

East Lothian Council
Licensing

27 AUG 2025

Received

OCC622/25

PC, WSO

Adv 29/8

25th September to 8th October '25.

LICENSING (SCOTLAND) ACT 2005, SECTION 142

**OCCASIONAL LICENCE
APPLICATION FORM****2a**

Before completing this form please read the guidance notes.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) _____

Personal licence number (if applicable) EL131

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

~~Mr / Mrs / Miss~~ / Ms / Other (please state) _____Surname CalabreseForenames LoredanaDate of birth (Day / Month / Year)

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[REDACTED]

Post town [REDACTED] Post code [REDACTED]

Telephone Numbers

Daytime Tel. [REDACTED] Evening Tel. [REDACTED]

Mobile No. [REDACTED]

Fax No. [REDACTED] Email bellaitaliaristorante@ymail.com

3. THE PREMISES

Description of premises

Restaurant Premises located on the ground floor of a tenement building
in North Berwick High Street.

Description of activities to be carried on in the premises – (including number of persons expected to attend)

Restaurant facilities, may be private parties, takeaways and
possible deliveries.

Full postal address of premises which this application refers to

Bella Italia, 12 High Street, North Berwick, East Lothian, EH39 4HQ

4. DURATION OF LICENCE

Date: From Thursday 25th September 2025 To Wednesday 8th October 2025

Time: From 11am To 11pm

5. Is alcohol to be sold on & off the premises

YES ☐ NO ☒

Provide relevant details as to hours requested when alcohol will be sold on/off the premises.

Times for sale of alcohol for consumption on premises

11am to 11pm

Times for sale of alcohol for consumption off premises

N/A

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

N/A

6. CHILDREN (see note 2)

This section must be completed where alcohol is for sale for consumption on the premises

Are children or young persons permitted entry?

YES ☒ NO ☐

(If answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry No restriction (0-17 years)

Times at which children or young persons permitted entry No restriction

Parts of premises to which children or young persons permitted entry

All public areas.

7. CHECKLIST

I have (please tick for yes) made or enclosed
payment of the fee for the application

YES ☒

Agent

8. Signature and declaration by applicant (see note 3)

DECLARATION

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

Signature _____

Date _____

27/8/15

Macdonald Licensing

21a Rutland Square

Edinburgh, EH1 2BB

0131 229 6181

alistair@macdonaldlicensing.com

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: –

- ☒ The holder of a premises licence;
- ☒ The holder of a personal licence; or
- ☒ A representative of any voluntary organisation

is eligible to apply for an occasional licence

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 2018

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 9th September 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) OCC622-625/25

LOREDANA CALBRESE – BELLA ITALIA, [REDACTED]
[REDACTED]

The applicant is Loredana Calbrese who is a personal licence holder and business owner at Bella Italia. Application has been made for 4 occasional licences running consecutively from 25th September – 19th November 2025 as follows:

OCC622/25 – 25th September – 8th October 2025
OCC623/25 – 9th October – 22nd October 2025
OCC624/25 – 23rd October – 5th November 2025
OCC625/25 – 6th November – 19th November 2025

The applications request on sales only between 11am-11pm.

This premises previously held a premises licence with the premises licence holder being Giovanni Mastrocinque. On 22nd August 2025 the Licensing Board received correspondence from Ms Calbrese detailing the company Mastrocinque Bella Italia Ltd was trading as of 1st June under a new name of Mastrocinque Bella Italia North Berwick Ltd. No premises name or licence number was provided. On enquiry it was established the premises was EL051 – Bella Italia. On 26th August 2025, I reviewed the premises licence which was held by the individual Giovanni Mastrocinque. Noting his resignation from the above companies on Companies House and his date of birth, I conducted a search. I found an obituary for Giovanni Mastrocinque published in The Scotsman newspaper linking him to the premises. The notice detailed his date of death as 6th November 2022.

No notification of the premises licence holder's death was made to the Licensing Board and no transfer of the premises licence took place with 28 days of his death by the executor of his estate. As such the premises licence ceased to take effect under Section 28 of the Act on 6th November 2022. The Clerk to the Licensing Board was informed of the circumstances.

On 27th August 2025, I phoned Ms Calbrese who confirmed her father Giovanni Mastrocinque had died on 6th November 2022. I then visited the premises the same day with a letter from the Clerk to the Licensing Board (submitted within board papers) outlining the premises licence had ceased and asked that all sales stop immediately. This was request was complied with. Unfortunately, alcohol sales had continued at the premises until this visit. The 2 years, 10 months period of unlicensed sales has been reported to Police Scotland, Divisional Licensing Department as an offence under Section 1 Licensing (Scotland) Act 2005.

At my visit to the premises, I spoke with Loredana Calbrese. She has been the business operator for several years and was named as premises manager on the previous premises licence. I asked why the premises licence had not been transferred. She detailed that she didn't know that a transfer needed to be done and had not checked who held the premises licence following her father's death. I spoke at length with Ms Calbrese about licensing requirements however, her lack of knowledge concerned me. Ms Calbrese is a personal licence holder, and her knowledge was far below the standard expected having completed a personal licence holder course. She admitted that she had forgotten all the information on the course and that this has likely played a part in the failures that have occurred with the administration of the previous premises licence. She was asked to remove all alcohol from display and that all sales of alcohol cease immediately. She was guided to contact a suitably qualified solicitor for any legal advice she may require.

The premises has continued to trade over the last few weeks allowing bring your own bottle to customers.

I have concerns about Ms Calbrese's suitability to hold an occasional licence. Selling alcohol without a premises licence is a serious offence, which if convicted carries significant penalties. I would recommend as a minimum that Ms Calbrese improves her knowledge and although not a requirement completes the personal licence holder one day course again.

As a result of the circumstances, I refer the applications to the Licensing Board for determination.

Licensing Standards Officer

Herkes, Gillian

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 29 August 2025 14:35
To: Licensing
Subject: OCC622/25 - OCC LIC APP - BELLA ITALIA 25/09/25-08/10/25
Attachments: OCC622.25 - APP.PDF

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.

Afternoon

No police objections

PSOS ref 950309

Regards

Stephen

Date: 26th August 2025

Loredana Calabrese



Dear Ms Calabrese,

Licensing (Scotland) Act 2005

Section 28 – Period of effect of premises licence

Death of Premises Licence Holder

Premises EL051 Bella Italia, 12 High Street, North Berwick, East Lothian, EH39 4HQ

I write to you in relation to the above premises licence and recent communication. It has now been established through communication with yourself that the current premises licence holder Giovanni Mastrocinque is deceased. The date of death has been established to be 6th November 2022.

In terms of section 28(1) of the Licensing (Scotland) Act 2005. A premises licence ceases to have effect on the occurrence of any of the events mentioned in subsection (5). One of these events being the premises licence holder, being an individual dies.

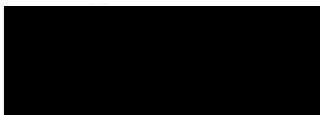
No notification of the premises licence holder's death was made to East Lothian Licensing Board and no transfer application was made by the executor or personal representative within 28 days of his death as per section 28(2) of the Act.

Therefore, the premises licence ceased to take effect on **6th November 2022**.

I understand that the premises has continued to make sales of alcohol until today which is an offence under Section 1 of the Act. Police Scotland have been informed of the circumstances.

I guide you to urgently seek independent legal advice on this matter.

Yours faithfully



Carlo Grilli
Clerk to the Licensing Board