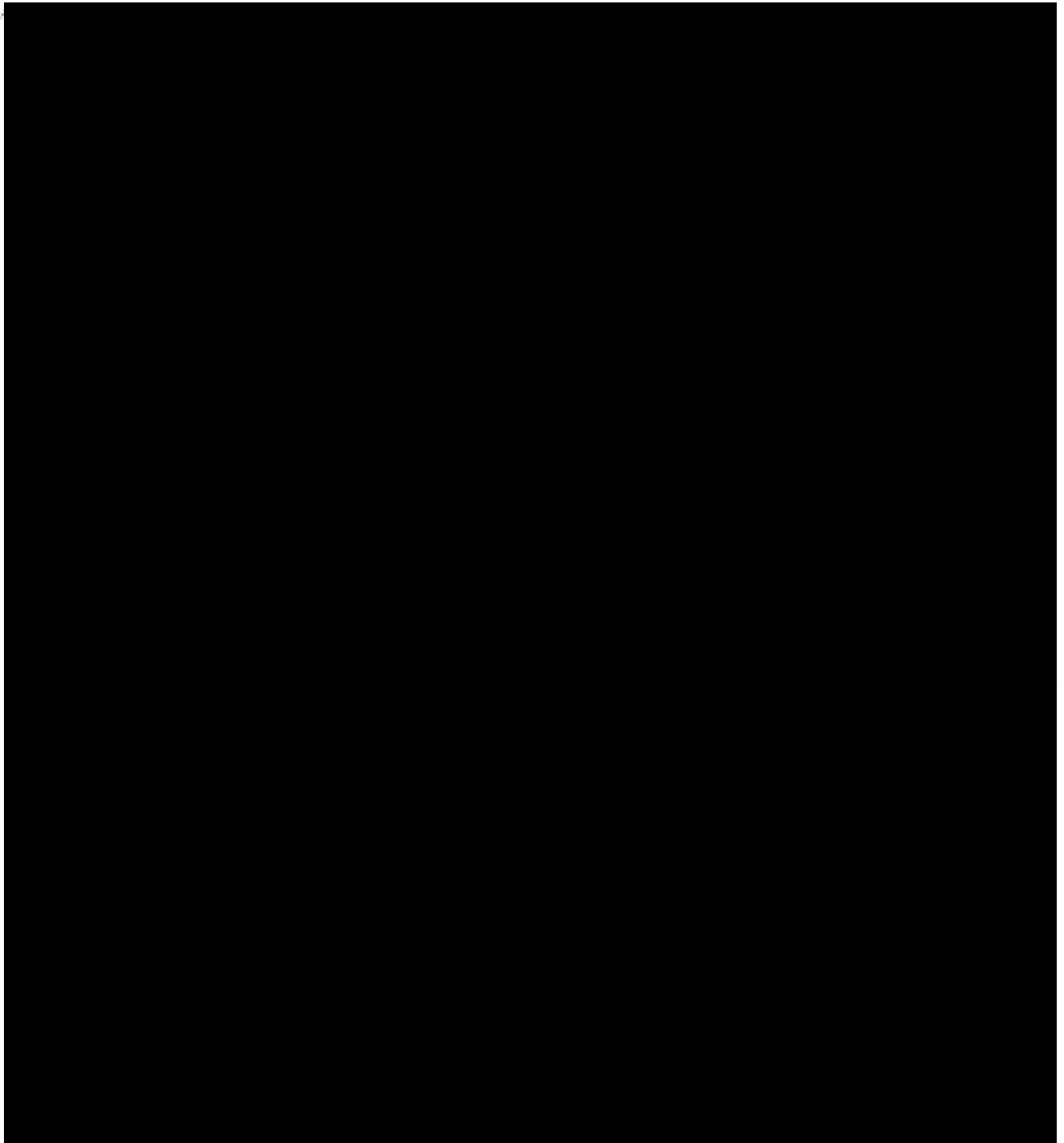
**POLICE
SCOTLAND**

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

02/06/2025

Your Ref: THE ROCKS

Our Ref: 927352

The Clerk of the Licensing
Board
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA



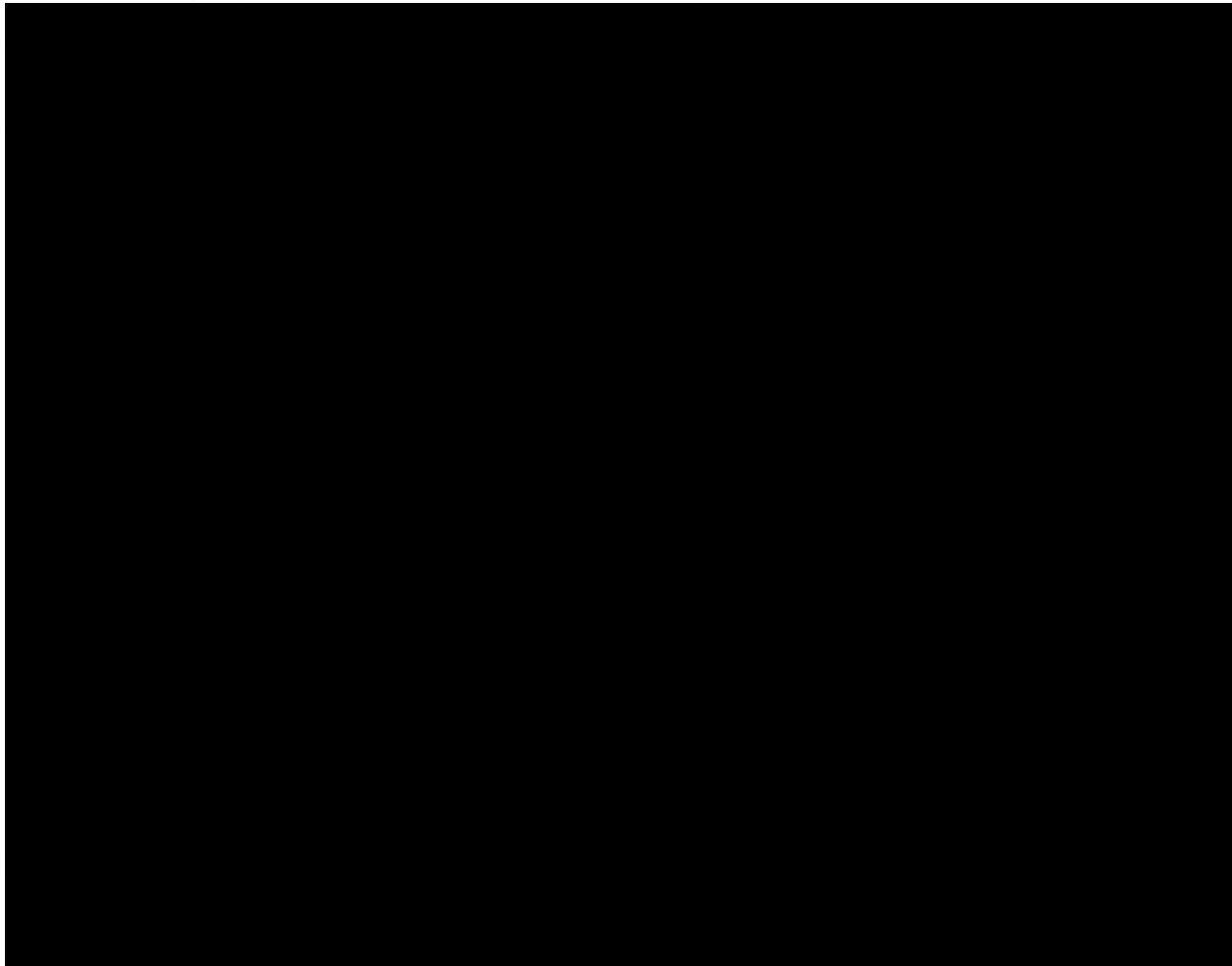
**POLICE
SCOTLAND**

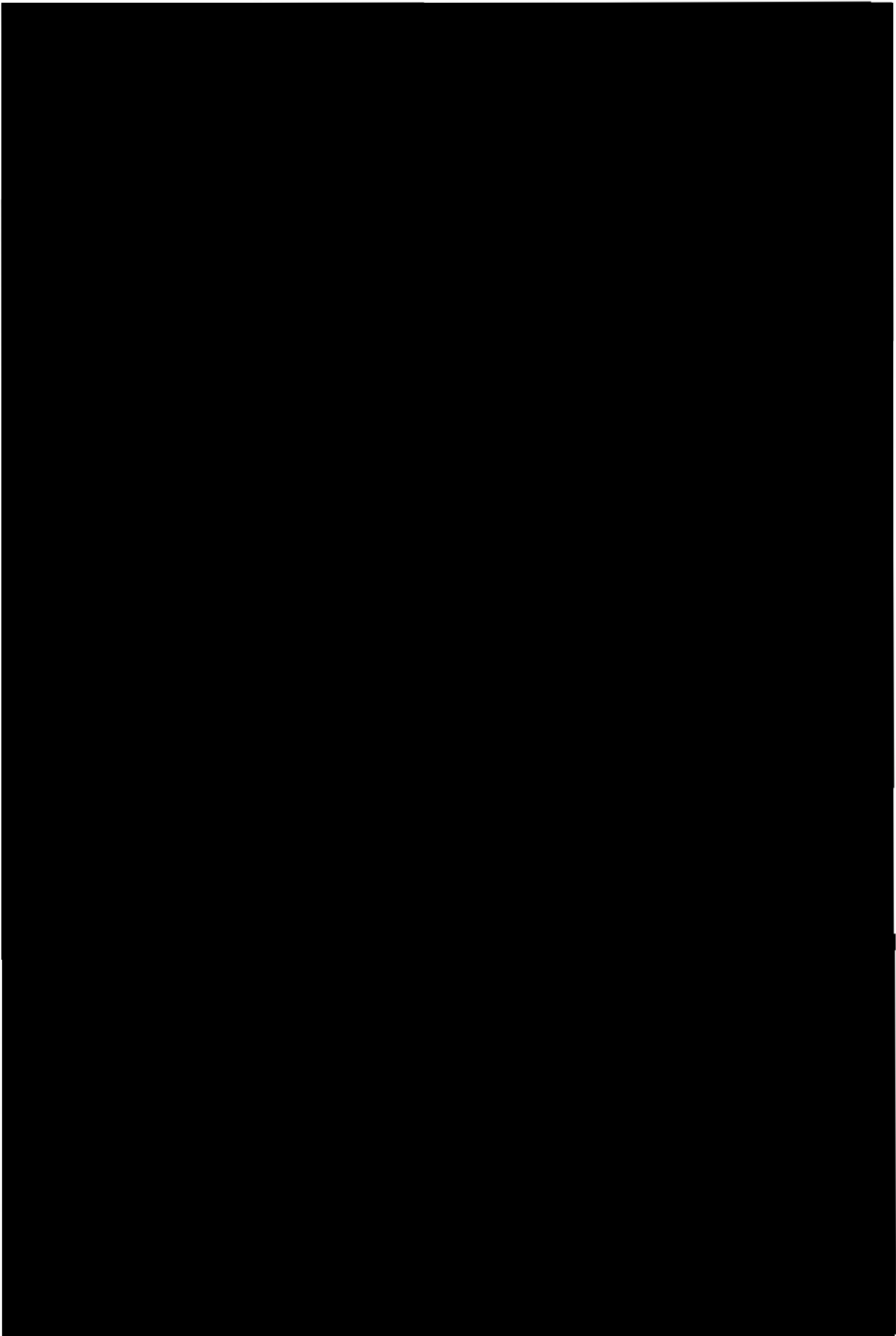
Keeping people safe

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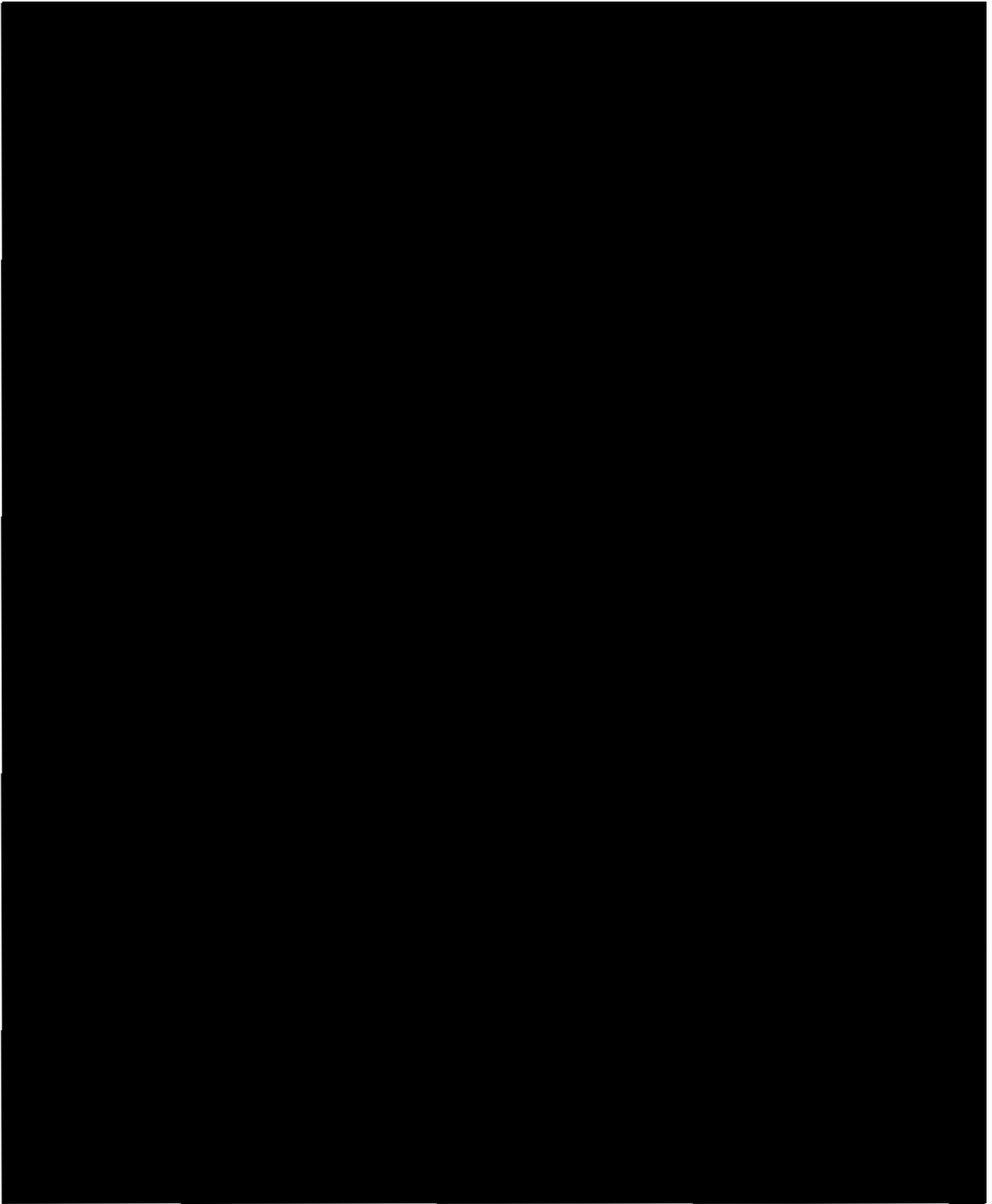
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**IN CONFIDENCE FOR THE ATTENTION OF EAST LOTHIAN LICENSING
BOARD**





OFFICIAL



Gregg Banks
Divisional Commander

For enquiries, please contact the Licensing Department on 0131 654 5583

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

**To: C. Grilli
Clerk to the Licensing Board**

Date: 2nd June 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE REVIEW APPLICATION

**PREMISES LICENCE NO EL0210, P & S PROPERTY DEVELOPMENTS LIMITED
THE ROCKS BAR AND RESTAURANT, MARINE ROAD, DUNBAR, EAST LoTHIAN**

I make application in terms of Section 36(1) and 36(4) on the grounds specified in Section 36(3)(a) and 36(3)(b) of the Licensing (Scotland) Act 2005 to the East Lothian Licensing Board to review the Premises Licence in respect of the above premises.

I have prepared this report outlining information relevant to the review for the consideration of Licensing Board Members.

Licensing Standards Officer

Premises Licence Review Application

Premises Licence No. EL0210

Premises Licence Holder – P & S Property Developments Limited The Rocks Bar and Restaurant, Marine Road, Dunbar, East Lothian

Premises Background

Premise licence number EL0210 – The Rocks Bar and Restaurant, was converted from the previous act on 1st September 2009. The premises licence was transferred to P & S Property Developments Limited in March 2016. The director of P & S Property Developments Limited is Louis Di Resta.

P & S Property Developments Limited leased the premises to Flex Hospitality Limited from 1st March 2025.

The sole director of Flex Hospitality Limited is Nicholas Adams.

An interested party is defined in section 147(5) Licensing (Scotland) Act 2005:

(5) For the purposes of this Act, a person is an interested party in relation to licensed premises if the person is not the holder of the premises licence in respect of the premises but—

(a) has an interest in the premises as an owner or tenant, or

(b) has management and control over the premises or the business carried on, on the premises.

Nicholas Adams is therefore determined to be an interested party.

Section 36(5A) allows for:

A person making a premises licence review application may include in the application any information that the applicant considers may be relevant to consideration by the Licensing Board of the alleged ground for review including, in particular, information in relation to—

(a) the licence holder,

(b) where the licence holder is neither an individual nor a council, a connected person in relation to the licence holder, or

(c) any person who is an interested party in relation to the licensed premises.

Most of the information in this application relates to Nicholas Adams who is currently running the premises.

On 2nd April 2025 Nicholas Adams was appointed premises manager.

A short time later 29th April 2025 Nicholas Adams was removed as premises manager and Jaqueline Gallacher was appointed.

It is my view is that this review is necessary for conduct detailed below, that is inconsistent with the Licensing Objectives. In particular the licensing objectives of preventing crime and disorder, securing public safety, preventing public nuisance and protecting children and young persons from harm.

There have been breaches of the mandatory premises licence conditions and failure to follow a section 14 compliance notice issued.

Timeline of Events

19th March 2025 – Pre-arranged Meeting at premises accompanied by additional ELC Licensing Standards Officer.

I met with Nicholas Adams at the premises. He detailed he was the new tenant and would be running the premises, hoping to open very soon. I went through the current premises licence with him which he seemed very unfamiliar with. He detailed that he wished to add a pool table, and darts board and open later. He was guided that any changes would require a major variation application to be submitted by the premises licence holder and the application would require to be heard and granted at a licensing board hearing before changes could be started, this included the addition of a pool table and darts board and any gaming and gambling facilities. He told me he fully understood and would comply.

A major variation application was submitted to the Licensing Board and sent for consultation to Licensing Standards on 8th April 2025.

Information was received that the premises re-opened and began trading approx. mid April, with Mr Adams as premises manager.

25th April 2025 – Site notice check for major variation application at premises, accompanied by Trading Standards Apprentice.

I visited the premises to check the site notice was appropriately displayed. I searched the whole perimeter of the premises and could not find the site notice. I informed the Clerk to the Licensing Board who determined that the site notice should be displayed for another continuous period of 21 days until 16th May 2025.

25th April – 1st May 2025 – 9 complaints about the premises received by East Lothian Council as follows:

1) Complaint received - 25/04/2025

Sanitised Details - Week beginning 14th April - cars arriving and leaving after 11pm. Use of the road above the 20mph. Revving car engines. A man leaving The Rocks and the urinating in the hedges in Marine Road Park. Friday 18th April, 11.25 - two couples talking loudly; one man swaying unsteadily. Saturday 19th April, approximately 11.30pm - car horn used several times to attract the attention of a guest inside The Rocks. Sunday 20th April (after midnight) - guests walking down Marine Road talking loudly.

Thursday, a car of five young men arrived after 11pm. They entered The Rocks. Friday 25th April 00.02am several young people left The Rocks. There was shouting, loud talking, car doors banging and speeding off. Three young men hung about outside The Rocks for a further ten minutes, laughing and talking loudly.

2) Complaint received – 25/04/2025

Sanitised details - Stewart Brewing glass found on residential wall; photo provided.

3) Complaint received 27/04/2025

Sanitised details - 23:10 26/04/2025 20 young men left the premises one very drunk. They sang football songs up to the end of Marine Road very loudly.

4) Complaint received 28/04/2025

Sanitised details - A family within the premises on 24/04/2025 witnessed sales of alcohol to 16- and 17-year-old boys (school pupils known to them). Reported through Dunbar Community Council.

5) Complaint received 29/04/2025

Sanitised details - noise complaint with audio file of shouting from the premises, dealt with by Environmental Protections Officers

6) Complaint Received 30/04/2025

Sanitised details - Email listing concerns in relation to the current operation of the premises and the proposed major variation. Concerns raise that the premises is acting like a pub and not a hotel, activities such as pool, arcade machines, darts and gaming machines have already been added, bottles lying in the street and loud singing after 2300 as patrons make their way home, and a music system that operates outside. Concerns in relation to operator Nick Adams attracting a young crowd.

7) Complaint received 30/04/2025

Sanitised details - End of school for Dunbar Senior Pupils lock in night occurred that coincided with the end of term where under 18's served alcohol by Nick Adams who was in attendance offering money to use gambling/gaming machines. Reported through an official letter from Dunbar Community Council. Letter is included as an objection/representation to the major variation.

8) Complaint received 01/05/2024

Sanitised details - Resident woken at 2235 30/04/2025 by 3-4 youths coming from the direction of The Rocks

9) Complaint received 01/05/2024

Sanitised details - 22:30 30/04/2025 group of teenagers outside resident property who were mucking around and also carrying a female who was unsteady on her feet. Resident witnessed couple with children chasing young patrons up Marine Road telling them to keep it down – established to be Jaqueline Gallacher and husband Mark with their children.

The above complaints were received from 5 different complainers.

29th April 2025 – Appointment of new premises manager

Jacqueline Gallacher was appointed as premises manager to replace Mr Adams. No reason for the change was given.

1st May 2025 – Premises visit accompanied by ELC Compliance Officer Trading Standards.

On entering the premises there was a male behind the bar, he greeted us and asked how he could help. We introduced ourselves and showed our ID. I enquired as to who was in charge and he answered he was the only staff member at the premises. I asked for his name which he gave and asked him who authorised him to sell alcohol, and he replied "Mark". I informed him I didn't think that was correct and he said "Nick". I then asked who the premises manager is, and he was able to identify her as "Jackie". I requested to see his staff training record which he was unable to provide, and it was established that he had not received any training. Within the bar area there were used glasses and a cider bottle that had been recently consumed. I asked him if he wanted to call management to see if they would come to the premises.

Whilst he was doing this, we had a look around the premises, the games room was open and there was a pool table with balls, a dart board along with darts, an arcade machine, within the hall there were two arcade machines, in the snug area off the main bar there was a category C gaming machine. There was the provision of board games on all the tables in the bar area and some in the bistro area. We checked the outside area following a report of installation of an outdoor music system however did not find any obvious speakers.

At this time Nicholas Adams arrived at the premises. I asked him about staff training, and he informed us that none had been completed. I asked why, detailing all staff are required to complete 2 hours mandatory training by a personal licence holder before making sales or service of alcohol. He said they had only been open for two weeks and he hadn't had a chance to do it. I explained this was a breach of mandatory condition 6 on the premises licence and on our visit today we had found an untrained member of staff behind the bar who was also the only staff member at the premises. I asked him for the age verification policy, and he replied the sign was up. I asked him what the policy was, was there a written policy in place and had staff been trained on it. He said that nothing was in place and he thought putting up the sign was all he needed to do. I explained this was a breach of mandatory condition 9A. Having observed that there were several activities on offer that were not detailed on the operating plan I asked why he had not followed my guidance given in March that these activities, such as the pool table, darts, arcade machines, gaming machine and board games could not commence or be available until a major variation was granted by the Licensing Board. He could not give a reason saying he would just jack it all in and was in a lot of debt. I asked where the sign detailing children and young person access was as required, and he said he didn't know he had to do that. I explained it was also a breach of mandatory premises licence condition 11. I didn't request the premises licence as it was assumed it has been submitted to the Licensing Board as part of the ongoing major variation application.

I asked Mr Adams if there was working CCTV in the premises, and he confirmed there were numerous cameras in working order, recording onto a server which stored the footage for 28 days. I asked if he had access to the system and could provide footage and he replied "yes". I enquired if an outdoor music system had been installed and he confirmed that it had. I advised that use of this could potentially cause complaints and maybe considered a statutory noise nuisance, and it was my intention to recommend a condition to the Licensing Board for the variation to prohibited amplified music and speech and entertainment in the outdoor areas.

I informed him that in my view there were several significant failings and mandatory premises licence conditions had been breach. I commented that he is a personal licence holder and meant to be an experienced operator who should already know the requirements of the law.

Guidance was given to him from our Business Compliance officer that there was no evidence of weights and measure signage or a price list and to review compliance for this.

Information was given to Mr Adams in relation to 9 complaints received. The complaints relating to the premises detailed patron noise, Stewart Brewery glasses left in gardens, people leaving and urinating in hedges, intoxicated patrons leaving the premises, and underage drinking, disturbance from a possible outdoor music system, staff following patrons up the street asking them to be quiet along with their young children. He was very dismissive of the complaints and replied that they must be all from one person who was sacked from another local licensed premises. He was unwilling to hear about individual complaints and became argumentative. He was informed that the complaints had been received from multiple sources.

At the end of the discussion Mr Adams was informed that I would be serving a compliance notice under section 14 of the Licensing (Scotland) Act 2005 in relation to breaches of mandatory premises licence conditions 3 – compliance with the operating plan, activities carried on in the premises, 6 - Staff training, 9A - age verification policy and 11 – notice for admission of persons under 18. I verbally detailed that he must take immediate action and complete the following before any alcohol could be sold as follows:

- All activities not on the current operating plan must cease. Access to the games room should be shut off, the arcade machines and category C gaming machine be removed from public access and stored securely, and board games removed from the tables
- All staff must have received the mandatory two hours training by a personal licence holder and staff training records must be available to be viewed by an LSO or Police
- A written age verification policy be implemented, and all staff trained on this
- A children and young person access sign be displayed.

He informed me that all of that was in progress and would be done that afternoon. He said the premises manager Jacqueline Gallacher was putting it all together as we spoke and had received the training material from his solicitor. I informed him that the compliance notice would be sent to the premises licence holder Mr Di Resta and his solicitor, and to contact him to discuss the visit today. On return to the office, I received confirmation that the children and young person access sign had now been displayed.

I sent a compliance notice under Section 14 of the Act to the premises licence holder Mr Di Resta and his solicitor detailing the conditions breached and the required immediate remedy. See appendix 1. In addition, details of the complaints received between 25th April and 1st May were sent by email and information about Mr Adams demeanour and that he had dismissed the complaints.

3rd May 2025 – Premises visit accompanied by Officers from Police Scotland

I attended at the premises at 2200 hours, Saturday 3rd May 2025, along with 4 Police Officers. On entering the premises 5 males were found in the rear bistro area all drinking alcohol. They all appeared to be under the age of 25. Further police officers entered to establish their age and ask them for ID. I entered the bar area accompanied by police. I found Nicholas Adams in the bar area along with his partner and her 6-year-old child. He informed us that he was the only staff member on duty. He immediately told me he had done what I had asked. He showed me an incident diary where he had written the following on Saturday 3rd May "21:40 5 Boys entered all ID's checked and approved by licensing holder Nick Adams". At this time police returned from the bistro area and informed me that one of the 5 males was 17 years old and had been found consuming alcohol. His 18-year-old friend claimed that he had bought it for him but information as to how alcohol had been obtained was not clear. Mr Adams had no explanation for this and after a while he claimed along with his partner that one must have snuck in.

I asked for the staff training records which were produced. There were 3 complete records and one incomplete. I asked for the age verification policy which he could not produce. I asked Mr Adams for his personal licence. He became obstructive and argumentative claiming he was trying to find it on his laptop. I explained that he could not do that as it was an official document that was produced, laminated and sent out by the Licensing Board. He then became even more aggressive and started filming me on his mobile phone. Again, I requested he produce his personal licence. He went back to his laptop which was at a table in the bar area surrounded by paperwork saying he was printing it

and going to laminate it. I approached the table where I could see two drinks on it. In front of him was a ½ pint which I smelt and established was cider. I asked him if he was drinking which he denied, however, he then took the drink, became agitated and said, can you not give a guy a break and poured it away. I could smell alcohol on him, and it was clear from his demeanour and lack of comprehension of my requests that he was under the influence of alcohol whilst in charge and the sole staff member at the premises. He started telling me that he had read my job description and that I was meant to be helping him. The police then stepped in and asked him to stop and calm down. I informed Mr Adams that he should have his personal licence with him when he is working and failure to produce it when asked by an LSO or police is an offence. He had no reasonable excuse as to why he could not produce it.

I asked the mother of the 6-year-old why they were in the premises, and she replied due to personal circumstances they liked to come and be here when Mr Adams was working. I asked if she felt it was late for the child and she said no. I expressed my concerns that a bar was not a suitable place for a young child to be cared for whilst her partner was working.

The premises manager Jaqueline Gallacher arrived along with her husband and two children. It was established that she had been working at Hector's as an employee of Mr Adams. I also spoke to her in relation to a complaint that I received detailing a woman and a man following a group of young patrons up the street telling them to be quiet whilst they had children with them. She confirmed that was her and her husband and that the children have been at the premises whilst they have been working. I advised her that this was an unsuitable arrangement. She cannot be responsible for both her children and role as premises manager at the same time and this was an unsuitable environment for them to be cared for in.

Mrs Gallacher was informed that a 17-year-old had been found drinking in the rear bistro and that Mr Adams had been drinking whilst in charge of the premises. She informed me that she worked at both Hector's and The Rocks, but that was changing soon as Hector's had been sold. I spoke with her and reminded her of her responsibilities as a premises manager. I asked her for the age verification policy, and she produced a blank template that had not been implemented. Within the rear snug area the gaming machine was still present albeit switched off. I informed her and Mr Adams that the section 14 notice had not been complied with and that the circumstances found at the premises were inconsistent with the licensing objectives. I detailed a review application for the premises licence would be considered.

Police then asked Mr Adams to provide CCTV to establish the circumstances of the 17-year old's access to alcohol. He informed them he could not access the system and claimed that there were encryption issues. They asked him to provide the CCTV by Monday 5th May. They informed Mr Adams that further enquiry would be completed in relation to possible offences that had occurred.

On Monday 5th May 2025, I spoke with the premises licence holder's solicitor and appraised him of the visit on Saturday 3rd May.

Thursday 8th May – Contact with Premises Licence Holder – Louis Di Resta

I received a phone call from the premises licence holder Mr Di Resta. He detailed he had held an in-person meeting at the premises with Mr Adams and Mrs Gallacher and outlined several rules and responsibilities. This included strict rules in relation to children, young persons, those under 25 and compliance with the premises licence. He was aware of that a 17-year-old had been found in the

premises with alcohol, however, he was unaware the Mr Adams had failed to supply the CCTV and had been drinking on that night. I raised my concerns about the children present late in the bar.

14th May 2025 - Police Scotland Update

I was informed by Police that Mr Adams had been charged with Section 106 Licensing (Scotland) Act 2005 allowing the consumption of alcohol by a young person on a licensed premises and had not provided the CCTV requested.

15th May 2025 – Premises visit accompanied by ELC Business Compliance Officer Trading Standards.

At the time of our visit the premises was closed however trade persons were working to the rear and within. The kitchen is not in use and requires work. Renovation work was also being carried out in the bedrooms. Jacqueline Gallacher arrived and informed me that they had been very strict with patron ages and were trying to attract an older dynamic. We had a general chat about management where she confirmed she had left Hector's and was working full time at the premises. Guidance was given about signage to ask patrons to be quiet on leaving. She informed me that CCTV had been supplied to the Police that morning but could not really detail what it showed.

16th May 2025 – Contact with Environmental Health Officers

I was informed that Environmental Health Officers had visited the premises on 15th May and following concerns had served notice for the premises to close until issues were rectified.

Tuesday 20th May 2025 – Contact with Environmental Health Officers

It was established that the premises had been open over the weekend without the removal of the notice issued by Environmental Health. Following this Officers reattended the premises where further issues were identified that required a further closure and rectification.

Tuesday 20th May 2025 - Complaint

I received a complaint that on Sunday 11th May persons left the premises in taxis 01:00am and on the following Sunday 18th May, a man at The Rocks called out to a group of young women on Marine Road. The women approached The Rocks and went inside and then left just before 2.30am. I contacted Mrs Gallacher about the complaint. As no reply was received within a couple of days I notified the premises licence holder Mr di Resta by email.

Monday 26th May 2025 – Contact with Police Scotland

I was made aware by police that a search warrant had been executed on Friday 23rd May and a vehicle at Marine Road near the premises belonging to Nicholas Adams was searched. A weapon was recovered, and Mr Adams was arrested and charged.

Monday 26th May 2025 – Complaint

I received a complaint detailing the week prior staff had been witnessed on the promenade opposite the premises sharing a "joint" and that in recent days cannabis had been smelt from the premises. I contacted Mrs Gallacher and Mr Di Resta in relation to this complaint. I was informed by Mrs Gallacher that the chef at the premises has a prescription for cannabis. On further enquiry I established that smoking prescription cannabis is illegal in Scotland.

Wednesday 28th May 2025 – Contact with premises licence holder – Louis Di Resta

I spoke further on the phone with Mr Di Resta in relation to the complaint of drug use and information was shared in relation to the weapon found within the vehicle on Marine Road. Mr Di

Resta informed me he would visit the premises the following day. He had an arranged visit that day which was cancelled. Following the meeting I informed Mr Di Resta of my intention to apply for a premises licence review.

At the time of writing (2nd June) to my knowledge the premises is still closed under the notice issued by Environmental Health.

Summary

I have serious concerns in relation to this premises and the tenant Nicholas Adams. The premises licence holder has leased the premises to Mr Adam's however remains responsible for the premises licence, compliance with conditions and upholding the licensing objectives.

Mrs Gallacher has been appointed premises manager, however, I have seen no clear evidence that she is responsible for the day to day running of the premises and able to make any decisions. She is employed by Mr Adams and appears to be an employee under his control.

Since re-opening under the control of Mr Adams and premises manager there has been conduct inconsistent with the licensing objectives of preventing crime and disorder, preventing public nuisance, securing public safety and protecting children and young persons from harm. Three of the mandatory premises licence conditions have been breached despite my attempts to give guidance which has been ignored to the point that I have felt that a compliance notice was necessary. Following the issue of this notice, the breach of two of the conditions has continued. Multiple complaints and concerns have also been received.

Following the discovery of a weapon in a vehicle outside the premises there are now significant safety concerns for Council Staff and the public.

It is evident that Mr Adams has a clear disregard for the licensing objectives and licensing law. He believed it acceptable to be in control of the premises whilst drinking, failed to supervise the premises sufficiently allowing young patrons into the rear bistro area where a 17-year-old has been allowed to consume alcohol. Had he been more diligent and responsible in his actions, implementing a controlled age verification policy and proper supervision the offence could have been prevented.

This review application is presented to you, following breaches of conditions on the premises licence and the failure to take the remedial action detailed on a notice issued, as well as grounds relevant to the licensing objectives. It is however, also open to the Board to consider ground 36(3)(za) below in their decision making process:

36 (3) The grounds for review referred to in subsection (1) are—

(za) that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence,

(a) that one or more of the conditions to which the premises licence is subject has been breached, or

(b) any other ground relevant to one or more of the licensing objectives.

There has been and continues to be a mismanagement of the premises. The premises licence holder has made efforts with Mr Adams, however, he and others have whilst working in the licensed premises acted in a manner inconsistent with the licensing objectives. Mr Adams and Mrs Gallacher have run this premises with no regard for the law or the responsibilities required under the Licensing (Scotland) Act 2005.

Under Section 84 Licensing (Scotland) Act 2005 in the course of a review hearing, where there is a finding that a personal licence holder who is or was working on the licensed premises, acted in a manner inconsistent with the licensing objectives, the Board must hold a hearing in relation to their personal licence.

I have submitted a report in terms of Section 84B Licensing (Scotland) Act 2005 for Mr Adams personal licence however the Licensing Board members may wish to consider a review of the premises manager Jacqueline Gallacher's personal licence in addition under the above section 84.

I ask the board, to consider all the information given, in their deliberations and decision on this matter.

Licensing Standards Officer

Our Reference: CG/ar/EN/L/EL0210

Date: 3rd June 2025

Private & Confidential



Licensing
John Muir House
Haddington
East Lothian
EH41 3HA
Tel 01620 827827
Fax 01620 827253
Email:licensing@eastlothian.gov.uk

Dear Sir/Madam

**LICENSING (SCOTLAND) ACT 2005 – SECTION 36(1)
NOTIFICATION OF PREMISE REVIEW HEARING
EL0210 – The Rocks, 13 Marine Road, Dunbar, East Lothian EH42 1AR**

The Licensing Board has received a request from Police Scotland and the Licensing Standard Officer for a review of the **Premises Licence** noted above. The Licensing Board, has resolved to hold a review hearing.

Police Scotland in terms of Section 36(1)) of the Licensing (Scotland) Act 2005, on the grounds one or more of the conditions to which the premises licence is subject to has been breached. The application for review is made in terms of the grounds set out at Section 36(3)(b) that there are grounds relevant to one or more of the licensing objectives as articulated at Section 4(1) of the 2005 Act, namely:

- Preventing crime and disorder
- Securing Public Safety
- Preventing Public Nuisance
- Protecting Children and Young Persons from Harm

Licensing Standards Officer made review in terms of Section 36(1) and 36(4) on the grounds specified in Section 36(3)(a) and 36(3)(b) of the Licensing (Scotland Act 2005.

The Review Hearing will be heard at the next meeting of the Licensing Board to be held in Council Chambers, Court Street, Haddington or virtually, by Remote Connect at 10.00am on **Thursday 26th June 2025**

You 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 Fire Scotland, Environmental Health, Trading Standards, Planning to prepare a report into this matter for their consideration at the Hearing.

A copy of the report along with the board details and agenda will be sent to you in due course.

Yours sincerely

Clerk to the Licensing Board

cc. Alistair MacDonald, MacDonald Licensing

Direct Dial : 01620 827664
E-mail : licensing@eastlothian.gov.uk

eastlothian.gov.uk

Background

EH found in late March 2025 that the premises, known as The Rocks, at 13 Marine Parade, Dunbar, which had not traded for some time, was looking to re-open under new ownership (a new Food Business Operator).

Food Registration forms were sent/given to the new (at that time proposed) Food Business Operator (FBO) and the premises registered with this office in early May 2025.

Inspections/Actions BY EH

15th May 2025

The initial visit to the premises was made by two officers from EH on 15th May 2025. At the inspection the following were noted: -

- The main kitchen and associated areas were not in use, nor were they ready for use.
- A barbeque unit was set up on the external decking (and had been used by the business) but there was no handwash facility.
On questioning, the FBO/premises manager advised they were using the washhand basin in the kitchen. On checking this sink, located across a messy courtyard with no public access, it was found to have no hot water.
- The bar was also in use, and had been in use, and on checking the sinks, it was found that there was no hot water to wash hands in the bar.
- The toilets were checked, and no hot water was available at any of the hand wash sinks. We were unable to identify any sinks with hot water in the premises.
The staff advised that there had been issues with the boiler, which had been sorted, but the issue must have recurred hence the lack of hot water in the premises. The staff advised that they were waiting on a further repair to the boiler.
- The bar itself was found to be in a dirty condition.
- There was evidence/historic evidence of rodent(rat) activity in the basement/cellar areas.
- The inspection label on the fixed electrical installation appeared to indicate that a Periodic Inspection of the Electrical Installation was overdue (the label had a last inspected date of 2023 with a next date of 18/12/24).
- There were several other matters noted as being required which were brought to the attention of the FBO/manager.

A Remedial Action Notice (a RAN) was served which resulted in the premises closing and requiring them to remain closed until such times as the hot water/boiler was sorted, and hot water was available.

20th May 2025

A revisit to the premises was arranged for the 20th of May 2025, as the manager advised in a phone call, that the hot water issue had been sorted. They had obtained a portable handwash unit (with hot water) for the barbecue area, and the boiler had been repaired. This was required to comply with the **RAN** served on the 15th of May.

During the inspection the officers found the following: -

- Whilst hot water was found at some of the sinks and washhand basins it was not available at all of them, and thus the **RAN** could not be withdrawn.
- The bar was again found to be in poor condition and there was further evidence of rodent activity in the bar cellar. The premises had not been vermin proofed and the food areas did not, in their current condition, permit the hygienic operation of food activities, which includes sale of beverages. EH Officers served another **RAN** requiring the premises to be deep cleaned and further action to be taken in terms of pest control.

The FBO and manager were advised to contact this office when the works had been completed but until the **RAN** was removed by this office, they should remain closed.

23rd May 2025

The FBO contacted this office to advise that the boiler had been repaired, hot water was now available at all sinks and the necessary works in terms of cleaning, upgrades and pest control had been completed. Some electrical works had been carried out to address matters of immediate safety concern, and a report from an electrician was provided.

Officers revisited the premises on the afternoon of the 23rd of May and found the following: -

- Hot water was available as required by the first **RAN** and this notice was withdrawn.
- The bar was still not clean (nor were other food areas), and officers found evidence of rodent activity. Pest proofing against rodent ingress had not been completed, and the FBO/manager could not provide evidence to demonstrate that the premises had been effectively treated for rodents. During the visit, the officers had a conversation with the Pest Control Contractor. He highlighted that additional proofing was needed, as part of a 6-week rat eradication programme.

The conditions of the second **RAN** had not been met and the premises remained closed.

The FBO and manager were advised that they could not carry out any food activity including bar sales, until the second **RAN** had been withdrawn. Officers advised the FBO to contact EH to arrange a revisit when works had been completed.

29th May 2025

EH received a phone call from the premises manager, advising that the works had been completed. A Pest Control report was requested to evidence that there was no current rodent activity. The manager responded that they would acquire this, and it was agreed that the revisit would be carried out once this information could be reviewed.

30th May 2025

EH contacted the manager, who advised that a new report was not available. The Pest Control Contractor was due to attend that day.

4th June 2025

A call was received from the manager advising that the premises had been closed permanently.

6th June 2025

A call was received from the Property Owner (who had leased the premises to the FBO) confirming that the premises was closed. He informed EH that the FBO was no longer involved with the premises. The Owner also advised that the services of the Pest Control Contractor, on a rodent riddance and pest control programme, would continue.

EH requested a copy of the Pest Control Contractors report, and access to the premises to assess progress with works required by the second **RAN**.

12th June 2025

An email was received from the property owner including a Pest Control report (dated 11th June) which outlined that.

- rodent monitoring on 30th May and 6th June 2025 showed no further evidence of bait take.
- areas of concern had been sealed.
- an inspection camera had shown no evidence of activity.
- there was no fresh evidence of gnawing, droppings, burrowing etc.
- there were no reports of sightings by the owner or staff.

The contractor has made several recommendations including further visits and improvements.

13th June 2025

Officers from EH visited the premises. The premises was closed, and it is unknown when it will reopen and who the FBO will be. Officers noted that improvements, in terms of cleaning, pest proofing and general conditions had been made. There was no evidence of rodent activity.

EH wish to highlight that further remedial works is required in the premises. The Property Owner will be advised of works needed to comply with food and health and safety law. A new Electrical Installation Condition Report must be provided to EH at the earliest opportunity.

**LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION**

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

SECTION 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)

4a

- 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)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL036

2(b) Name and Address of Premises

County Hotel
15-17 High Street
North Berwick, East Lothian

Post Code EH39 4HH

Phone No.

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

Star Pubs & Bars Limited
3-4 Broadway Park
South Gyle Broadway
Edinburgh

Post Code EH12 9JZ

Phone No. 01332 226192 (Agent)

SECTION 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

Remove the following existing Local Conditions:

2. Maintained emergency lighting to BS5839 must be provided to all areas of the premises within 12 months of the date of this Licence coming into effect.
3. Smoke detection system to BS5839 must be provided to all areas of the premises within 12 months of the date of this Licence coming into effect.
4. The Premises Manager must obtain a report from a competent person detailing the condition of the buildings situated adjacent to and/or above the outside drinking area of the premises. If the report advises that any repairs are required to property owned or under the control of the Premises Manager, these repairs must be carried out immediately. If the report advises that any repairs are required to property owned or under the control of any third party, a copy of the report must be given to the third party and a further copy submitted to the Building Standards Department of East Lothian Council (or their successors) immediately. The report must be obtained every two years since issue of the premises licence.
5. The escape route through the outside drinking area of the premises must be kept clear at all times.

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

1. Q2 – Extend the terminal hour for on sales on Thursday to 1am the following day
2. Q3 – Permit off sales from 11:00 to 22:00 daily
3. Q5(c) – Permit live performances, dance facilities, gaming, indoor/outdoor sports/ and televised sport outwith core hours
4. Q5(c) – Permit theatre and films during and outwith core hours
5. Q5(d) – Permit outdoor drinking facilities outwith core hours
6. Q5 further information – Please amend to the following wording: *Accommodation may be available 365 days of the year, on a room only basis. Restaurant/bar meals – premises may open early for the provision of breakfasts, teas, coffees etc. No alcohol will be sold outwith core hours. Conference/club facilities – we have the facility in our first floor function suite and outhouse to offer meeting and conference facilities. These traditionally take place 8am to 11am. Receptions – we have the facility in our first floor function suite and outhouse to offer a wide range of reception facilities. This may include funeral purveys that require alcohol on the premises prior to 11am which would be subject to an expediently processed extended hours application being granted. Club meetings – we have the facility in our first floor function suite and outhouse to host local community meetings. This may include events that require alcohol to be available on the premises prior to core hours e.g. golf day, subject to an extended hours application being granted. Recorded music – accompany any private function business. Live performances may be available to customers outwith core hours booking first floor function suite and outhouse for a private party. Dance facilities – to accompany any private function business. Televised sport – we anticipate that certain key sporting events i.e. Olympics, Football World Cup may be televised outwith the core licensed hours and we would wish to provide alcohol for sale on the premises at these events, such to an extended hours application being granted. Outdoor drinking – to accompany any private function business and to allow customers to drink in the beer garden prior to the start of core hours. No consumption of alcohol prior to core hours unless by virtue of an extended hours certificate. Sale of alcohol - to*

SECTION 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)
-

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£200**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£220** (see note 4 below)

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

be permitted from the outhouse. Film, televised sport and recorded music being available to residents in their rooms.

7. Q5(f) Add: *We may provide a range of activities during core hours such as quiz nights, dominoes, charity nights, or similar social activities appropriate to the target market.*
8. Q6(b) – Amend to: *Children and young persons will be admitted only when accompanied by an adult for the purposes of having a meal, snack or light refreshment or to attend a private function; or as a resident of the hotel.*
9. Q6(d) – Amend to: *Children and young persons who are non-residents of the hotel shall be permitted until 22:00 hours, unless attending a pre-arranged function when they will be permitted to remain on the premises until the end of the function. Children and young persons who are resident at the hotel shall be entitled to access the premises at all times.*
10. Q6 (e) – Amend to: *Children and young persons who are non-residents of the hotel shall be permitted to all public parts of the premises. Children and young persons who are resident at the hotel shall be entitled to access all public parts and the hotel part/rooms of the premises.*

3(c) Variation to the Layout Plan of the Premises Licence

7 Copies 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.

Amend the licensing plan in accordance with drawing No 229 – L-02 Rev. B dated Feb 2025 which accompanies the application. The proposed changes to the layout consist of:

- Relocation of the ground floor bar servery
- Conversion of existing outbuilding at the rear to form an outhouse with a bar servery/food counter
- Relocation and fit out of existing toilets and new accessible WC
- Form new entrance lobby
- New fixed seating on ground floor
- Changing the two-room operation into one large area on the ground floor

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)

Change the name of the premises as shown on the Premises Licence to “*The Law*”

Change the description of the premises to: *The Law operates as a hotel and licensed premises occupying a 4-storey terraced building situated on the High Street of North Berwick, it is adjoined on either side by separate retail shops. The Ground floor comprises of lounge bar, dining area and toilets. The cellar is located to the rear of the ground floor. On the first floor, there is a function room with fire exit. This is served by ladies’ toilet. Further, there is a kitchen which has a door to fire exit and small balcony area. There are three bedrooms all ensuite. To the rear of the premises there is an outhouse which is used as a covered drinking area which has a bar servery/food counter. There is also a beer garden. A metal fire escape extends to 1st and 2nd floors, it provides access to a 2nd floor flat which comprises of bedroom, living room & bathroom. On the third floor, there are 4 twin bedrooms which are all ensuite.*

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

COUNTY HOTEL (TO BE KNOWN AS THE LAW) 15-17 HIGH STREET NORTH BERWICK EAST LoTHIAN EH39 4HH

Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00am	11.00pm
<i>Tuesday</i>	11.00am	11.00pm
<i>Wednesday</i>	11.00am	11.00pm
<i>Thursday</i>	11.00am	1.00am
<i>Friday</i>	11.00am	1.00am
<i>Saturday</i>	11.00am	1.00am
<i>Sunday</i>	11.00am	12 Midnight

Question 3

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

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00am	10.00pm
<i>Tuesday</i>	11.00am	10.00pm
<i>Wednesday</i>	11.00am	10.00pm
<i>Thursday</i>	11.00am	10.00pm
<i>Friday</i>	11.00am	10.00pm
<i>Saturday</i>	11.00am	10.00pm
<i>Sunday</i>	11.00am	10.00pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES</i>
--	------------

**If YES – provide details*

WE INTEND TO OPERATE ANY ADDITIONAL COE HOURS GRANTED BY THE BOARD UNDER THEIR AUTHORITY CONTAINED IN SECTION 67 OF THE LICENSING (SCOTLAND) ACT 2005.

ANY ADDITIONAL HOURS SOUGHT OUTWITH SUCH GRANTS SHALL BE APPLIED FOR BY WAY OF SEPARATE APPLICATION FOR OCCASIONAL LICENCE UNDER SECTION 56 OR FOR EXTENDED HOURS UNDER SECTION 68 OF THE LICENSING (SCOTLAND) ACT 2005

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
<i>Accommodation</i>	YES	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES
<i>Bar meals</i>	YES	YES	YES
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
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	YES	YES	YES
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
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	YES	YES	YES
<i>Theatre</i>	YES	YES	YES
<i>Films</i>	YES	YES	YES
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
5(d)	Please confirm	To be provided during core licensed	Where activities are also to be provided

<i>Activity</i>	<i>YES/NO</i>	<i>hours – please confirm YES/NO</i>	<i>outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	YES	YES	YES
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Accommodation may be available 365 days of the year, on a room only basis.

Restaurant/bar meals – premises may open early for the provision of breakfasts, teas, coffees etc. No alcohol will be sold outwith core hours.

Conference/club facilities – we have the facility in our first floor function suite and outhouse to offer meeting and conference facilities. These traditionally take place 8am to 11am.

Receptions – we have the facility in our first floor function suite and outhouse to offer a wide range of reception facilities. This may include funeral purveys that require alcohol on the premises prior to 11am which would be subject to an expediently processed extended hours application being granted.

Club meetings – we have the facility in our first floor function suite and outhouse to host local community meetings. This may include events that require alcohol to be available on the premises prior to core hours e.g. golf day, subject to an extended hours application being granted.

Recorded music – accompany any private function business.

Live performances may be available to customers outwith core hours booking first floor function suite and outhouse for a private party.

Dance facilities – to accompany any private function business.

Televised sport – we anticipate that certain key sporting events i.e. Olympics, Football World Cup may be televised outwith the core licensed hours and we would wish to provide alcohol for sale on the premises at these events, such to an extended hours application being granted.

Outdoor drinking – to accompany any private function business and to allow customers to drink in the beer garden prior to the start of core hours. No consumption of alcohol prior to core hours unless by virtue of an extended hours certificate.

Sale of alcohol - to be permitted from the outhouse.

Film, televised sport and recorded music being available to residents in their rooms.

5(f) any other activities

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

We may provide a range of activities during core hours such as quiz nights, dominoes, charity nights, or similar social activities appropriate to the target market.

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?	NO
---	----

When fully occupied, are there likely to be more customers standing than seated?	NO
--	----

*Delete as appropriate

Question 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
------	--	-----

*Delete as appropriate

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 admitted only when accompanied by an adult for the purposes of having a meal, snack or light refreshment or to attend a private function; or as a resident of the hotel.

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

0-17 years

Baby changing facilities for under 5 year old are provided in the ground floor male and first floor female toilets.

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

Children and young persons who are non-residents of the hotel shall be permitted until 22:00 hours, unless attending a pre-arranged function when they will be permitted to remain on the premises until the end of the function. Children and young persons who are resident at the hotel shall be entitled to access the premises at all times.

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

Children and young persons who are non-residents of the hotel shall be permitted to all public parts of the premises. Children and young persons who are resident at the hotel shall be entitled to access all public parts and the hotel part/rooms of the premises.

Question 7

CAPACITY OF PREMISES

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

200

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 and telephone number

<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 this operating plan are true to the best of my knowledge and belief.

Signature  * (see note below)

Date22 April 2025.....

Capacity AGENT (delete as appropriate).

Telephone number and email address of signatory

01332 226192 – george.domleo@flintbishop.co.uk

*** 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.

23/04/2025

Your Ref: EL036

Our Ref: 915462

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 LAW (FORMERLY COUNTY HOTEL)
- 17, 15 HIGH STREET, NORTH BERWICK, EAST LoTHIAN, EH39 4HH.
STAR PUBS & BARS LTD**

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

1. Q2 – Extend the terminal hour for on sales on Thursday to 1am the following day
2. Q3 – Permit off sales from 11:00 to 22:00 daily
3. Q5(c) – Permit live performances, dance facilities, gaming, indoor/outdoor sports/ and televised sport outwith core hours
4. Q5(c) – Permit theatre and films during and outwith core hours
5. Q5(d) – Permit outdoor drinking facilities outwith core hours
6. Q5 further information – Please amend to the following wording:

*Accommodation may be available 365 days of the year, on a room only basis.
Restaurant/bar meals – premises may open early for the provision of breakfasts, teas, coffees etc. No alcohol will be sold outwith core hours. Conference/club facilities – we have the facility in our first floor function suite and outhouse to offer meeting and conference facilities. These traditionally take place 8am to 11am.
Receptions – we have the facility in our first floor function suite and outhouse to offer a wide range of reception facilities. This may include funeral purveys that require alcohol on the premises prior to 11am which would be subject to an expediently processed extended hours application being granted.. Club meetings – we have the facility in our first floor function suite and outhouse to host local*

community meetings. This may include events that require alcohol to be available on the premises prior to core hours e.g. golf day, subject to an extended hours application being granted. Recorded music – accompany any private function business. Live performances may be available to customers outwith core hours booking first floor function suite and outhouse for a private party. Dance facilities – to accompany any private function business. Televised sport – we anticipate that certain key sporting events i.e. Olympics, Football World Cup may be televised outwith the core licensed hours and we would wish to provide alcohol for sale on the premises at these events, such to an extended hours application being granted. Outdoor drinking – to accompany any private function business and to allow customers to drink in the beer garden prior to the start of core hours. No consumption of alcohol prior to core hours unless by virtue of an extended hours certificate. Sale of alcohol - to

Amend the licensing plan in accordance with drawing No 229 – L-02 Rev. B dated Feb 2025 which accompanies the application. The proposed changes to the layout consist of:

- Relocation of the ground floor bar servery
- Conversion of existing outbuilding at the rear to form an outhouse with a bar servery/food counter
- Relocation and fit out of existing toilets and new accessible WC
- Form new entrance lobby
- New fixed seating on ground floor
- Changing the two-room operation into one large area on the ground floor

Change the name of the premises as shown on the Premises Licence to “*The Law*”

Change the description of the premises to: The Law operates as a hotel and licensed premises occupying a 4-storey terraced building situated on the High Street of North Berwick, it is adjoined on either side by separate retail shops. The Ground floor comprises of lounge bar, dining area and toilets. The cellar is located to the rear of the ground floor. On the first floor, there is a function room with fire exit. This is served by ladies’ toilet. Further, there is a kitchen which has a door to fire exit and small balcony area. There are three bedrooms all ensuite. To the rear of the premises there is an outhouse which is used as a covered drinking area which has a bar servery/food counter. There is also a beer garden. A metal fire escape extends to 1st and 2nd floors, it provides access to a 2nd floor flat which comprises of bedroom, living room & bathroom. On the third floor, there are 4 twin bedrooms which are all ensuite.

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
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: 6th May 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL036, COUNTY HOTEL, 15-17 HIGH STREET, NORTH BERWICK, EAST LoTHIAN EH39 4HH

I can confirm that the application has been discussed with the applicant's agent. The premises are currently closed and have been for some considerable time. The site notice was correctly displayed.

The changes applied for are:

- To remove local conditions 2-5
- Extend the terminal hour for on-sales on Thursday till 1am
- Permit off sales from 1100-2200 daily
- Permit live performances, dance facilities, gaming, indoor/outdoor sports and televised sport outwith core hours
- Permit theatre and films during and outwith core hours
- Permit outdoor drinking outwith core hours
- Amend Q5 containing further information about activities
- Add quiz night, dominoes, charity nights or similar social activities appropriate to the target market
- Amend the details of children and young person access
- Amend the layout plan to cover relocation of a bar, toilets and a reconfiguration of rooms and uses, and the conversion of the outhouse in the rear outdoor area to an outhouse with a bar/food servery.
- To change the description of the premises
- To change the premises name to "The Law"

As mentioned above this premise has been closed for a significant time approx. 7 years, and Star Pubs and Bars Limited have struggled to find a tenant.

The requested terminal hour for on sales of 1am is within Board policy hours and the off sales hours are compliant with the Act. The amendments to children and young person access also comply with the statement of Licensing Policy.

Within the outside area it is proposed to change the outbuilding to an outhouse with a bar and food counter. Given the new availability of a servery of alcohol in this area I would propose the following conditions:

1. No public entertainment, amplified music, amplified vocals or live music are to be played in the outdoor area to ensure the use does not cause nuisance to neighbouring residential properties.
2. The use of the outdoor area will cease by 10.00pm.

I have no other comment or objection in relation to the other changes and support the re-opening of this premises hopefully in the near future.

Licensing Standards Officer

Herkes, Gillian

From: Robertson, Scott
Sent: 17 April 2025 13:16
To: Licensing
Subject: RE: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

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: 15 April 2025 16:45

To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <Iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; secretary@northberwickcommunitycouncil.org.uk

Subject: FW: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

Good Afternoon

Please find attached Major Variation for The Law (formerly County Hotel), North Berwick for report/representation by 6th May, 2026.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk

Please note :- My working days are Tuesday to Friday

Herkes, Gillian

From: Johnson, Darren
Sent: 16 April 2025 09:08
To: Licensing
Cc: Torquil Cramer (torquil.cramer@firescotland.gov.uk); Environment Reception
Subject: FW: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation
Attachments: Major Variation & Revised Operating Plan - Submitted.pdf; 229 -L-02F Proposed licencing - Submitted.pdf; Payment Authentication Receipt - DO NOT REPLY TO THIS E-MAIL; County Hotel PL.pdf

Good Morning

Whilst this department has no objections in principle to this variation our approval is subject to satisfactory responses being received by yourselves from Fire Scotland and ELC Building Standards regarding the requested removal, by the applicant at Section 3(a), of the following conditions:

- 2. Maintained emergency lighting to BS5839 must be provided to all areas of the premises within 12 months of the date of this Licence coming into effect.*
- 3. Smoke detection system to BS5839 must be provided to all areas of the premises within 12 months of the date of this Licence coming into effect.*
- 4. The Premises Manager must obtain a report from a competent person detailing the condition of the buildings situated adjacent to and/or above the outside drinking area of the premises. If the report advises that any repairs are required to property owned or under the control of the Premises Manager, these repairs must be carried out immediately. If the report advises that any repairs are required to property owned or under the control of any third party, a copy of the report must be given to the third party and a further copy submitted to the Building Standards Department of East Lothian Council (or their successors) immediately. The report must be obtained every two years since issue of the premises licence.*
- 5. The escape route through the outside drinking area of the premises must be kept clear at all times.*

Regards

Darren Johnson
Senior Business Compliance Officer
Business Compliance
Protective Services
East Lothian Council
Tel: 01620 827208
Mobile: 07779085699
Email: djohnson@eastlothian.gov.uk
Website: www.eastlothian.gov.uk

From: Environmental Health/Trading Standards <ehs@eastlothian.gov.uk>
Sent: 16 April 2025 08:23
To: Johnson, Darren <djohnson@eastlothian.gov.uk>
Subject: FW: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

Aitken, Christine (Licensing)

From: Kathryn Smith [REDACTED]
Sent: 07 May 2025 12:33
To: Licensing
Subject: RE: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Gillian

The Major Variation application for the County Hotel (to be known as The Law), 17 High Street was discussed at last night's meeting of North Berwick Community Council.

We do not understand why the existing Local Conditions 2 to 5 detailed in section 3(a) are to be removed as they are essential health and safety requirements for any premises like this. On that ground alone we object to the application.

The extension of the terminal hour on Thursdays to 1.00 am which was previously midnight is also concerning as there are residential properties in the immediate vicinity of the premises.

Regards
Kathryn

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 29 April 2025 16:36
To: Kathryn Smith [REDACTED]
Subject: RE: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

Hi Kathryn

If you could just get your comments in as soon as possible after your meeting. This application will be heard in June.

Gillian

From: Kathryn Smith [REDACTED]
Sent: 29 April 2025 16:32
To: Licensing <licensing@eastlothian.gov.uk>
Subject: RE: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

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I've just noticed that you require representations by 6th May. Our next public meeting is on the 6th so I won't be able to let you have any comments we may have till after our meeting. When does the Board meet?

Kathryn

Kathryn E Smith
Secretary, NBCC

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 15 April 2025 16:45
To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)
<lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer
<iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental
Health/Trading Standards <ehts@eastlothian.gov.uk>; Fire (torquil.cramer@firescotland.gov.uk)
<torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; secretary@northberwickcommunitycouncil.org.uk
Subject: FW: County Hotel (TBK as The Law), 17 High St, North Berwick, EH39 4HW - Major Variation

Good Afternoon

Please find attached Major Variation for The Law (formerly County Hotel), North Berwick for report/representation by 6th May, 2026.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk

Please note :- My working days are Tuesday to Friday



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Aitken, Christine (Licensing)

From: [REDACTED]
Sent: 05 May 2025 18:31
To: Licensing
Subject: Objections to The Law

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[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Ref: CG/mjw/EN/L/L1

Dear Sir/Madam

I wish to object to the 1am closing time for on-sales licensing hours at The Law (formerly 'County Hotel') in High Street, North Berwick. This is much too late for a premises that will allow the sale and drinking of alcohol (as well as dance music) in an open space in the back garden.

This objection is mainly due to the noise levels we can expect from such a late-night on-sales operation in an outdoor open area surrounded by many apartment/flat residents who purchased their homes prior to this potential noise invasion. If this 1am closing time is allowed, many of us local residents will be forced to repeatedly call the council and police to legitimately complain about the noise. A 1am closing time is not necessary. The impact on the local residents should be the priority in this council decision.

Yours sincerely,
Mark Badham

Aitken, Christine (Licensing)

From: Matthew Gibbons [REDACTED]
Sent: 05 May 2025 16:16
To: Licensing
Subject: Objection to variation (major) for the "law" (formerly County Hotel) 15-17 High Street, North Berwick

Follow Up Flag: Follow up
Flag Status: Completed

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Microsoft Word You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon,

I am writing to object to certain parts of the application for a major variation to the licence held by the "Law" (formerly County Hotel) 15-17 High Street, North Berwick. I live at [REDACTED] with both my bedrooms facing [REDACTED] offset but [REDACTED] the hotel and proposed pub garden area.

Primarily my objection lies in the fact that this area of the High Street in North Berwick has become, over the last 7-8 years that the County Hotel has not been trading, a very quiet residential area, especially at night.

I am not against the business starting up again, obviously a good thing for the town.

However I do not see a good reason the terminal hour of sales on a Thursday should be extended to 1am the next day (or any day).

There is zero need for this in the town, no-one needs to drink until 1am on any day, let alone on a week night, when others are expected at work the next morning.

The only reason that a bar would be open to 1am is to allow people to get drunk (is this responsible), 1am is way beyond a sensible sociable drinking time. Alcohol does enough damage to society as it is, we should not be encouraging late night drinking on week days.

I am particularly concerned by this due to the propose "pub garden" which might mean those inebriated individuals outside until 1am.

This when taken with application for "outdoor drinking outwith core hours" also concerns me as this will also affect the peaceful residential nature of the area and disturb sleep, potentially until 1am on three nights a week. Outdoor drinking until 2200 might be palatable, but loud drunk people gathering outside in a pub garden after this will definitely disturb, especially if it is on a Thursday.

I am also concerned by the somewhat confusing wording that potentially suggest the showing of sport, or playing of music etc outside in the pub garden.

I don't particularly have an issue with this during the day. But if it is into the night, say after 2200 then it will also ruin the quiet nature of the area, especially if it is a regular occurrence. For context, the area is so

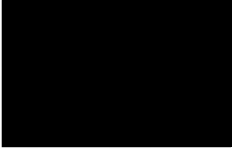
quiet that woodpeckers that live in the lodge can be heard from my bedroom.

I do appreciate that the area was previously something of a pub garden, however the proposed renovations make it obvious that the owners want this to be a very active site, from what it was when it operated before.

I worry this has been decided without any consideration to the established residential norm over the past 7-8 years, something which is likely underappreciated until it is lost.

Kind Regards
Matthew Gibbons.

Peter and Jo Hammond



Clerk of the Licensing Board
John Muir House
Haddington
East Lothian
EH39 4HH

1st of May 2025

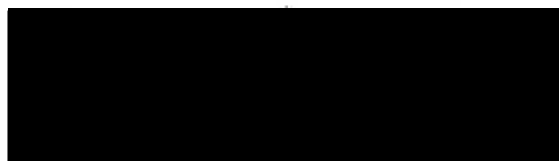
With reference to the Law formerly The County Hotel 15 – 17 High Street North Berwick. Your reference:CG/mjw/EN/L/L1

Being [REDACTED] neighbours and having [REDACTED] to the aforesaid building, we can but look forward to something being done to a building which over the years has become more and more of an eyesore and embarrassment to the High Street. As private residents we always had a friendly relationship with the County Hotel until the last brief landlord residence.

Having said that there are a few things that do concern us with this application and we would make these representations to you.

- 1) Outdoor noise in the beer garden area. With the potential of sports events (televised we assume) and outdoor drinking with food service, we are concerned that the noise level may become extremely intrusive as our courtyard and raised balcony where we enjoy relaxing is across a flat roof leading directly to the beer garden. We are not kill joys but know from experience how loud these outdoor events can become. We would like some form of sound proofing and /or noise reduction to be put in place and considered by the applicant.
- 2) The opening of a function suite for bands, functions etc. Our drawing room where we sit of an evening has a [REDACTED] to this function suite and from past experience there is no soundproofing on that wall on the hotel side. This would have another serious effect upon us and our quality of life especially with the modern sound equipment available. Again we ask that this is taken into consideration.
- 3) Extreme concern over smoking areas and dispersal of clients at closing time. Smoking areas should be confined to the beer garden side of the hotel and not allowed on the High Street side. In summer, especially when we like to have a window open for fresh air, you would be surprised at how much smoke rises and enters our drawing room. Smoking on the street side also looks very unpleasant and smells for passers-by and is not a good look for a business.

Yours faithfully, Peter and Jo Hammond



East Lothian Council
Licensing

06 MAY 2025

Received

North Berwick, 04.05.2025

Dear Mr Carlo Grilli,

We are a couple who live at [REDACTED] in North Berwick,
we reply with this, to the letter received regarding the license change of
"The Law (formerly known as County Hotel) 15-17 High Street North Berwick.
We express our concerns regarding: the soundproofing of the premises,
the decorum of the street and the respect towards us residents;
pointing out that a few years ago it was impossible to rest due to the loud
volume of the music and the noise of people evidently altered by alcohol,
not to mention the rubbish bins dumped on the street and damaged flower
pots(which still happens today).

As far as we are concerned, we would be very happy if there was a new
commercial activity, but we would also appreciate being protected by a greater
police presence from Thursday to Sunday and throughout the summer period
(since there is an inactive police station a few meters away) and perhaps a
control with cameras.

If all this were put in place, we would be very happy with the new opening and
we will probably also be customers, but for now we are quite doubtful.

We hope that with this letter our concern is clear to you.

Kind Regards

East Lothian Council
Licensing

07 MAY 2025

Received

Valeriano Pinna and Laura Leone
[REDACTED]

65507

EAST LoTHIAN COUNCIL

11 NOV 2024

LOCAL ACCESS POINT
BRUNTON HALL



EAST LoTHIAN
LICENSING
BOARD

4b

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)

TO CHANGE OUR CURRENT LICENCE TO A OPEN
LICENCE

East Lothian Council
Licensing

06 MAY 2025

Received

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises ELO248

MUSSELBURGH + FISHERROW

2(b) Name and Address of Premises AND SOCIAL CLUB

253 NORTH HIGH STREET MUSSELBURGH

Post Code EH21 6BQ Tel. No. 0131 665 2117

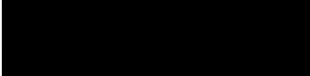

Email 

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

MUSSELBURGH + FISHERROW WELFARE + SOCIAL CLUB

253 NORTH HIGH STREET MUSSELBURGH

EAST LOTHIAN Post Code EH21 6BQ

Tel. No.  Email address 

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

GOING FROM OUR CURRENT LICENCE
TO AN OPEN LICENCE
TO ALLOW MORE FLEXIBILITY TO OUR
NON MEMBERS

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)

LOST
INCIDENT NO. EAST/MIDLOTHIAN/114134/IB/20241029
NOW ENCLOSED

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.

LOST
INCIDENT NO. EAST/MIDLOTHIAN/114134/IB/20241029
NOW ENCLOSED

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)

NONE

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)

THE PAYMENT WAS MADE AUGUST 2024

CONFIRMATION RECEIVED.

NOW ENCLOSED

5. FEE PAYABLE

Information on fees can be found at

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 5th NOVEMBER 2024 (PAYMENT CLEARED 20th NOV. 2024)

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.)

Note 2

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005 .

Note 5: Data Protection Act 2018

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

CONTACT US

East Lothian Licensing Board
Licensing Office, John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114
Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY		
Received & Receipt No.	System Updated	Licence Issued



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 MUSSELBURGH + FISHERROW
WELFARE + SOCIAL CLUB
253 NORTH HIGH STREET
MUSSELBURGH Post Code EH21 6BQ

- 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	11 AM	23.00
Tuesday	11 AM	23.00
Wednesday	11 AM	23.00
Thursday	11 AM	01.00
Friday	11 AM	01.00
Saturday	11 AM	01.00
Sunday	12 NOON	12 MIDNIGHT

3. STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	11.00	22.00
Tuesday	11.00	22.00
Wednesday	11.00	22.00
Thursday	11.00	22.00
Friday	11.00	22.00
Saturday	11.00	22.00
Sunday	12 NOON	22.00

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES NO

*If YES – provide details

TWO EXTRA HOURS TO BE ADDED TO THE TERMINAL HOUR
FOR THE PERIOD OF CHRISTMAS + NEW YEAR
AS PER BOARD GUIDELINES

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 licensed hours. Please confirm YES/NO
----------	--------------------------------	--	---

5a.	Accommodation	No	N/A	N/A
	Conference facilities	YES	YES	YES
	Restaurant facilities	No	No	No
	Bar meals	YES	YES	No

Social functions including:

5b.	Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
	Club or other group meetings etc.	YES	YES	YES

Entertainment, including:

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

5d.	Outdoor drinking facilities	YES	YES	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.

CONFERENCE FACILITIES - MAY START OUTWITH CORE HOURS BUT NOT BEFORE 9AM.

RECEPTIONS INCLUDING WEDDINGS ETC - MAY START OUTWITH CORE HOURS BUT NOT BEFORE 9AM

CLUB OR OTHER GROUP MEETINGS - MAY START OUTWITH CORE HOURS BUT NOT BEFORE 9AM.

RECORDED MUSIC - MAY START OUTWITH CORE HOURS BUT NOT BEFORE 7AM. THIS IS TO PERMIT CLEANING STAFF THE USE OF THIS FACILITY, NORMALLY TO FACILITATE MEMBERS 9AM,

INDOOR SPORTS - MAY START OUTWITH CORE HOURS BUT NOT BEFORE 9AM,

OCCASIONALLY ON MONDAY NIGHTS THIS ACTIVITY MAY FINISH BEYOND CORE HOURS BUT NOT LATER THAN 12 MIDNIGHT, TO FACILITATE DARTS LEAGUE MATCHES AND ONLY TO RESOLVE A TIED MATCH, NO ALCOHOL WILL BE CONSUMED DURING THIS TIME.

TELEVISED SPORTS - MAY START OUTWITH CORE HOURS BUT NOT BEFORE 9AM.

NO ADDITIONAL ACTIVITIES (OTHER THAN MENTIONED UNDER INDOOR SPORTS) WILL FINISH OUTWITH CORE HOURS WHERE ALCOHOL IS SERVED UNLESS UNDER THE AUTHORITY OF AN EXTENDED HOURS APPLICATION

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

FUNDRAISING INITIATIVES E.G. LOTT TICKETS, DARTS
POOL, SNOOKER, DOMINOES, CHESS, LINE DANCING,
QUIZ COMPETITIONS, CHILDRENS CHRISTMAS
PARTIES, PENSIONERS FESTIVE DINNER,
FUN RAISING EVENT, FUNCTIONS, E.G. DANCING
AND BINGO

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 AND YOUNG PERSONS WHO ARE PART OF THE FOOTBALL SUPPORTERS CLUB WAIT IN THE PREMISES UNTIL THE BUS DEPARTS FOR THE FOOTBALL MATCH THEY ARE PERMITTED TO USE THE TOILETS AND LOUNGE OUT WITH HOURS WHEN ALCOHOL IS SOLD OR THE AREA NEAR TO THE ENTRANCE OF THE CLUB. DURING THE SUMMER MONTHS CHILDREN ARE ALLOWED IN THE GROUNDS OF THE CLUB WITH AN ADULT (OUTSIDE DRINKING AREA) AND ARE PERMITTED ACCESS TO THE CLUB TO USE THE TOILETS. AT THE ANNUAL MUSSELBURGH PARADE CHILDREN ACCOMPANIED BY ADULTS USE THE GROUNDS TO WATCH THE PARADE AND ARE PERMITTED ACCESS TO THE TOILETS. AT FESTIVE TIME MEMBERS CHILDREN ARE ALLOWED ACCESS TO THE CLUB TO ATTEND THE CHRISTMAS PARTY.

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

CHILDREN AND YOUNG PERSONS ARE ALLOWED ACCESS TO THE PREMISES UNDER THE FOREGOING CIRCUMSTANCES UP TO 8 PM.

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

CHILDREN AND YOUNG PERSONS WILL HAVE ACCESS TO THE FUNCTION HALL, LOUNGE (WHEN WAITING FOR THE FOOTBALL SUPPORTERS BUS) AND TO THE TOILETS

7. CAPACITY OF PREMISES

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

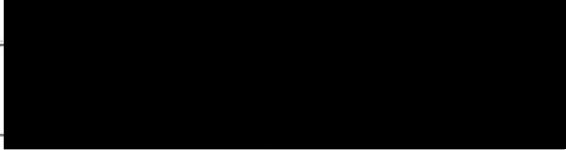
ON SALES - 290

8. PREMISES MANAGER

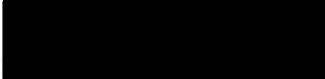
(NOTE: not required where application is for grant of provisional premises licence)

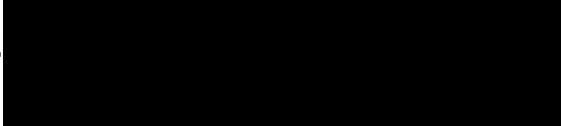
Full Name ROBEL EIKEEN FOLLETT

Date of birth 

Contact address 

Post Code 

Tel. No. 

Email address 

Personal licence

Date of issue 14TH APRIL 2025

Name of Licensing Board issuing EAST LOTHIAN

Reference no. of personal licence EL 2369

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The contents of this operating plan are true to the best of my knowledge and belief

Signature  _____ (* see note below)

Date 2/5/2025 _____

Capacity APPLICANT / AGENT (delete as appropriate)

Tel. No. of signatory _____

Email address _____

*** 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.



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.

EAST LOTHIAN COUNCIL

11 NOV 2024

LOCAL ACCESS POINT
BRUNTON HALL

BUSINESS PROFILE

Please describe your business offering

THIS IS A MEMBERS CLUB ALSO OPEN TO
NON MEMBERS WITH A SIGNED IN POLICY

ON CONSUMPTION

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

ALCOHAL + SOFT DRINKS

OFF CONSUMPTION

(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries

NOT APPLICABLE

**CLARIFICATION IS REQUIRED IN RELATION TO THE
CONTENT OF YOUR PROPOSED OPERATING PLAN**

To what extent do you intend to use any of the following:
Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

NOT APPLICABLE

Social Functions – Weddings; Birthdays; Retirements ; Other:
If you intend to provide for any of these functions please describe the
nature and extent and likely frequency of each:

BIRTHDAYS NO UNDER 25.

ANNIVERSARYS

FUNERALS

Entertainment – Recorded Music; Live Performances; Dance Facilities;
Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport – If you
intend to provide for any of these facilities please describe the nature and
extent and likely frequency of each:

LIVE PERFORMANCES WEEKLY

TELEVISED SPORT DAILY

SNOOKER POOL AND DOMINOES DARTS DAILY

Outdoor Drinking Facilities – If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

SMALL BEER GARDEN

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:

NONE

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:

FUNERAL TEAS

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.

CHRISTMAS PARTIES AGE 4-10
BABY CHANGING FACILITIES.

LICENSING OBJECTIVES

Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at

https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023

Preventing Crime and Disorder

SECURE FRONT DOOR + DOORMAN
MEMBERS FOR ENTRY SYSTEM

Securing Public Safety:

AS ABOVE

Preventing Public Nuisance:

WE DO NOT TOLERATE ANYONE WHO IS UNDER EXCESSIVE INFLUENCE OF ALCOHOL

Protecting and Improving Public Health:

EXTERNAL DEFIBRILLATOR INSTALLED WITH PUBLIC ACCESS.

Protecting Children and Young Persons From Harm:

WE DO NOT ALLOW CHILDREN IN THE BARS WHEN OPEN

PRIVATE PARTIES WE DO NOT ALLOW CHILDREN NEAR THE BARS

APPLICATION SUPPORTING COMMENTS

Additional Information

Supporting Comments

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

WE ARE GOING FROM OUR CURRENT LICENCE
TO AN OPEN LICENCE TO ALLOW MORE
FLEXIBILITY TO NON MEMBERS

SIGNATURE AND DECLARATION BY APPLICANT

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

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

Signature Isobel Benn

Date 5th NOVEMBER 2024

EAST LoTHIAN COUNCIL



East Lothian Council
Licensing
- 7 NOV 2024
Received

11 NOV 2024

LOCAL ACCESS POINT
BRUNTON HALL

SCHEDULE 6 Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

1. DISABLED ACCESS AND FACILITIES

1(a). Is there disabled access to the premises

YES NO

1(b). Do you have facilities for those with a disability

YES NO

1(c). Do you have any other provisions available to aid the use of the premises by disabled people

YES NO

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

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.

RAMPS HANDRAILS AND IN HOUSE WHEELCHAIR
DISABLED TOILET SIGNAGE

3. FACILITIES AVAILABLE

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

DISABLED TOILETS ALL ON GROUND FLOOR

4. OTHER PROVISIONS

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

ASSISTANCE DOGS WELCOME

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature Isobel Benn * (see note below)

Date 5/11 NOVEMBER 2024

Capacity SECRETARY

APPLICANT/AGENT (delete as appropriate)

Tel. no. of signatory _____

Email _____

*** 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.

15/05/2025

Your Ref: EL248

Our Ref: 922540

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
MUSSELBURGH & FISHERROW WELFARE & SOCIAL CLUB
MUSSELBURGH & FISHERROW WELFARE & SOCIAL CLUB, 253 NORTH
HIGH STREET, FISHERROW, MUSSELBURGH, EAST LOTHIAN, EH21 6BQ.
MUSSELBURGH & FISHERROW WELFARE & SOCIAL CLUB**

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

CHANGE FROM CURRENT PREMISES LICENCE TO AN OPEN LICENCE

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
Divisional Commander

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 29th May 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0248, MUSSELBURGH AND FISHERROW WELFARE AND SOCIAL CLUB, 253 NORTH HIGH STREET, MUSSELBURGH, EAST LoTHIAN EH21 6BQ

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

The changes applied for are:

- To change the club premises licence to an "open" premises licence from a club premises removing the special provisions for certain clubs under section 125 Licensing (Scotland) Act 2005
- To appoint Isobel Follet as premises manager

Having spoken with the committee it was established that the operation at the club were better suited to an open licence, relinquishing the provisions under section 125 of the Act. The running and operation of the club for members and on a day-to-day basis will not change and the application is to allow more frequent events and party/occasions bookings for non-members without the use of occasional licences.

I have received no complaints about the premises, and I have no adverse comment in relation to the changes requested.

Licensing Standards Officer

Herkes, Gillian

From: Robertson, Scott
Sent: 21 May 2025 13:52
To: Licensing
Subject: RE: Major Variation - Musselburgh & Fisherrow Social Club

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: 13 May 2025 15:44
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>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; [REDACTED]
Subject: Major Variation - Musselburgh & Fisherrow Social Club

Hi All

Please find attached Major Variation for Musselburgh & Fisherrow Social Club in order to vary their licence to and Open Licence for report/representation by 4th 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

Please note :- My working days are Tuesday to Friday

Herkes, Gillian

From: Anshus, Oyunn
Sent: 14 May 2025 12:22
To: Licensing
Subject: 25/00683/LICVAR - Major Variation - Musselburgh & Fisherrow Social Club
Attachments: Application - Major Variation - Musselburgh & Fisherrow Social Club.pdf; Operating Plan - Musselburgh & Fisherrow Social Club.pdf; Supplementary Form - Musselburgh & Fisherrow Social Club.pdf; Disabled Access - Musselburgh & Fisherrow Social Club.pdf; Musselburgh & Fisherrow Plan.pdf

Good afternoon,
I have no objection to this licence being granted.

Kind regards,

Oyunn Anshus
Senior Environmental Health Officer - Business Compliance
Place, Protective Services, East Lothian Council, John Muir House, Court Street, Haddington, East Lothian EH41 3HA
M 07855 187997 | **E** oyanshus@eastlothian.gov.uk | **W** www.eastlothian.gov.uk

From: Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>
Sent: 14 May 2025 08:38
To: Anshus, Oyunn <oyanshus@eastlothian.gov.uk>
Subject: FW: Major Variation - Musselburgh & Fisherrow Social Club

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 13 May 2025 15:44
To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; [REDACTED]
Subject: Major Variation - Musselburgh & Fisherrow Social Club

Hi All

Please find attached Major Variation for Musselburgh & Fisherrow Social Club in order to vary their licence to and Open Licence for report/representation by 4th June, 2025

Kind regards
Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House

34440

East Lothian Council
Licensing

EAST LoTHIAN LICENSING BOARD

10 APR 2025

LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

Received

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

SECTION 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).

4c

(Provide Details)

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

EL0185

2(b) Name and Address of Premises

Longniddry Inn
Main Street
Longniddry
East Lothian

Post Code EH32 0NF

Phone No.

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

Punch Partnerships (PTL) Limited
Elsley Court
20-22 Great Titchfield Street

London		
Post Code	W1W 8BE	Phone No.

SECTION 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

Remove the following existing Local Conditions:

1. In the interests of public safety, children must be excluded from an area of 1.5 metres from any bar servery in the premises.
2. Maintained emergency lighting to BS5839 must be provided to all areas of the premises within 12 months of the date of this Licence coming into effect.
3. Smoke detection system to BS5839 must be provided to all areas of the premises within 12 months of the date of this Licence coming into effect.

3(b) Variation to the information contained within the Operating Plan of the Premises Licence

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

1. Q2 - Extend the terminal hour for on sales on Thursday to 01:00
2. Q5(b) – Permit receptions and club or other group meetings etc outwith core hours
3. Q5(c) – Permit televised sport outwith core hours
4. Q5(d) – Permit outdoor drinking facilities outwith core hours
5. Q5 – Amend to “*Activities outwith core hours permitted prior to core hours from 08.00AM onwards, but no alcohol will be served outwith core hours unless by virtue of an extended hours certificate. All activities outwith core hours may also be provided during the hours sought in question 4 above. Premises may open from 08.00AM for the provision of teas, coffees, breakfasts etc.*”
6. Q6(d) – Amend to “*From opening 22:00 hours, unless attending a pre-arranged function when they will be permitted to remain on the premises until the terminal hour.*”
7. Q6(e) – Amend to “*All public parts of the premises*”

3(c) Variation to the Layout Plan of the Premises Licence

7 Copies 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.

Amend the layout plan in accordance with the drawing which accompanies the variation. The proposed changes to the layout is the extension of the beer garden and the booth seating in the public bar. We are also seeking for children and young persons to be permitted access to all public parts of the premises.

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)

Change the description of the premises to “Premium dining family-friendly public house with function room and beer garden”

SECTION 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)

.....

SECTION 5: FEE PAYABLE

The fee payable in respect of the application for variation is **£200**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£220** (see note 4 below)

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) the appropriate fee of £200 is enclosed

Signature



..... (See note 5 below)

Date 10 April 2025

Capacity: AGENT (delete as appropriate)

If agent, please provide name, address, phone number and (if applicable) email address

George Domleo, Flint Bishop Limited, Pinnacle Building, 2 Prospect Place, Pride Park, Derby, DE24 8HG, 01332 226192, george.domleo@flintbishop.co.uk

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.)

Note 2:

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

Note 3:

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

Note 4:

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

Note 5:

Data Protection Act 1998

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Contact Us:

East Lothian Licensing Board
Licensing Office
John Muir House
Haddington, East Lothian
EH41 3HA

Phone: 01620 827217 / 827867 / 820114
Fax: 01620 827253
Email: licensing@eastlothian.gov.uk

FOR OFFICE USE ONLY		
<i>Received & Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

EAST LoTHIAN LICENSING BOARD

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Longniddry Inn Main Street Longniddry East Lothian EH32 0NF

Question 1

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

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

Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
Monday	11:00	23:00
Tuesday	11:00	23:00
Wednesday	11:00	23:00
Thursday	11:00	01:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	23:00

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	11:00	22:00
Tuesday	11:00	22:00
Wednesday	11:00	22:00
Thursday	11:00	22:00
Friday	11:00	22:00
Saturday	11:00	22:00
Sunday	11:00	22:00

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES
---	-----

**If YES – provide details*

FROM A WEEK BEFORE CHRISTMAS DAY THROUGH TO JANUARY 4TH, OUTLET WISHES TO CONTINUE TO OPERATE UNTIL 02.00AM DAILY FOR THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES, IN LINE WITH DATES DETERMINED BY EAST LoTHIAN LICENSING BOARD

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 <i>5(a)</i> <i>Activity</i>	COL. 2 <i>Please confirm</i> <i>YES/NO</i>	COL. 3 <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	COL. 4 <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	YES	YES	YES
<i>Restaurant facilities</i>	YES	YES	YES

<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Activities outwith core hours permitted prior to core hours from 08.00AM onwards, but no alcohol will be served outwith core hours unless by virtue of an extended hours certificate. All activities outwith core hours may also be provided during the hours sought in question 4 above. Premises may open from 08.00AM for the provision of teas, coffees, breakfasts etc

5(f) any other activities

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

Karaoke

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>N/A</i>
--	------------

<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>N/A</i>
<i>*Delete as appropriate</i>	

<i>Bar meals</i>	YES	YES	YES
5(b) Activity <i>Social functions including:</i>	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
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	YES	YES	YES
<i>Club or other group meetings etc.</i>	YES	YES	YES
5(c) Activity <i>Entertainment including:</i>	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
<i>Recorded music – see 5(g)</i>	YES	YES	YES
<i>Live performances – see 5(g)</i>	YES	YES	YES
<i>Dance facilities</i>	YES	YES	YES
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	YES	YES	YES
<i>Indoor/outdoor sports</i>	YES	YES	YES
<i>Televised sport</i>	YES	YES	YES
5(d) Activity	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
<i>Outdoor drinking facilities</i>	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 ONLY BE ALLOWED ACCESS IF ACCOMPANIED BY AN ADULT.

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

0 TO 17

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

FROM OPENING UNTIL 22:00 HOURS, UNLESS ATTENDING A PRE-ARRANGED FUNCTION WHEN THEY WILL BE PERMITTED TO REMAIN ON THE PREMISES UNTIL THE TERMINAL HOUR

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

ALL PUBLIC PARTS OF THE PREMISES

Question 7

CAPACITY OF PREMISES

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

ON SALES - 548

Question 8

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

Personal details

8(a) *Name*

RENEE ALLYCE SARBACH

8(b) *Date of birth*

[REDACTED]

8(c) *Contact address*

[REDACTED]

8(d) Email address



8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
14 NOVEMBER 2024	SCOTTISH BORDERS COUNCIL	SB/LIQ/13371

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature ..  * (see note below)

Date 10 April 2025

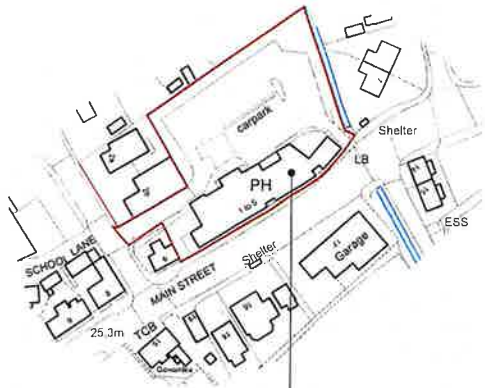
Capacity AGENT (delete as appropriate).

Telephone number and email address of signatory

01332 226192 – george.domleo@flintbishop.co.uk

*** Data Protection Act 1998**

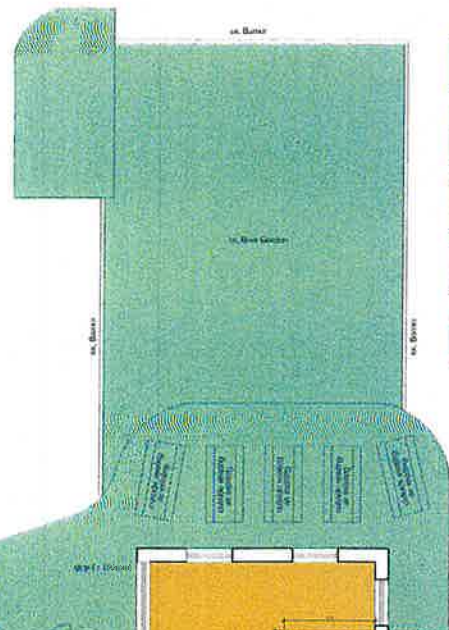
The information on this form may be held on an electronic public register which may be available to members of the public on request.



location plan

scale 1:250
whitewards - //voters excellent and

site referred to in application,
(Longniddy Inn & carpark to rear)



AREA USE KEY

- areas where 0-17 year old permitted
- areas of 0-17 year old
- public areas of the building or adjacent
- external seating area with access for 0-17 year olds
- area where 0-17 year old permitted

KEY/LEGEND

- ALL ELECTRICAL TO COMPLY WITH CURRENT I.E.E. REGULATIONS.
- EXISTING MAINTAINED EMERGENCY LIGHT
 - EXISTING FOAM FIRE EXTINGUISHER
 - EXISTING WATER FIRE EXTINGUISHER
 - EXISTING CARBON DIOXIDE FIRE EXTINGUISHER

sda
STUART DAVIDSON
ARCHITECTURE

- Client Ms Renee Sarbach
- Project Proposed seating alterations to Longniddy Inn, Main Street, Longniddy
- Site Proposed licensing plan & location plan

licensing plan
February 2005

P972-SK-002 C

LICENSING PLAN ONLY

floor plan

scale 1:100

22/04/2025

Your Ref: EL185

Our Ref: 915158

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
LONGNIDDRY INN
LONGNIDDRY INN, MAIN STREET, LONGNIDDRY, EAST LOTHIAN, EH32
0NF.
PUNCH PARTNERSHIP (PTL) LTD, ELSEY COURT, 20-22 GREAT
TITCHFIELD STREET, LONDON W1W 8BE**

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

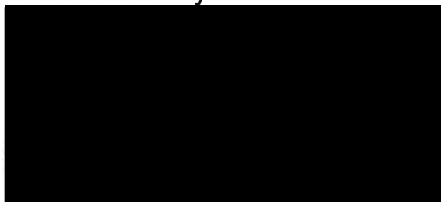
The variation requested consists of **Extend the terminal hour for on sales on Thursday to 01:00**

- **Permit receptions and club or other group meetings etc outwith core hours**
- **Permit televised sport outwith core hours**
- **Permit outdoor drinking facilities outwith core hours**
- **Amend to "Activities outwith core hours permitted prior to core hours from 08.00AM onwards, but no alcohol will be served outwith core hours unless by virtue of an extended hours certificate. All activities outwith core hours may also be provided during the hours sought in question 4 above. Premises may open from 08.00AM for the provision of teas, coffees, breakfasts etc.**
- **Amend to "From opening 22:00 hours, unless attending a pre-arranged function when they will be permitted to remain on the premises until the terminal hour."**
- **Amend to "All public parts of the premises"**

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
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: 8th May 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL0185, LONGNIDDRY INN, MAIN STREET, LONGNIDDRY, EAST LoTHIAN EH320NF

I can confirm that the application has been discussed with the current tenant and premises manager Renee Sarbach. The premises have also been visited and the site notice was correctly displayed.

The changes applied for are:

- To remove local conditions 2-3
- Extend the on sales terminal hour on Thursday to 01.00am
- Permit receptions, clubs and other group meetings etc out with core hours
- Permit televised sport outwith core hours
- Permit outdoor drinking facilities outwith core hours
- Amend the activities section at Q5 to cover the outwith core activities to allow the premise to open at 0800am and provide these activities
- Amend children and young person access to allow them on the premises until 10pm or until the termination if at a pre-arranged function
- Allow children in all public parts
- Change of layout plan to include booth seating

The extension of the terminal hour till 01.00 am is within policy on-sales hours. I have no comment or objection to the remaining changes.

I have received no complaints about the premises in the last 12 months.

Licensing Standards Officer

Aitken, Christine (Licensing)

From: Macdonald, Holly
Sent: 15 April 2025 16:12
To: Licensing
Cc: IDOX EH
Subject: Longniddry Inn: CP: 25/00022/COM SR 25/00534/LICVAR
Attachments: Major Variation & Revised Operating Plan - Submitted.pdf; Payment Authentication Receipt - DO NOT REPLY TO THIS E-MAIL; Proposed Layout Plan.pdf - Submitted.pdf; Longniddry Premises Licence January 2025.pdf

Hello,

In relation to the Maj Variation for Longniddry Inn, I have no comments and no objections. This change was captured in their latest inspection.

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

Herkes, Gillian

From: Robertson, Scott
Sent: 17 April 2025 12:13
To: Licensing
Subject: RE: Longniddry Inn, Main St, Longniddry, EH32 ONF (Major Variation)

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: 15 April 2025 13:49
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>; Fire (torquil.cramer@firescotland.gov.uk)
<torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; longniddrycommunitycouncil@gmail.com
Subject: FW: Longniddry Inn, Main St, Longniddry, EH32 ONF (Major Variation)

Good Afternoon

Please find attached Major Variation for Longniddry Inn, Longniddry for report/representation by 6th
May 2025.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk

Please note :- My working days are Tuesday to Friday

Herkes, Gillian

From: mike WIZZ [REDACTED]
Sent: 22 April 2025 09:35
To: Licensing
Subject: Re:

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

REGISTRATION You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Gillian

Regarding your letter ref **CG/mjw/EN/LL/1**, requesting extended licensing hours until 1am on a Thursday into Friday for The Longniddry Inn.

Firstly, we live [REDACTED] from this premises and feel that granting this extension would have a detrimental effect on our (and our neighbours) lives. As it stands, when there is a function on until 11am, with all our windows (double glazed) closed, I could still tell you every song that is played, and in the summer months they sometimes have the windows open making it even louder. If I am watching TV or listening to music, I have to raise the volume significantly to drown out the noise from across. I am happy to invite you over the next time there is a function to verify this. The family next door have 2 small children and on several occasions, with the previous owners, we and they, have had to complain about the noise.

Secondly, we have two bedrooms [REDACTED] directly outside our house. It would be fair to assume that people coming out of a function at 1am are likely to include a few drunk people, vying for taxis and/or a night bus. In my experience, people at that time of the morning in a state of drunkenness are not the most self aware and create a fair bit of noise and mess (broken bottles and litter). My bedroom is literally [REDACTED] from that bus stop so I feel that it would definitely impact on our ability to sleep and subsequently my wellbeing. We have in the past seen and heard skirmishes in the street, so one can only imagine that it would get worse with an extra couple of hours of drinking time.

Thirdly, were this to pass and we found that we are unable to live with the noise and decided to move, I would think it would seriously impact on the value of our property.

Lastly, If you grant a Thursday licence I'm pretty sure a request for Fridays and Saturdays would not be far behind.

So to sum up, I am very much against this proposal and would sincerely hope that you can appreciate why we have a strong objection to it.

Yours sincerely

Michael Wyzgowski

On Tue, 22 Apr 2025 at 08:04, Licensing <licensing@eastlothian.gov.uk> wrote:

Good Morning Mr Wizz

Further to your email below. You can either send in a letter, email or I attach the performa objection form which can also be completed.



APPLICATION FOR PREMISES LICENCE / PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

5

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

Tranent Bowling Club, Polson Park, Tranent, EH331AN

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.

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

2(c) Where applicant is a company, please provide name, registered office and company registration number.

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

Tranent Bowling Club, Polson Park, Tranent, EH331AN

President - Gordon Pryde

Vice President - Matthew Osborne

Secretary - Laura McCrorie

Treasurer - Stephen Whitson

Tranent Bowling Club Committee (Names and positions listed above, additional details attached)

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

DESCRIPTION OF PREMISES

Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5 – Description of premises

(where application is submitted by a members' club, please also complete question 6)

Single storey bowling facility, contained bowling green situated in the grounds of Polson Park

Facilities include lounge and bar area, kitchen, games room and changing facilities

Question 6 – To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES NO

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 _____

APPLICANT / AGENT (delete as appropriate)

Telephone number and email address of signatory _____

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)

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 Tranent Bowling Club, Polson Park

_____ Post Code EH33 1AN

- 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	11.00 am	11.00 pm
Tuesday	11.00 am	11.00 pm
Wednesday	11.00 am	11.00 pm
Thursday	11.00 am	11.00 pm
Friday	11.00 am	1.00 am
Saturday	11.00 am	1.00 am
Sunday	11.00 am	12.00 Midnight

3. STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	N/A	
Tuesday	N/A	
Wednesday	N/A	
Thursday	N/A	
Friday	N/A	
Saturday	N/A	
Sunday	N/A	

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES NO

*If YES – provide details

The premises would like to take advantage of general or special extensions granted by the Licensing Board and may apply, on specific occasions, for extended hours. Application will be made for occasional licences where the club will be open to non-members who are not guests on specific days.

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 licensed hours. Please confirm YES/NO
----------	--------------------------------	--	---

5a.	Accommodation	NO	N/A	N/A
	Conference facilities	YES	YES	YES
	Restaurant facilities	NO	N/A	N/A
	Bar meals	YES	YES	N/A

Social functions including:

5b.	Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
	Club or other group meetings etc.	YES	YES	YES

Entertainment, including:

5c.	Recorded music – see 5(g)	YES	YES	YES
	Live performances – see 5(g)	YES	YES	YES
	Dance facilities	YES	YES	YES
	Theatre	YES	YES	YES
	Films	YES	YES	YES
	Gaming	YES	YES	YES
	Indoor/outdoor sports	YES	YES	YES
	Televised sport	YES	YES	YES

5d.	Outdoor drinking facilities	YES	YES	YES
------------	-----------------------------	-----	-----	-----

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.

Tranent Bowling Club offers an outdoor bowling facility to approximately 50 members. We have indoor sporting facilities in the form of darts and pool table.

The club is established within the grounds of Polson park and have recently agreed to be the home of "The friends of Polson park" encompassing the newly built memorial garden, The gardeners / volunteers of the group have been granted to storage within the grounds of Tranent BC and access to an external water tap.

We have no current ongoing arrangements with external community groups but have been approached by a local Alzheimer's group looking to gather in a warm space weekly. The extensive lists of YES in the above column is to ensure maximum coverage and an unrestricted access to the premises for a wide range of activities while remaining transparent about the clubs uses at all times in conjunction with East Lothian licencing

The outside drinking out with the core hours would be to cover tea/coffee, soft drinks etc..

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

N/A

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 and young persons must be supervised by an appropriate adult or coach

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

Ages – 0-17 years

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

Times - 0-15 years permitted to be on the premises until 9pm, 16-17 years permitted to be on the premises until 11pm. Children and young persons are permitted to stay until the terminal hour if part of a pre-arranged function.

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

Parts – all public areas. Excludes Bar and Kitchen areas

7. CAPACITY OF PREMISES

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

60

8. PREMISES MANAGER

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

Full Name _____

Date of birth _____

Contact address _____

_____ Post Code _____

Tel. No. _____ Email address _____

Personal licence

Date of issue _____

Name of Licensing Board issuing _____

Reference no. of personal licence _____

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The contents of this operating plan are true to the best of my knowledge and belief

Signature _____ (* see note below)

Date _____

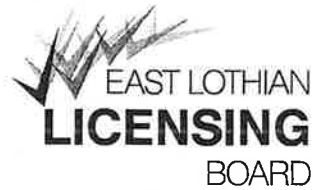
Capacity APPLICANT / AGENT (delete as appropriate)

Tel. No. of signatory _____

Email address _____

*** 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.



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

Tranent BC in the heart of Polson park has been in the Tranent community as far back as 1925

We believe we offer a large part in the community with several recognised national, international and world bowlers in our small bowling ranks. We have recently began ties with the newly formed 'Friends of Polson park' focussing on the rejuvenation of the public park. As a result we are in conversations with a number of community groups looking to utilise the building throughout the day/week

ON CONSUMPTION

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

We are a members club. allowing full membership, concession membership for senior and junior members as well as social membership. The bar is operated solely by volunteers that have completed mandatory licence training (refresher session to be carried out in advance by personal licence holder Lynn Doig - ELCO-OP)

OFF CONSUMPTION

(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries

The club intends to be used throughout the day, the main focus at the off consumption times will be on hot drinks and soft drinks

CLARIFICATION IS REQUIRED IN RELATION TO THE CONTENT OF YOUR PROPOSED OPERATING PLAN

To what extent do you intend to use any of the following:

Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

The club does not offer accommodation facilities or restaurant facilities.

Any events with catering are normally outsourced catering companies, however the club has just been re-certified by East Lothian Council for health and hygiene

The club supplies hot pies on a Friday evening, these are temperature checked and recorded within the kitchen cook safe documentation

Social Functions – Weddings; Birthdays; Retirements ; Other:

If you intend to provide for any of these functions please describe the nature and extent and likely frequency of each:

The club intends to maximise it's use in 2025. however our belief is that majority of these functions will be carried out Friday-Sunday. The function hall and bar facilities are available to hire but done through a club member

Entertainment – Recorded Music; Live Performances; Dance Facilities; Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport – If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

As above. The frequency of these events will vary throughout the year, often following major sporting events, Football, Rugby, Golf etc...

Outdoor Drinking Facilities – If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

We as a club to intend to provide outdoor drinking area. There are a number of benches located around the bowling green. The playing surface is fully enclosed with a clear barrier for a 'no alcohol to be taken passed this point'

Majority of the outdoor drinking facilities will be utilised during the outdoor bowling season, the club is currently represented in 3 divisions of the East Lothian Bowls leagues, this means at any one point there are a minimum of 12 clubs members and committee to a maximum of over 30 on any one evening

The outside facilities are to be vacated by 10pm with the bar providing plastic alternatives to glasses for outside consumption

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:

N/A

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:

While the club has no ongoing arrangements to be open for activities before the licensed hours, the excessive use of YES to these activities is to ensure compliance without restricting the clubs ability to take on any new community groups

Bowling events often start in advance of the licensed hours, these competitions are few than 6 throughout the year

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:

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.

0-15 years permitted to be on the premises until 9pm, 16-17 years permitted to be on the premises until 11pm. Children and young persons are permitted to stay until the terminal hour if part of a pre-arranged function.

They are allowed access to all public areas of the building, excluding those highlighted on the layout plan

The club has baby changing facilities and can be found in the disabled toilet

LICENSING OBJECTIVES

Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at

https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023

Preventing Crime and Disorder

Tranent BC prides itself on it's reputation as a friendly family club that have successfully operated without incident for several years.

We display a number of the downloadable signage including the PASS scheme, Zero tolerance for any person caught with illegal substances, right to refuse service, children proximity exclusion to bar area etc . All bar volunteers have completed mandatory licence training, with an emphasis on conflict management and refusal of service where required.

As a members club, any non-club member have their details recorded, along with their alcohol sales throughout their time in the club. In addition the club hold a sales refusal book

The club surroundings have access to a number of bins, units for cigarette disposal and the grounds are well kept and in good condition visually at all times. Last orders are called 15 minutes before the terminal hour and signalled by a bell behind the bar.

Securing Public Safety:

The clubs capacity of 70 is based on majority of members being seated within the main function hall

While the green is at it's busiest during an open, the club intend to use the occasional licence programme where by they may look to hire a marquee of similar to temporarily increase the capacity where possible. This would likely be a maximum of 2 or 3 times throughout the year

The club has 3 well lit and clearly marked fire escapes and modern heat/smoke detectors and an emergency lighting system. all maintained by East Lothian Council. We also have 2 different use fire extinguishers and fire blanket on site. We have 2 first aid boxes on site, located in the Kitchen. These are checked quarterly and restocked where required

members are encouraged to return used glassware to the bar and have alternative plastic receptacles for outside consumption

We have a zero tolerance policy for any abuse towards volunteers/bar staff. we currently have over 20 members bar trained so have adequate numbers where they are required

Preventing Public Nuisance:

The club is fortunate to be located with no neighbours in immediate close proximity to the premises the building is north facing and faces across the bowling green and onto the Edinburgh road

All outside drinking to end by 10pm with last orders of 9.45pm called in the outside area.

The club are more than willing to adhere to conditions the licensing board would see fit to implement as part of the application. The entry to the grounds is a single point of access with no ability to enter the building without entering here.

Last orders are called 15 minutes prior to the terminal hour. There are signs at the exit asking members to be respectful of our neighbours when leaving the building.

The club recycle all glass, plastic and cardboard in conjunction with East Lothian Council recycling programme. This includes 5 marked wheelie bins. These are mirrored in the bar area, these are not emptied after 9pm to minimise noise and disruption

Protecting and Improving Public Health:

All bar staff have completed mandatory licence training and are aware of their responsibility of the responsible sale of alcohol.

The club offer several low alcohol or 'zero' alcohol alternatives at all times in addition a large variety of soft drinks. The club do offer bottled water but can provide tap water. With the exception of the two draught options the club intend to sale bottles and cans, this removes the use for measure options on wine etc.

The bar stock crisps and chocolate to encourage people to eat while drinking. all options are packaged and display ingredients etc.. however the club do display an allergen warning poster to encourage those with allergies to ask staff where required.

Any member deemed to have consumed an excessive amount of alcohol are refused service and encouraged to have an alternative soft drink option. Those who that do not respect the decision are asked to leave. This is done by a committee member to avoid conflict

The club have a defibrillator installed on the front of the building, with a number of members trained on how to use.

Individual volunteers do not set pricing of items however the committee have set prices, conforming to minimum unit pricing throughout

Protecting Children and Young Persons From Harm:

The club have a number of members that currently hold PVG certification as well as a child welfare officer.

Children under direct supervision of an adult partaking in alcohol will have their sales scrutinised

No children under the age of 12 is permitted to use the pool/darts facilities within the club.

The club display and operate the Challenge 25 programme and the PASS scheme to minimise the risk of fraudulent ID being provided.

Glass alternatives are available to young persons

Baby changing facilities available

1.5m exclusion from the bar area in place for young persons.

APPLICATION SUPPORTING COMMENTS

Additional Information

Supporting Comments

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

After the cuts made by East Lothian Council for the 2025 green maintenance, the use of the bar facilities and the reinvestment into the club has become more crucial than ever. The clubs ability to become self sustainable and fund raise in excess of £10k per year to maintain the playing surface of the green.

Tranent BC have occupied the new pavilion and operated as a tenant of East Lothian Council. The club have made significant investment in improving the fixtures and fittings to the club, including upgrading of the seating, decoration, creation of a fixed bar area, new kitchen over the years and believe we have a huge part to play in the community and surrounding areas

SIGNATURE AND DECLARATION BY APPLICANT

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

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

Signature _____

Date 14/04/2025



SCHEDULE 6 Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

1. DISABLED ACCESS AND FACILITIES

1(a). Is there disabled access to the premises YES NO

1(b). Do you have facilities for those with a disability YES NO

1(c). Do you have any other provisions available to aid the use of the premises by disabled people YES NO

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

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.

Access to the building can be gained by a ramp to the main door. Inside the building it is on a uniform level with no physical barriers between the rooms allowing free movement for a wheelchair. There is a stand alone disabled toilet.

The 3 external doors to the property all measure 928mm and have an open gap of 865mm

The tables within the premises can be accessed by removal of physical chairs and sit at a height of 700mm

3. FACILITIES AVAILABLE

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

Disabled toilet, with extra wide door opening and lift aid to the side of toilet
moveable seating to allow close proximity to table at suitable height

4. OTHER PROVISIONS

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Assistance dogs welcome



DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature _____ * (see note below)

Date 09/04/2025

Capacity Vice-President

APPLICANT/AGENT (delete as appropriate)

Tel. no. of signatory _____

Email _____

* 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.





LICENSING (SCOTLAND) ACT 2005
BUILDING (SCOTLAND) ACTS 2003

**SECTION 50
BUILDING STANDARDS CERTIFICATE**

Section 50 Application No: 24/00013/S50

Applicant: Matthew Osbourne 4 [REDACTED]

Agent: None

Premises Address: Tranent Bolwing Club Polson Park Tranent East Lothian EH33 1AN

Proposed Use of Premises: Bowling Club

I confirm that a late completion certificate acceptance **24/00750/LCC** was issued for these premises on **30.01.2025**

Therefore, in terms the above Acts, I have no objections to the granting of a Premises License.

Drwg No.	Rev.	Description.	Source.
		Building Warrant & Licensing drawings	

Signed: [REDACTED] **Date:** 25.02.2025

Frank Fairgrieve
Building Standards Team Manager

Contact Details:

Address: Building Standards, Engineering Services & Building Standards, East Lothian Council, Penston House, Macmerry, East Lothian, EH33 1EX

Tel No: 01620 827 216

Email: buildingstandards@eastlothian.gov.uk
[Marked for the attention of Frank Fairgrieve]

Issued To: Matthew Osbourne [REDACTED]

Copied To: Licensing, East Lothian Council, John Muir House, Haddington (by e mail)



East Lothian Council

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

SECTION 50 PLANNING CERTIFICATE

APPLICANT:	Matthew Osborne
NAME AND ADDRESS OF PREMISES:	Tranent Bowling Club, Polson Park, Tranent, EH33 1AN

SECTION 50 PLANNING CERTIFICATE

I confirm that planning permission (ref: 02/00174/NID) 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:.....) or outline planning permission (ref:.....) 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:	31 st July 2024
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Keith Dingwall
Service Manager, Planning (Chief Planning Officer)

Our ref: 03180/2003/2/000
Your ref: TBC/MM
Direct Line: 01620 827365
E Mail: ehs@eastlothian.gov.uk

John Muir House
Haddington
East Lothian
EH41 3HA
Tel 01620 827827

18th March 2025

Tranent Bowling Club Committee
Polson Park Clubhouse
Edinburgh Road
Tranent
East Lothian
EH33 1AN

Dear Sir,

THE LICENSING (FOOD HYGIENE REQUIREMENTS) (SCOTLAND) ORDER 2011

Tranent Bowling Club, Polson Park Clubhouse, Edinburgh Road, Tranent, East Lothian EH33 1AN

I hereby certify, in terms of Section 50 of the Licensing (Scotland) Act 2005, that the premises operated by Tranent Bowling Club Committee at Tranent Bowling Club, Polson Park Clubhouse, Edinburgh Road, Tranent, East Lothian EH33 1AN comply with the requirements the EU provisions which are listed in Schedule 2 to the Food Hygiene (Scotland) Regulations 2006 (S.S.I. 2006/3)

Yours faithfully,



Marion Muir
Food & Safety Officer

cc Licensing Board

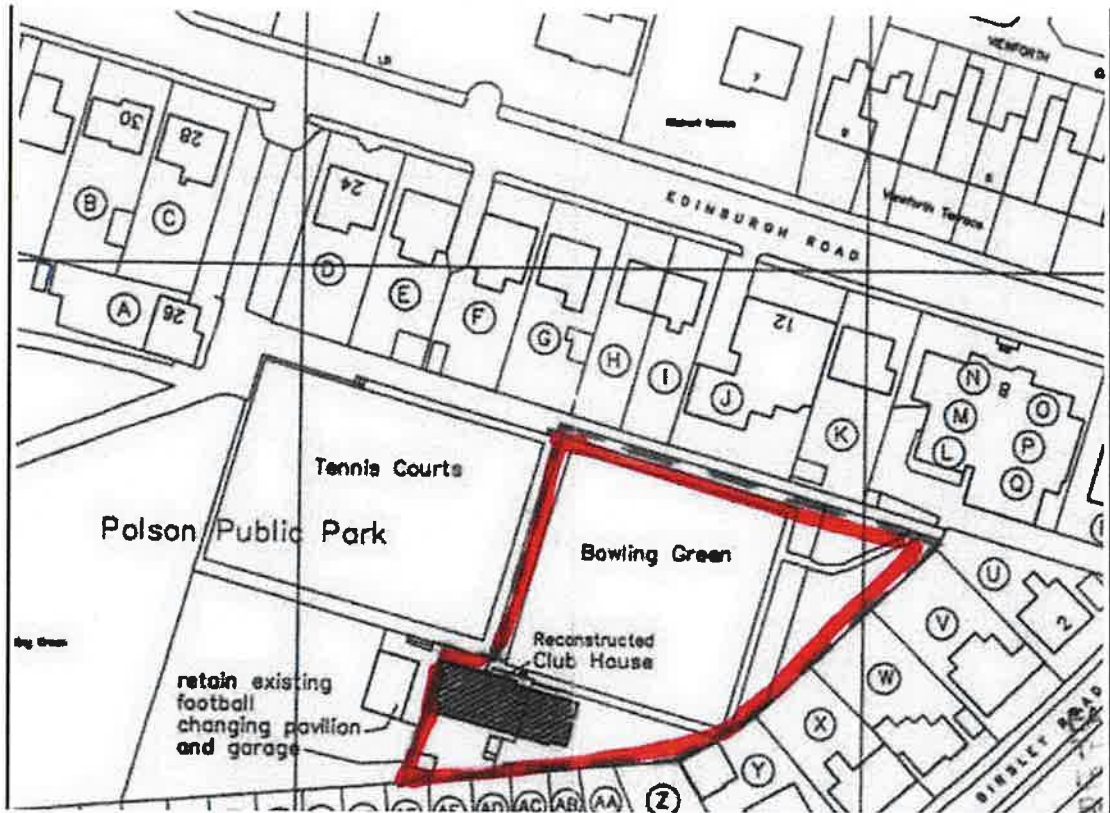
An invoice for £135.60 will be issued by our Finance department.

cc copy to Licensing Board

NB There will be a charge of £135.60 for this Certificate which will be invoiced in due course.

The Three external building doors all measure 928mm with a clear opening of 865mm wide. Corridors throughout the building measure 1200mm to ensure ease of movement throughout including mobility chairs etc. Tables are accessible in the lounge by removing existing chairs, with a height of 700mm





Aerial view of bowling green and surrounding area to be licensed. The green is enclosed on all sides by a hedge, access can only be gained by 2 lockable gates

18/04/2025

Your Ref:

Our Ref: 915914

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 GRANT OF A
PREMISES LICENCE**

**TRANENT BOWLING CLUB (PREV. POLSON PARK BOWLING
ASSOCIATION)**

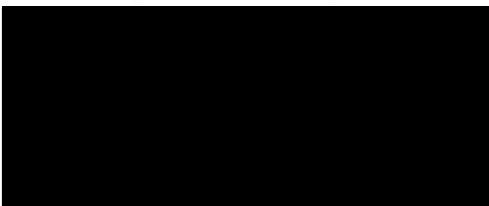
**TRANENT BOWLING CLUB, EDINBURGH ROAD, TRANENT, EAST LOTHIAN,
EH33 1AN.**

TRANENT BOWLING CLUB, POLSON PARK, TRANENT EH33 1AN

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

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 6th May 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE APPLICATION

TRANENT BOWLING CLUB, POLSON PARK, TRANENT, EAST LoTHIAN EH33 1AN

I refer to the above subject and can confirm that the applicant has liaised with the LSO in relation to this application and I have visited the premises. The premises was previously licensed under premises licence EL0256 as Polson Park Bowling Club Association. Unfortunately, the Polson Park Bowling Association committee was dissolved in February 2020 and the premises licence was deemed to cease at this time. Alcohol continued to be sold at the premises despite there being no premises licence. Tranent Bowling Club took over the premises following the dissolution of Polson Park Bowling Association and were unaware that the premises licence had ceased to take effect. In July 2024, following a meeting with the club representative Matthew Osbourne, myself and police it was discovered there was no premises licence.

Mr Osbourne took immediate action to cease all sales of alcohol and there after made application for occasional licences to cover the provision of alcohol at bowling matches. He was given guidance on submitting a club premises licence application which he has actioned. I found him knowledgeable and very professional fully taking on board his responsibilities. It is of note that Mr Osbourne and none of the current committee were part of the previous committee.

I can confirm that the application is compliant with the Act. The on-sales hours applied for are within the hours stated in the Board Policy.

The bowling green and area surrounding it have been included in the licensed area. This area is enclosed with the entrance and exit being the gate to the side of the building.

As this is a club premises licence application it can not be considered in terms of overprovision. The club constitution supplied with the application is compliant with the Act and Mr Osbourne has been given guidance on alcohol sales within the club.

In relation to the outdoor drinking area, I recommend the following conditions:

1. No public entertainment, amplified music, amplified vocals or live music are to be played in the outdoor area to ensure the use does not cause nuisance to neighbouring residential properties.
2. The use of the outdoor area will cease by 10.00pm.

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

Licensing Standards Officer

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%.¹ 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:
Tranent Bowling Club,
Polson Park,
Tranent,
EH331AN**

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.²

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.³

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.⁴

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

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

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

⁴ <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:^{5, 6}

- 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:⁷

- 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.

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

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

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

Herkes, Gillian

From: Robertson, Scott
Sent: 17 April 2025 13:30
To: Licensing
Subject: RE: Full Premises Application - Tranent Bowling Club, Polson Park, Tranent, EH33 1AN

Hello,

Please note I have no comments or objections to this full premises licence 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: 16 April 2025 15:01
To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <iso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; kat.burke@nhs.scot; tecc.secretary@aol.co.uk
Subject: Full Premises Application - Tranent Bowling Club, Polson Park, Tranent, EH33 1AN

Dear All

Please find attached application for full premises licence for report/representation for the above premises by 7th May 2025.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk

Please note :- My working days are Tuesday to Friday

To the Clerk of the Licensing Board,

Subject: Objection to New Premises Licence – Tranent Bowling Club, Polson Park, Tranent

Dear Sir/Madam,

We are writing to formally object to the application for a new premises licence at Tranent Bowling Club, Polson Park, Tranent.

As neighbouring residents living in close proximity to the premises, we already experience significant disturbances from events held there, particularly due to loud music and large gatherings that continue late into the night. These activities directly impact our families' right to peace, privacy, and the quiet enjoyment of our homes.

The proposed extended hours are completely unacceptable to us as local residents. The disturbance already caused by the current operations is difficult enough, and an extension would only worsen an already problematic situation.

Additionally, it is important to highlight that residents on Lammermoor Terrace already endure substantial noise and pollution from R Flynn & Sons Haulage contractors, whose operations frequently run from 4:00-5:00 AM until 9:00-10:00 PM in summer months. We intend to raise a separate formal complaint regarding R Flynn & Sons Haulage contractors operating hours, which appear to exceed licensed limits. It is unacceptable for the Council to permit such ongoing disturbances without appropriate oversight and monitoring.

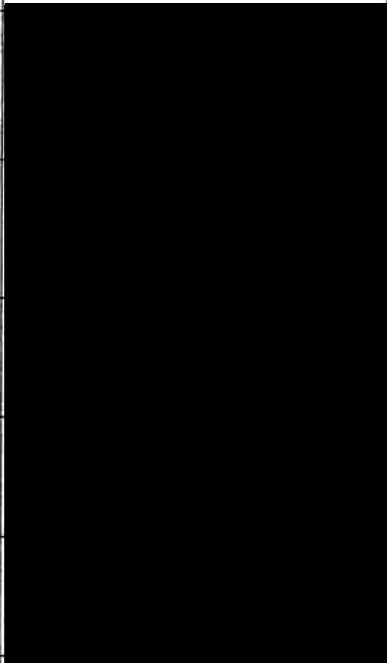
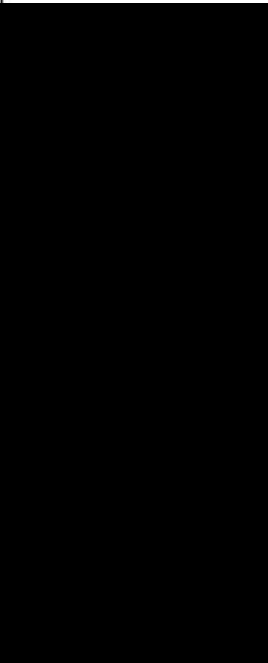
We strongly urge the Licensing Board to refuse the application for extended opening hours at Tranent Bowling Club in recognition of the serious impact it would have on the surrounding residential community.

Yours faithfully,

East Lothian Council
Licensing

- 7 MAY 2025

Received

Names of the Objecting Residents	Addresses of the Objecting Residents	Signatures
DENISE AND STEVEN HERON		
JEANETTE HERON		
JOHN HERON		
FOLHA KUTYOSI		
DAVID KOVACS		

Council
 Planning
 Department
 2011

Mr R K Griggs



Your Ref CG/mjw/EN/L/L1

23rd April 2025

Dated 16 April 2025

Dear Sir/Madam

East Lothian Licensing Board

Licensing (Scotland) ACT 2005

Premises- Tranent Bowling Club, Polson Park, Tranent, East Lothian, EH33 1AN

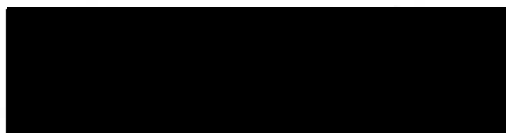
Type- ON SALES

As the above Premises backs directly onto my property and others, I therefor object to the excessive application of Licensed opening hours, I have in the past had to express my concern over noise from the club, I do not accept the late opening of the club will take into account of the close proximity of the adjacent houses with young children, elderly and residents working shifts, 12 hrs of drunken activity 7 days a week and until 01:00 On a Saturday & Sunday, (That's only the sale of drink hours).

Yours Faithfully



R.K.Griggs



Please accept this email as signed.