



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

**THURSDAY 28 AUGUST 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:

PC I Anderson, Police Scotland
Ms E Barclay, Committees Assistant
Ms K Harling, Licensing Standards Officer
Ms G Herkes, Licensing Officer
Ms A O'Reilly, Licensing Officer

Committee Clerk:

Ms L Gillie

Apologies:

Councillor L Bruce (Convener)

Declarations of Interest:

None

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.

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

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

2a. PROVISIONAL PREMISES LICENCE
Herd Café, Balgone Barns, North Berwick

Niall Hassard and his client Alex Humphreys attended and firstly addressed the objection from the NHS. Mr Hassard stated that there was no mention of what the concerns were or what the negative impact would be. He continued by saying that they hold a wide range of events to support the farm but that previously all events have been held outdoors, this being changed with the Herd Café. Mr Hassard referred to a farm to fork ethos and that the licence would enable events such as small weddings to take place and a move to evening events. He advised that people are more likely to have a meal with a drink being an addition and that the application was within policy. Finally, he noted that there were no objections from Police Scotland, the Licensing Standards Officer or the Community Council.

PC Iain Anderson from Police Scotland stated that there were no adverse comments.

The Licensing Standards Officer advised that the applicant had sought advice early and that there had been no problems with the application. She also noted that there had been occasional licences in use with a personal licence holder being brought in.

Councillor Dugdale noted that the NHS objection was very general and asked for a more detailed response from the NHS in future. Carlo Grilli, Clerk to the Licensing Board, agreed to take this as an action.

Sederunt: Councillor Cassini joined the meeting.

In response to questions from Councillor McMillan Mr Hassard stated that they would get the right professionals in. Mr Humphreys added he was keen to widen the events while integrating with the farm and incorporating produce from the local economy. He concluded by saying that around 20% of visitors are from East Lothian.

Members echoed Councillor Dugdale's comments about the NHS objection and stated that they were happy to support the application.

The Convener moved to the roll call vote and noted that Councillor Cassini would not be able to vote as she had not been present for the whole application.

Decision

The Board unanimously agreed to grant the Provisional Premises licence

2b. PROVISIONAL PREMISES LICENCE
92 North High Street, Musselburgh

Alistair Macdonald and his client Pawan Kumar Khadka attended. Mr Macdonald stated the shop has been in same ownership for 20 – 25 years and that the current owner uses the facilities in the flat above which he also owns. He explained that the reason for the provisional licence was due to the applicant needing to install a toilet and basin in the shop. Mr Khadka wants to lease the shop and run it as a convenience store, he has two shops in Edinburgh and around 15 years of experience. Mr

Macdonald commented on a shop across the road and said that Mr Khadka felt that he could provide a better service and that there will be a large range of products, including newspapers. The Licensing Standards Officer's comments were then mentioned with Mr Macdonald saying that there are two other shops in North High Street as well as a petrol station and major operators further away. Mr Macdonald stated that this store would serve people who walk to it and mentioned elderly people and vulnerable people. He then referred to the NHS comments and said that it was to be expected that the number of outlets was above average as Musselburgh is the most populated town in East Lothian. He disagreed with the comments from the NHS and Community Council while noting that there were no individual objections. He stated that his client had a personal licence and was used to Challenge 25. Mr Macdonald concluded by highlighting statistics around deaths from alcohol and stated that young people are drinking less than they did 20–30 years ago.

PC Anderson from Police Scotland stated that there were no adverse comments.

The Licensing Standards Officer stated that she had visited but the current operator was in the premises. She also noted that a toilet needs added to the premises. She commented on 15 similar premises being within 800m of the shop, with three of them being within 400m. She recommended a condition regarding deliveries be added.

In response to questions from Councillor Cassini Mr Macdonald stated that his client has two shops in Edinburgh and that neither shop has ever had any issues with the police. He advised that underage customers or customers who were likely to cause anti-social behaviour would not be served. Mr Macdonald added that there are more checks carried out in smaller shops as customers are known to staff.

Councillor Macmillan asked about how much time Mr Khadka would spend in Musselburgh and about training. Mr Khadka said he has 15 years' experience and that he would be there most of the time as his other shops are well run and he does not need to be there all the time. All staff will be trained by him, and he highlighted that he is not wanting to create any issues for the community.

Councillor Gilbert asked about CCTV and Mr Khadka confirmed cameras will be fitted inside and outside the shop. Mr Macdonald added that the layout of the shop is important to reduce instances of theft and that cameras outside are important to pick up adults buying alcohol for underage or those who are banned.

Members commented that they were reassured and that their concerns had been addressed with Councillor Macmillan describing Mr Khadka as an experienced and focused manager and Councillor Dugdale noting a sense of detail and quality. They stated they were happy to support the application.

Decision

The Board unanimously agreed to grant the Provisional Premises licence 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.

3a. MAJOR VARIATION Co-op, 2b Elcho Road, Longniddry

Lewis Barn, solicitor, attended remotely and stated that the Co-op was gradually rolling out home deliveries across Scotland. He added that nine stores in East Lothian have deliveries in place with Challenge 25 implemented at the point of delivery. This would be the tenth store to be compliant with the 2005 Act. Mr Barn advised that alcohol was never left in a safe place and would always be delivered to a person. Staff have 2 hours mandatory training, and any third-party drivers used would be trained to a level that the Co-op was happy with.

PC Anderson from Police Scotland stated that there were no adverse comments.

The Licensing Standards Officer highlighted that the Co-op's delivery policy was included in the papers and confirmed this was in line with the Board's statement of policy. She added that the same condition as the previous application would apply.

In response to a question from Councillor Gilbert Mr Barn stated that deliveries would be dispatched from the nearest store and that this would ideally only be within East Lothian but that they can go further. He added that this was part of the store's current sales and that as it was not a large store, they had capacity for one or two deliveries per hour. A Click and Collect service is not planned.

Councillor MacMillan stated that he was minded to grant the application subject to the Licensing Standards Officer's condition.

Decision

The Board unanimously agreed to grant the Major Variation 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.

3b MAJOR VARIATION

The Cheese Lady, 3 Court Street, Haddington

Svetlana Kukharchuk attended and explained that she wanted to change the micro café to additional retail space and to provide complimentary products to go with their farmhouse artisan cheeses.

PC Anderson from Police Scotland stated that there were no adverse comments.

The Licensing Standards Officers advised that the applicant made the application for a major variation after being found to be non-compliant in terms of home deliveries and the capacity within the store. She also commented that the layout plan was very unclear, and that guidance was given. She added that a condition in relation to deliveries would apply but that it was unclear if alcohol would be delivered on its own or as part of a delivery with other products.

Ms Kukharchuk confirmed that the deliveries would be within licensing hours and that alcohol would be an additional item to other products with no alcohol only deliveries.

The Licensing Standards Officer highlighted that guidance had been given on orders through a website as no payment should be taken out with the licensed hours.

Members commented that they were happy to support the application with Councillor McGuire calling it an excellent addition and Councillor MacMillan saying he hoped the partnership with the Licensing Standards Officer continues if there are any concerns.

Mr Grilli, Clerk of the Licensing Board, clarified that the application currently states deliveries between 6am–12am and that this needs to be changed formally when the licence is issued to deliveries between 10am–6pm.

Decision

The Board unanimously agreed to grant the Major Variation 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.

3c. MAJOR VARIATION

Bombay Bar and Grill, 227-229 High Street, Prestonpans

Alistair Macdonald and his client Michael Suret Singh attended. Mr Macdonald began by stating that they accepted the Licensing Standards Officer's condition on deliveries. He continued by saying that it was a large building which needed to be made a destination, and that there had been a positive response. He added that changes had been made but they were limited in what could be done. Mr Singh has another restaurant in Dalkeith and was described as a good host. Mr Macdonald commented Mr Singh knew everyone who came into the premises which is now a restaurant first and foremost. Mr Macdonald addressed the public objection regarding smells by stating that the premises had always provided food but that this was an environmental services matter not a matter for the Licensing Board. Regarding deliveries he noted that this would be no different as there had always been deliveries made to the premises.

PC Anderson from Police Scotland stated that there were no adverse comments and advised that Mr Singh has premises in Dalkeith and that there have been no issues.

The Licensing Standards Officer stated there were no comments other than the condition on deliveries which had already been accepted

In response to questions from Councillor Gilbert Mr Macdonald stated that music is at a level suitable for a restaurant to enable guests to have a conversation. In relation to parking there is a car park across the road which guests can use. He added that they would always be happy to arrange taxis and that there have been no complaints. Mr Singh was described as extremely proactive willing to meet with people to deal with any complaints should there be any.

Mr Singh added that he wants to create in Preston Pans what they already have in Dalkeith. The premises has a total of 250 seats. They are not doing deliveries at present, but they have a good process at Dalkeith. They have eight cameras on the ground floor and four to six cameras will be installed upstairs. Mr Singh continued by saying that there are car parking spaces on the street and three entrances for deliveries. He concluded by saying that they have spoken to the neighbours, and they are happy to have the building open.

Councillor Gilbert commented that he valued new business and was happy to support the application. Councillor Macmillan commented on the quality of the business and the good communication.

Decision

The Board unanimously agreed to grant the Major Variation 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.

3d. MAJOR VARIATION Fisherrow Tap, 170 New Street, Musselburgh

Alistair Macdonald attended along with the applicant, the owner and Kevin McLelland from Cost Cutter. Mr Macdonald stated that a convenience store would be useful for elderly and vulnerable residents. He commented on the two shops on North High Street and other stores such as the service station, and larger retailers. He said that he thought the stores on the High Street have a different customer base. He added that New Street is a little community and that he had expected the objections to be for the previous application. Mr Macdonald said that he would not repeat his presentation from the previous application and noted that building warrant would be needed for change of use. Commenting on the objections Mr Macdonald said that he was surprised how many people had an issue with application and that Mr Kumar is an owner of a shop on the High Street and that this was a trade objection. He added that he felt the petition was not valid as it did not contain names and addresses. In relation to the NHS, Community Council and other individual objections Mr Macdonald highlighted that there had been a pub on the site for 125 years and that this would have more potential for disturbances than a convenience store. He advised that his clients were aware of the previous application (92 North High Street, Musselburgh) and that they did not see this as an issue and have a good relationship with the applicant and that Cost Cutter are very supportive of his clients.

PC Anderson from Police Scotland stated that there were no adverse comments.

The Licensing Standards Officer gave a summary of the history of the premises and stated that it had closed in 2023. She advised that the change of name for the premises would come about at the same time as appointing a premises manager. She concluded by noting that there are 14 similar premises and that three of these are within 400m and added that a condition of deliveries would apply.

Mr M Joshi who was representing Mr Naresh Kumar, who had made representation, spoke to say that Mr Kumar was not able to attend as he had to go to India. He stated that the Mr Kumar's objection was based on the potential impact on Mr Kumar's business and the sale of alcohol.

In response to questions from Councillor McGuire Mr Macdonald advised that the lane at the side of the property would be covered by CCTV. He added that they will work with the residents as a problem for the residents is also a problem for them. Mr Macdonald also stated that in relation to parking this is not a store that people are likely to drive to but if they do, they would be popping in for five minutes.

In response to a question from Councillor Macmillan the applicant advised that they would have a locked area for alcohol and that CCTV will be in operation both inside

and outside the store. He added that staff will be trained mostly by Macdonald licensing, that all refusals will be recorded and that there will be no irresponsible selling. The store will have regular customers, and it is not their intention to impact on other businesses.

Members commented that having a wider variety of goods for sale would be a benefit and Councillor Dugdale stated she was reassured with the information given about CCTV and training. Councillor Macmillan noted that while there were comments from the community on anti-social behaviour there were none from Police Scotland.

Councillor MacMillan stated that the economic development team would be willing to meet with small businesses.

Decision

The Board unanimously agreed to grant the Major Variation 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.

Signed

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Councillor J MacMillan
Depute Convener of East Lothian Licensing Board

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.

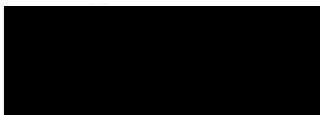
No notification of the premises licence holder's death was made to East Lothian Licensing Board and no transfer application was made by the executor or personal representative within 28 days of his death as per section 28(2) of the Act.

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

0603/25
cc



Police/HSO
18/8
Advent
22/8

9th to 22nd October '25

LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

2b

Before completing this form please read the guidance notes.

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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) 547100

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

~~Mr~~ / Mrs / ~~Miss~~ / ~~Ms~~ / Other (please state) _____

Surname Pacitti

Forenames Nataschia

Date of birth (Day / Month / Year) [REDACTED]

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 [REDACTED]

3. THE PREMISES

Description of premises

Restaurant premises located on the ground floor of a building on
High Street, Tranent.

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. Capacity is 70 plus takeaway customers.

Full postal address of premises which this application refers to

La Trattoria, 119 High Street, Tranent, EH33 1LW

4. DURATION OF LICENCE

Date From Thursday 9th October 2025

Wednesday 22nd October 2025

Time From 11am

11pm Monday-Wednesday

1am Thursday-Saturday

Midnight Sunday

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 Monday-Wednesday; 11am to 1am, Thursday-Saturday, Midnight Sunday.

Times for sale of alcohol for consumption off premises

11am to 10pm

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

May open at 9am for breakfasts, snacks, takeaways etc.

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 subject to management discretion.

Parts of premises to which children or young persons permitted entry

All public areas.

7. CHECKLIST

1. I am a responsible person (16 or over) with the right to sign a contract for the purpose of this application.

YES ☒

8. Signature and declaration by applicant

DECLARATION

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

Signed _____

15/8/15

Macdonald Licensing

21a Rutland Square

Edinburgh, EH1 2BB

0131 229 6181

alistair@macdonaldlicensing.com

NOTES

1. Section 56 of the Licensing (Scotland) Act 2005 states that only:

- The holder of a premises licence
- The holder of a personal licence
- A person authorised by any relevant authority

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: 8th September 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) OCC601-603/25

LA TRATTORIA, 119 HIGH STREET, TRANENT, EAST LoTHIAN, EH15 1RU

The applicant is Natascia Pacitti who is currently a personal licence holder. Application has been made for 3 occasional licences for La Trattoria as follows:

OCC601/25 – 11th September – 24th September, on sales and off sales

OCC602/25 – 25th September – 8th October, on sales and off sales

OCC603/25 – 9th October – 22nd October, on sales and off sales

Currently, a provisional premises licence is held for the above premises that was granted in April 2025. The licence holder is Paola Crolla, the applicant Natascia Pacitti is the business operator.

As per section 45 (3) of the Act - *A premises licence issued in respect of any such premises does not take effect unless and until it is confirmed by the Licensing Board which issued it in accordance with section 46.*

For the premises to operate and make sales of alcohol there requires to be a valid occasional licence. The Board has previously granted occasional licences since March 2025.

On 27th August 2025 the last occasional licence ended and no further occasional licences had been granted.

On 18th August application was received for 4 occasional licences, through Ms Pacitti's solicitor Mr Macdonald, however as the date of commencement of the first occasional licence on 28th August did not allow for statutory reporting timescales it was rejected. Mr Macdonald was informed of this by the Licensing Team and guided that no alcohol sales should take place over the unlicensed period until the other applications could be determined. He acknowledged this and detailed his client had been made aware.

On Monday 8th September, I called Natascia Pacitti on the phone to check that sales of alcohol had ceased. She responded that alcohol was still on sale and had not stopped. She had incorrectly assumed that she had an occasional licence. I informed her that all sales of alcohol that had been made from 28th August onwards had been unlicensed. She detailed that her solicitor had not told her that there was no licence and to stop selling alcohol. I explained, it was her responsibility to ensure that the premises was licensed, and that she had the occasional licence on the premises before making any sales of alcohol. She

seemed very unfamiliar with the licensing requirements, what an occasional licence was and the status of the provisional licence. I asked that all sales of alcohol cease immediately to which she agreed.

I later spoke with Mr Macdonald who confirmed he had informed his client that alcohol sales had ceased by email.

I explained to Ms Pacitti that the offence of the unlicensed sales of alcohol would be reported to police which I completed that day, and the information was passed to Sgt Stuart Miller.

Ms Pacitti's lack of knowledge is concerning, and I would recommend she refreshes her knowledge or considers completing the personal licence holder course again to help her understanding of the licensing requirements.

I submit this for the Board's information in determining the occasional licence applications.

Licensing Standards Officer

Herkes, Gillian

From: Licensing Standards Officer
Sent: 08 September 2025 16:50
To: Miller, Stuart; To: 'Lothian Scot Borders Licensing East Mid Lothian'
(LothianScotBordersLicensingEastMid@Scotland.police.uk)
Cc: Licensing; Grilli, Carlo
Subject: La Trattoria - High Street Tranent - Unlicensed Sale of Alcohol

Good morning Stuart,

Following a phone call with Natascia Pacitti this morning, I have established that there have been sales of alcohol from 28th August until today that have been unlicensed at La Trattoria, 119 High Street, Tranent. Occasional licence applications were made to start from 28th August onwards however the first application from 28th August – 10th September was rejected by the Licensing Board as there was insufficient time to process the application and allow for statutory reporting. Natascia Pacitti's solicitor was informed that this application would not be processed and that there would be a period where alcohol sales would need to cease. I have spoken to Mr Macdonald on the phone, and he confirmed that he passed this information on to his client by email. Natascia claims that she was unaware and wasn't told that she must stop alcohol. She confirmed that alcohol has been sold over the unlicensed period. I explained that it is her personal responsibility to ensure that there is an occasional licence in place and that she must have the licence at the premises before allowing the sale of alcohol. She is currently in Italy on holiday.

The next occasional licence application is for 11th September and has not yet been granted. I will now be submitting a report to the board on the outstanding occasional licences starting from 11th September and so they will be required to be heard for determination Board most likely 28th September. Therefore, the premises will remain unlicensed until then. I have asked that all sales of alcohol cease. The premises was highlighted at the weekly ELTACG meeting on 27th August to PI King as being unlicensed from 28th August, however I am unaware if any checks were carried out.

Please take this email as a report of a Section 1 Licensing (Scotland) Act 2005 offence.

Regards,

Karen

Karen Harling
Licensing Standards Officer
Trading Standards
Protective Services
Communities & Partnerships

Email: kharling1@eastlothian.gov.uk
Website: www.eastlothian.gov.uk

Tel: 01620 827478
Mob: 07774 435158

I am working in an agile way – the best way to contact me is by email

Aitken, Christine (Licensing)

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 19 August 2025 11:07
To: Licensing
Subject: OCC603/25 - OCC LIC APP - LA TRATTORIA - 9-22/10/25
Attachments: OCC603.25 09.10 22.10.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.

Morning

No police objections

PSOS ref 947160

Regards

Stephen

Herkes, Gillian

From: Michelle Fathi <michelle@macdonaldlicensing.com> on behalf of alistair@macdonaldlicensing.com
Sent: 09 September 2025 13:17
To: Licensing
Subject: Shish Mahal, 63 High Street and The Stand, 72/74 High Street, Musselburgh

3a

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Dear Gillian

Firstly, I understand the Annual Fees for both The Stand and the Shish Mahal have been paid by Mr Khan?

With regard to The Stand, he had a meeting last Tuesday and is waiting for the Estimate. He hoped to have it by now and is chasing the Builder for it.

That is all I can really say at the moment. He assures me that when he receives the Estimate, if it is acceptable, he will instruct the Builder to start as soon as reasonably possible.

If there are any further updates before the Board Meeting, I will send them on.

Kind regards

Alistair I Macdonald
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC388451)
21a Rutland Square
Edinburgh
EH1 2BB

DX Edinburgh 561

Tel: 0131 229 6181
Fax: 0131 221 1282
www.macdonaldlicensing.com

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Herkes, Gillian

From: Alistair Macdonald <alistair@macdonaldlicensing.com>
Sent: 28 August 2025 15:20
To: Licensing
Subject: RE: The Stand, Musselburgh

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Afternoon Gillian

I had a meeting with Mr Khan yesterday. He is meeting a contractor on Tuesday. I'll provide a report after that

Kind regards

Alistair I Macdonald
Macdonald Licensing

Macdonald Licensing (Scotland) Limited (SC388451)
21a Rutland Square
Edinburgh
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From: Licensing [mailto:licensing@eastlothian.gov.uk]
Sent: 28 August 2025 07:52
To: alistair@macdonaldlicensing.com
Subject: The Stand, Musselburgh

Morning Alistair

Just a wee reminder that we require an update on The Stand, Musselburgh for the September, Board. Can we have your update by 12th September, 2025.

Many thanks
Gillian

Gillian Herkes
Licensing Officer

EAST LoTHIAN COUNCIL

Licensing Standards

3b

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 25th August 2025

Subject: LICENSING (SCOTLAND) ACT 2005

SECTION 28 – PREMISES LICENCE CEASE TO HAVE EFFECT

EL0322 THE KEBAB MEHAL, HAWTHORN ROAD, PRESTONPANS, EAST LoTHIAN, EH32 9QW

The Licensing (Scotland) Act 2005, section 28(1)(b) & 28(5)(b) provides that if licensed premises in respect of which a premises licence has been issued ceases to be used for the sale of alcohol, then the premises licence ceases to have effect.

Kast Scotland Ltd are the holders of Premises Licence No. EL322 relating to the premises known as The Kebab Mahal, Hawthorn Road, Prestonpans, East Lothian EH32 9QW.

The premises in question were a pub for many years until the licence was surrendered in February 2010. The building was then split into two, with a dance studio on the ground floor and a children's' play centre upstairs. When the dance facility fell through Kast Scotland Ltd applied for and was granted a new premises licence in July 2014 in respect of a cafe/bistro facility. This venture never really happened as, after a very short trial run the premises closed and were unused, other than a small part of the ground floor which was leased to a local barber who took up occupancy in November 2015. In 2016 a major variation application was submitted to change the premises into an off sales only premises called Johnnie Cope Convenience Store, however this application was withdrawn prior to hearing.

It appears that it has not been used for the sale of alcohol since the closure of the café/bistro in 2014. It has been used as a boxing gym, hair and beauty salon, dance studio and children's play centre. In 2017 - 2019 it was used by Promethean Mixed Martial Arts, 2019 -2020 a food business operated at the premises for the making of sweets, covid forces a closure in 2020 however the premises was used as a boxing gym and beauty salon. It was then taken over by Forza Fit-In-Fitness in 2021 where it was run as a gym with tanning facilities and children's play centre. It has been now re occupied by Promethean Mixed Martial Arts who opened on 1st May offering three treatment rooms, a physio, café/shop, two training arenas, weights and gym area, along with a reception area. Photos are attached below showing the premises in August 2025.

I have attempted to contact the premises licence holder Kast Scotland Ltd on the phone number supplied however, it appear to no longer in in use. The premises was also sent a letter along with the annual fee reminder in August asking for an update however no reply has been received.

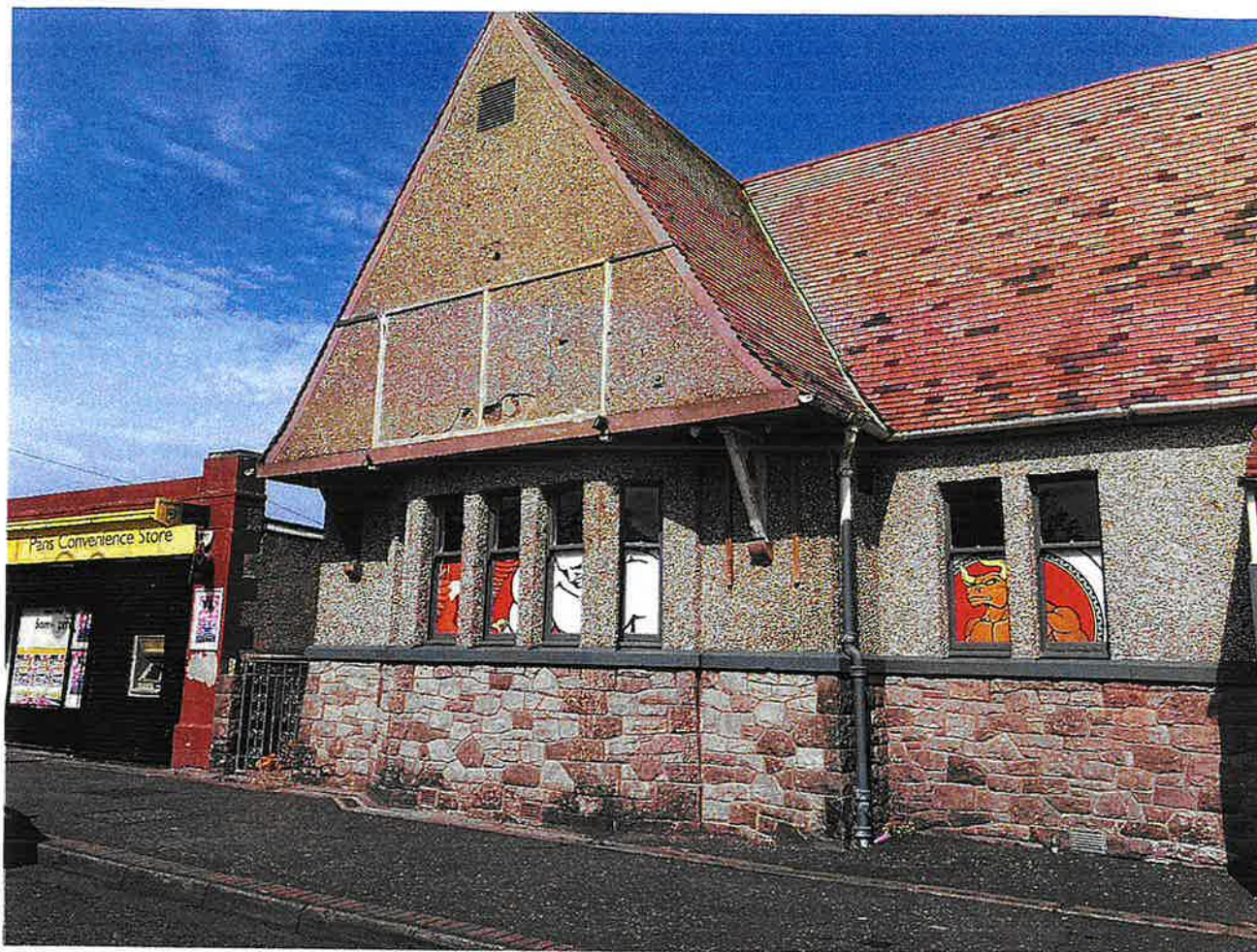
I have spoken to the current tenant, Patrick McKinnon, on the phone. He detailed that he is aware that there is a premises licence however there is no intention to sell alcohol and the current café that is advertised is a breakout area for members and not functioning as a café. It will shortly be changed into a supplements shop.

It is quite clear that in all the circumstance the premises have ceased to be used for the sale of alcohol for over 10 years and there are no plans to sell alcohol. Activities have been taking place at this premises that are not on the operating plan which is a breach of the premises licence condition.

I would recommend that East Lothian Licensing Board note the content of this report and confirms by declaration at the next meeting of East Lothian Licensing Board that premises licence No. EL0322 now ceases to have effect, and that they notify the premises licence holder accordingly.

Licensing Standards Officer





Our Reference: CG/GH

Date: 3 September 2025

Private & Confidential

Kast Scotland Ltd
137 Restalrig Road
Edinburgh
EH7 6HN

Dear Sir/Madam

**LICENSING (SCOTLAND) ACT 2005 – SECTION 28(1)(b) & 28(5)(b)
PREMISES LICENCE CEASE TO HAVE EFFECT
KAST SCOTLAND LTD - EL322, THE KEBAB MEHAL, HAWTHORN ROAD, PRESTONPANS,
EH32 9QW**

The Licensing Board, has resolved to hold a review hearing, in terms of Section 28(1)(b) & 28(5)(b) of the Licensing (Scotland) Act 2005, **on the following grounds:- The Licensing (Scotland) Act 2005, Section 28(1)(b) & 28(5)(b) provides that if licensed premises ceases to be used for the sale of alcohol, then the premises licence ceases to have effect. In addition following a report from the Licensing Standards Officer the board will consider the premises licence in term of Section 28 of the Act.**

The Review Hearing will be heard at the next meeting of the Licensing Board to be in the Council Chambers, Town House, High Street, Haddington or by Hybrid System at 10.00am on **Thursday 25th September 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 the Licensing Standards Officer to prepare a report into this matter for their consideration at the Hearing.

A copy of the report is included with this letter. Details of the Board hearing and agenda will be sent to you in due course.

Yours sincerely

Carlo Grilli
Clerk to the Licensing Board

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

East Lothian Licensing Report 2024-2025



**POLICE
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Keeping people safe

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2024/25, in accordance with Section 12(A) of the Licensing (Scotland) Act 2005.

Throughout the last year I have been committed to improving confidence amongst our communities by working in partnership with a focus on prevention, early intervention and proactivity. This supports our broader 2030 vision of safer communities, less crime, supported victims and a thriving work force.

In respect of Licensing, I recognise that success can only be achieved in collaboration with the 32 local authorities across Scotland. Along with contribution from many other associated national and local partners, this collaborative working ensures support for the licensed trade while also preventing alcohol fuelled violence, disorder and anti-social behaviour. Our joint campaigns which aim to protect children and young persons from harm will continue.

In the year ahead, our approach will remain focused on prevention and collaboration to ensure high standards of service delivery. I will continue to encourage officers and staff to engage with licensed premises and take relevant and proportionate action where appropriate to ensure licensing standards are maintained in the interest of the safety of the people of Scotland.

I would like to take this opportunity to once again thank our local partnerships for their contribution to maintaining high standards and driving improvement where necessary within the Licensed Trade for the benefit of the communities we all serve.



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Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within the National Policing Together Division and have staff based across the force. The department has overall responsibility for determining and delivering national licensing strategy and policy, providing advice, guidance and support to divisional licensing teams and undertaking other specialist functions.

The VPLCU is a specialist department which consists of a small team of officers. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2024/2025, from a licensing perspective, our particular focus was on the following.

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Delivering and promoting campaigns which seek to address issues arising from the consumption of alcohol, particularly in relation to young persons and in the context of the night-time economy.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland continue to work on upgrading the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day-to-day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

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LICENSING BOARD AREA

The Licensing Board area is policed by Lothian & Scottish Borders Division (J).

Chief Superintendent Gregg Banks is the Divisional Police Commander who has the responsibility for all day-to-day policing functions.

The Local Area Commander Chief Inspector Ben Leathes is based at Musselburgh Police Station. He is responsible for performance management, community engagement, partnership working and the daily management of local personnel.

Chief Inspector Ben Leathes is supported by Inspector Alan King who is also based at Haddington. The East Lothian Licensing Boards are predominantly attended by PC Stephen Gibson.

Inspector Laura Stevenson is the Head of the Licensing Department, and she is responsible for the overall supervision of the department.

Sergeant Stuart Miller is the Licensing Sergeant, and he is responsible for the day-to-day management of the department and staff.

Local Policing Priorities

Following our public consultation process, the policing priorities for J Division, as set out in our Local Policing Plan as follows.

- Protecting the most Vulnerable People
- Reducing Violence & Antisocial Behavior
- Reducing Acquisitive Crime
- Improving Road Safety
- Tackling Serious and Organised Crime

In response to the local policing priorities, J Division will continue to work in partnership with partner agencies to reduce alcohol related criminality and continue to develop nighttime economy plans. It is recognised that education, prevention, partnership working and robust policing are all key factors in reducing crime and disorder in this area.

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Description of Board Area

East Lothian is council area is located in the South East of Scotland, bordering Edinburgh, Midlothian and the Scottish Borders. With a population of approx. 110 000, East Lothian combines rural landscapes, long stretches of coastline and historic towns making it a popular location to live and work.

East Lothian has experienced significant population growth and development over recent years, with that growth projected to continue in the coming years.

Licensing plays a critical role in promoting safety, preventing crime and disorder, protecting children and vulnerable persons and ensures the fair operation of licensed premises.

As of March 2025, there are currently:

- 51 'on sales' only premises,
- 87 'off sales' only premises
- 145 combined on/off sales premises

giving a total of 283 premises in East Lothian licensed to sell alcohol, which is the same as last years reporting period.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction-

The East Lothian Licensing Team is based at Dalkeith Police Station. This consists of one police officer, PC Stephen Gibson, supported by administration staff Natasha Gregory and Craig Beveridge based at Dalkeith Police Station and West Lothian Livingston Civic Centre.

The team works standard Monday to Friday however are flexible and often carry out variations to this working late shifts or at weekends to support Divisional demands.

The team are responsible for processing all correspondence and applications received from East Lothian Licensing Board. The officer reviews applications on behalf of the Chief Constable as part of the consultation process in conjunction with the Local Area Commander. This consultation process forms part of the Police support of the Licensing Objectives.

On Friday and Saturday evenings, police officers are deployed on foot where other incidents permit, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0300.

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The proactive use of exclusion orders and antisocial behaviour legislation continues to contribute to reducing repeat offending in licensed premises.

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of violence, domestic abuse, disorder and antisocial behaviour occurring on our street and within our homes. In addition, alcohol is also known to lower inhibitions which can have the impact on people's lives, both resulting in them becoming victims of crime, as well as the perpetrator, which can have serious consequences for individuals and their families.

We continue to ensure there is a concerted focus on the issues surrounding the sale and supply of alcohol within our communities and work together in partnership with licensed premises and other agencies to promote responsible trading practices, ultimately keeping people safe. Our focus is to "Keep People Safe" and we seek to reduce the negative impact alcohol has on our communities. This is achieved through encouraging the responsible sale and supply of alcohol in well run licensed premises, taking positive action to stop irresponsible supply of alcohol to children and young persons and preventing the over supply to individuals already intoxicated in licensed premises.

In the reporting period 2024/2025 the following incidents within licensed premises were recorded.

Premises Type	2023/2024	2024/2025
Public Houses	69	58
Off Sales	187	120
Restaurants	11	9
Hotels	4	5
Total (including misc.)	303	226

Police Scotland carried out 136 recorded inspections of licensed premises in East Lothian during the reporting period.

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The Intervention Process

Issues in licensed premises are assessed using a well-established intervention process. Incidents connected to premises are identified by licensing officers who evaluate the Licensing Objectives to determine if any have been compromised.

Police intervention usually results in a meeting with the appropriate representatives of the premises concerned e.g. premises licence holder, designated premises manager and if appropriate, any stewarding company to discuss concerns and agree a way forward to resolve these.

Premises being monitored by way of the above system are subject to regular visits by either local officer's or licensing officers to monitor progress, measure improvement and ensure that agreed remedial measures are implemented.

The intervention system is ultimately designed to support the licence holder before any premises review is sought, although a serious or significant incident may obviously merit an immediate review application. Depending on the severity of the incident and history of the premises, officers will categorise the premises/incident as below: -

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Intervention Process – Stages	Description of Process	Number this reporting year
Green – Monitored	The premises have come to note for a minor issue and require to be monitored. This may result in an informal intervention providing advice/support to the premises along with Police visits.	0
Amber – Intervention	Issues have arisen and an intervention action plan/agreement is drawn up by the Police and implemented by the licence holder to resolve them. This action may be taken with more serious or repeat issues.	0
Red - Problematic	Premises are operating in a manner inconsistent with the licensing objectives or outwith the terms of their licence. Where local Police intervention and support has failed or is unlikely to succeed in resolving the issues. A premises review request to the Licensing Board is considered the most appropriate way to address the issue	1

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Summary of Applications/Offences

During the year 2024/2025 the following applications were received and processed by the Police Licensing Team.

Application Type	2023/2024	2024/2025
Personal License	222	156
New Premises License	15	18
Variation	86	107
Occasional	852	885
Total	1175	1166

Violence and Anti-Social Behaviour

A total of 898 crimes of violence were recorded within the East Lothian area for the period from 1st April 2024 to 31st March 2025. This represents a decrease of 141 crimes (-13.6%) from the 2023-24 levels of violence. The violence recorded in 2024-25 included five attempted murders, 35 serious assaults, 13 robberies and 771 common assaults, with a further 74 assaults on emergency workers. It should also be noted that there was one crime of drugging recorded in East Lothian during 2024-25, however was not within a licensed premise.

Map 1: East Lothian Heatmap for Violence and Anti-Social Behaviour



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A total of 34 crimes of violence were recorded for licensed premises within East Lothian during 2024-25 compared to 19 reports in 2023-24. It was also noted that 21 crimes were committed within supermarkets licensed to sell alcohol.

The 34 crimes of violence recorded for licensed premises were in the following areas:

Area	# of Crimes
Musselburgh	12
Haddington	8
Tranent	5
Wallyford	3
Port Seton	2
Prestonpans	1
Longniddry	1
East Linton	1
North Berwick	1

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Violence data where Alcohol is a factor

Crimes with an “alcohol” tag applied can give an indication of offences where alcohol is a factor. It should be noted however that it is not compulsory to add tags to crime reports and therefore the statistics provided here in relation to alcohol related violence provide an indication only, and do not specify the nature of the link to alcohol. Of the 898 recorded crimes of violence for the 2024-25 period, a total of 149 (16.6%) had the alcohol marker attached to the crime report, which is a reduction of 28 from the previous year. Common assaults continue to account for the main volume of alcohol-related violence (76.5%), an increase of five percentage points from the previous year (71%). The number of serious assaults (13) where alcohol is a factor has reduced from 18 in the previous year. Of note, the number of alcohol-related assaults on emergency workers (16) increased by 167% from 2023/24. There were also four alcohol-related assaults on retail workers, a reduction from six when compared with last year’s level.

Map 2: East Lothian Locations for Violence where Alcohol is a Factor



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Anti-Social Behaviour

A total of 4998 incidents relating to ASB have been recorded during 2024-25 within the East Lothian area. This represents an increase of three incidents (0.1%) from 2023-24, and an increase of 186 incidents (3.9%) from 2022-23.

Map 3: East Lothian Heatmap for Anti-Social Behaviour



RECORDED LICENSING OFFENCE CRIMES

Offence	2023/2024	2024/2025
Section 1 – Unlicensed sale of alcohol	0	1
Section 63 – Sale or supply out with licensed hours	0	0
Section 102 – Sale of alcohol to a child	0	0
Section 103 – Allowing sale to child or young person	0	0
Section 105 – Purchase of alcohol for a child or young	0	1
Section 111 – Drunk persons within licensed premises	0	0
Section 113 – Sale of alcohol to a drunk person	0	0
Section 114 – Premises manager, staff not to be drunk	0	0
Section 115 – Drunk/disorderly conduct on premises	0	0
Section 116 – Refusal to leave licensed premises	7	2

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PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons and working with our partners, taking the appropriate action to address both the potential and actual misuse of alcohol within the early years.

From April until August, Community Policing Teams in conjunction Police Scotland Youth Volunteers continued to support the 'It'll Cost You' Proxy Purchase Campaign, this involved further distribution campaign materials, engaging with licensed premises staff to provide appropriate guidance and some social media activity to raise awareness across East Lothian.

There are dedicated School Link Officers based across schools in East Lothian and they are seen as one of the main links between police and children and young persons in the area. The local Licensing officer continues to work alongside these officers to provide education and support to students around the dangers of alcohol not only to their own health but also the impact on the community.

Youth Engagement: actively engage with youths and foster a positive image of the police and their local communities. Act as primary first responders to youth calls, disrupt antisocial behaviour and enforce appropriate legislation firmly but fairly. Maximise alcohol seizures. Engage with partners and Community Policing Teams to identify appropriate support and diversionary activities.

Licensed Premises: monitor licensed premises activity and act as first responders to antisocial behaviour related incidents whenever possible.

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TACKLING SERIOUS AND ORGANISED CRIME

Serious and organised crime has far-reaching consequences that affect a large proportion of society and the economy. Those involved have spread their activity into an increased variety of criminal enterprises including illegal drugs, money laundering, fraud, human trafficking, fake goods and the licensed trade.

The Serious Organised Crime Task Force was set up by the Scottish Government to provide direction and co-ordination for all organisations involved in tackling Serious Organised Crime in Scotland.

The task force has a remit to disrupt, dismantle and pursue Serious Organised Crime Groups (SOCGs). Key partners include Police Scotland, NCA, HMRC, COPFS, SOLACE and the Scottish business Resilience Centre, amongst others.

If SOCGs gain a foothold in licensed premises then this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities.

SOCG's pose a serious threat to communities, individuals and businesses. We use intelligence and enforcement to break the cycle of crime and reduce opportunities for criminals to profit from illegal activity.

All opportunity is taken to disrupt the running of these licensed premises with the assistance of the National Intervention Unit. Multi-Agency Proactive visits are conducted with key partners in an effort to put the pressure on these operators, in an effort to disrupt their activity and cease from trading.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

- The Licensing Officer will continue to work in conjunction with partner agencies and LSOs to provide guidance and support to all parties, ensuring license holders and licensed premises staff have a better understanding of their responsibilities/obligations. This collaborative approach should seek to further develop partnerships as well as fulfil licensing objectives
- The Dedicated Night Time Economy Policing Plan will continue and will be led by Local Community Police Officers, with assistance from Response Officers (subject to incident demand). This co-ordinated plan will be devised with the Licensing Officer and will include licenced premises inspections to ensure compliance with licensing obligations and to detect and deter any alcohol-fuelled criminality. All incident related visits will continue to be recorded for any required further action from the Licensing Officer.

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- Continue with the “It’ll Cost You” Proxy Purchase Campaign. This will encompass further distribution of campaign materials, engaging with licensed premises staff to provide appropriate guidance and some social media activity to increase awareness across East Lothian.
- Provide student safety inputs at Queen Margaret University.
- The Licensing Officer will continue to review any relevant intelligence and liaise with colleagues or other intelligence sources (where permitted) to facilitate a satisfactory resolution.
- Work in conjunction with event organisers, events planning colleagues and partner agencies to agree conditions for events, offer advice and support in order to achieve a safe and crime free environment for such events.
- Funding by East Lothian Council for the policing Community Action Team has ceased for the 2025/26 period, which will impact the capability of local policing.

CONCLUSION

Police Scotland would like to thank East Lothian Licensing Board, The Licensing Standards Officer, and the wider council colleagues for their continued support, collaboration.

We look forward to a safe and healthy 2025/2026.

East Lothian Licensing Report 2024-2025



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Keeping people safe

Foreword

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In respect of Licensing, I recognise that success can only be achieved in collaboration with the 32 local authorities across Scotland. Along with contribution from many other associated national and local partners, this collaborative working ensures support for the licensed trade while also preventing alcohol fuelled violence, disorder and anti-social behaviour. Our joint campaigns which aim to protect children and young persons from harm will continue.

In the year ahead, our approach will remain focused on prevention and collaboration to ensure high standards of service delivery. I will continue to encourage officers and staff to engage with licensed premises and take relevant and proportionate action where appropriate to ensure licensing standards are maintained in the interest of the safety of the people of Scotland.

I would like to take this opportunity to once again thank our local partnerships for their contribution to maintaining high standards and driving improvement where necessary within the Licensed Trade for the benefit of the communities we all serve.



Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within the National Policing Together Division and have staff based across the force. The department has overall responsibility for determining and delivering national licensing strategy and policy, providing advice, guidance and support to divisional licensing teams and undertaking other specialist functions.

The VPLCU is a specialist department which consists of a small team of officers. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2024/2025, from a licensing perspective, our particular focus was on the following.

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Delivering and promoting campaigns which seek to address issues arising from the consumption of alcohol, particularly in relation to young persons and in the context of the night-time economy.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland continue to work on upgrading the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day-to-day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

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LICENSING BOARD AREA

The Licensing Board area is policed by Lothian & Scottish Borders Division (J).

Chief Superintendent Gregg Banks is the Divisional Police Commander who has the responsibility for all day-to-day policing functions.

The Local Area Commander Chief Inspector Ben Leathes is based at Musselburgh Police Station. He is responsible for performance management, community engagement, partnership working and the daily management of local personnel.

Chief Inspector Ben Leathes is supported by Inspector Alan King who is also based at Haddington. The East Lothian Licensing Boards are predominantly attended by PC Stephen Gibson.

Inspector Laura Stevenson is the Head of the Licensing Department, and she is responsible for the overall supervision of the department.

Sergeant Stuart Miller is the Licensing Sergeant, and he is responsible for the day-to-day management of the department and staff.

Local Policing Priorities

Following our public consultation process, the policing priorities for J Division, as set out in our Local Policing Plan as follows.

- Protecting the most Vulnerable People
- Reducing Violence & Antisocial Behavior
- Reducing Acquisitive Crime
- Improving Road Safety
- Tackling Serious and Organised Crime

In response to the local policing priorities, J Division will continue to work in partnership with partner agencies to reduce alcohol related criminality and continue to develop nighttime economy plans. It is recognised that education, prevention, partnership working and robust policing are all key factors in reducing crime and disorder in this area.

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Description of Board Area

East Lothian is council area is located in the South East of Scotland, bordering Edinburgh, Midlothian and the Scottish Borders. With a population of approx. 110 000, East Lothian combines rural landscapes, long stretches of coastline and historic towns making it a popular location to live and work.

East Lothian has experienced significant population growth and development over recent years, with that growth projected to continue in the coming years.

Licensing plays a critical role in promoting safety, preventing crime and disorder, protecting children and vulnerable persons and ensures the fair operation of licensed premises.

As of March 2025, there are currently:

- 51 'on sales' only premises,
- 87 'off sales' only premises
- 145 combined on/off sales premises

giving a total of 283 premises in East Lothian licensed to sell alcohol, which is the same as last years reporting period.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction-

The East Lothian Licensing Team is based at Dalkeith Police Station. This consists of one police officer, PC Stephen Gibson, supported by administration staff Natasha Gregory and Craig Beveridge based at Dalkeith Police Station and West Lothian Livingston Civic Centre.

The team works standard Monday to Friday however are flexible and often carry out variations to this working late shifts or at weekends to support Divisional demands.

The team are responsible for processing all correspondence and applications received from East Lothian Licensing Board. The officer reviews applications on behalf of the Chief Constable as part of the consultation process in conjunction with the Local Area Commander. This consultation process forms part of the Police support of the Licensing Objectives.

On Friday and Saturday evenings, police officers are deployed on foot where other incidents permit, to aid with dispersal of licensed premises and reduce antisocial behaviour and violence related incidents between the hours of 2200-0300.

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The proactive use of exclusion orders and antisocial behaviour legislation continues to contribute to reducing repeat offending in licensed premises.

The misuse of alcohol is regularly cited as a contributory factor in relation to crimes of violence, domestic abuse, disorder and antisocial behaviour occurring on our street and within our homes. In addition, alcohol is also known to lower inhibitions which can have the impact on people's lives, both resulting in them becoming victims of crime, as well as the perpetrator, which can have serious consequences for individuals and their families.

We continue to ensure there is a concerted focus on the issues surrounding the sale and supply of alcohol within our communities and work together in partnership with licensed premises and other agencies to promote responsible trading practices, ultimately keeping people safe. Our focus is to "Keep People Safe" and we seek to reduce the negative impact alcohol has on our communities. This is achieved through encouraging the responsible sale and supply of alcohol in well run licensed premises, taking positive action to stop irresponsible supply of alcohol to children and young persons and preventing the over supply to individuals already intoxicated in licensed premises.

In the reporting period 2024/2025 the following incidents within licensed premises were recorded.

Premises Type	2023/2024	2024/2025
Public Houses	69	58
Off Sales	187	120
Restaurants	11	9
Hotels	4	5
Total (including misc.)	303	226

Police Scotland carried out 136 recorded inspections of licensed premises in East Lothian during the reporting period.

The Intervention Process

Issues in licensed premises are assessed using a well-established intervention process. Incidents connected to premises are identified by licensing officers who evaluate the Licensing Objectives to determine if any have been compromised.

Police intervention usually results in a meeting with the appropriate representatives of the premises concerned e.g. premises licence holder, designated premises manager and if appropriate, any stewarding company to discuss concerns and agree a way forward to resolve these.

Premises being monitored by way of the above system are subject to regular visits by either local officer's or licensing officers to monitor progress, measure improvement and ensure that agreed remedial measures are implemented.

The intervention system is ultimately designed to support the licence holder before any premises review is sought, although a serious or significant incident may obviously merit an immediate review application. Depending on the severity of the incident and history of the premises, officers will categorise the premises/incident as below: -

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Intervention Process – Stages	Description of Process	Number this reporting year
Green – Monitored	The premises have come to note for a minor issue and require to be monitored. This may result in an informal intervention providing advice/support to the premises along with Police visits.	0
Amber – Intervention	Issues have arisen and an intervention action plan/agreement is drawn up by the Police and implemented by the licence holder to resolve them. This action may be taken with more serious or repeat issues.	0
Red - Problematic	Premises are operating in a manner inconsistent with the licensing objectives or outwith the terms of their licence. Where local Police intervention and support has failed or is unlikely to succeed in resolving the issues. A premises review request to the Licensing Board is considered the most appropriate way to address the issue	1

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A total of 34 crimes of violence were recorded for licensed premises within East Lothian during 2024-25 compared to 19 reports in 2023-24. It was also noted that 21 crimes were committed within supermarkets licensed to sell alcohol.

The 34 crimes of violence recorded for licensed premises were in the following areas:

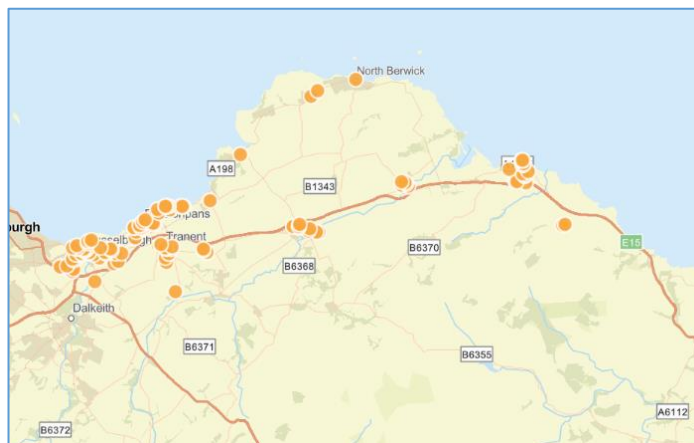
Area	# of Crimes
Musselburgh	12
Haddington	8
Tranent	5
Wallyford	3
Port Seton	2
Prestonpans	1
Longniddry	1
East Linton	1
North Berwick	1

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Violence data where Alcohol is a factor

Crimes with an “alcohol” tag applied can give an indication of offences where alcohol is a factor. It should be noted however that it is not compulsory to add tags to crime reports and therefore the statistics provided here in relation to alcohol related violence provide an indication only, and do not specify the nature of the link to alcohol. Of the 898 recorded crimes of violence for the 2024-25 period, a total of 149 (16.6%) had the alcohol marker attached to the crime report, which is a reduction of 28 from the previous year. Common assaults continue to account for the main volume of alcohol-related violence (76.5%), an increase of five percentage points from the previous year (71%). The number of serious assaults (13) where alcohol is a factor has reduced from 18 in the previous year. Of note, the number of alcohol-related assaults on emergency workers (16) increased by 167% from 2023/24. There were also four alcohol-related assaults on retail workers, a reduction from six when compared with last year’s level.

Map 2: East Lothian Locations for Violence where Alcohol is a Factor

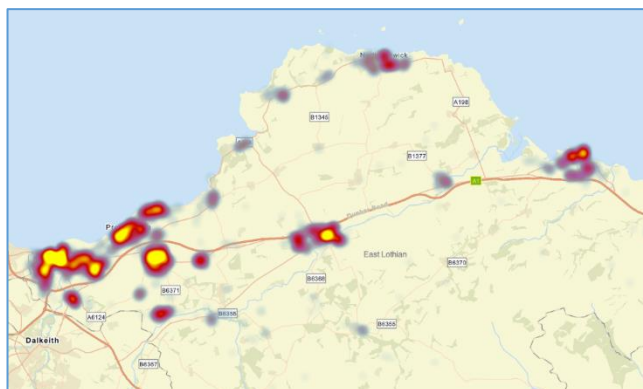


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Anti-Social Behaviour

A total of 4998 incidents relating to ASB have been recorded during 2024-25 within the East Lothian area. This represents an increase of three incidents (0.1%) from 2023-24, and an increase of 186 incidents (3.9%) from 2022-23.

Map 3: East Lothian Heatmap for Anti-Social Behaviour



RECORDED LICENSING OFFENCE CRIMES

Offence	2023/2024	2024/2025
Section 1 – Unlicensed sale of alcohol	0	1
Section 63 – Sale or supply out with licensed hours	0	0
Section 102 – Sale of alcohol to a child	0	0
Section 103 – Allowing sale to child or young person	0	0
Section 105 – Purchase of alcohol for a child or young	0	1
Section 111 – Drunk persons within licensed premises	0	0
Section 113 – Sale of alcohol to a drunk person	0	0
Section 114 – Premises manager, staff not to be drunk	0	0
Section 115 – Drunk/disorderly conduct on premises	0	0
Section 116 – Refusal to leave licensed premises	7	2

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PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons and working with our partners, taking the appropriate action to address both the potential and actual misuse of alcohol within the early years.

From April until August, Community Policing Teams in conjunction Police Scotland Youth Volunteers continued to support the 'It'll Cost You' Proxy Purchase Campaign, this involved further distribution campaign materials, engaging with licensed premises staff to provide appropriate guidance and some social media activity to raise awareness across East Lothian.

There are dedicated School Link Officers based across schools in East Lothian and they are seen as one of the main links between police and children and young persons in the area. The local Licensing officer continues to work alongside these officers to provide education and support to students around the dangers of alcohol not only to their own health but also the impact on the community.

Youth Engagement: actively engage with youths and foster a positive image of the police and their local communities. Act as primary first responders to youth calls, disrupt antisocial behaviour and enforce appropriate legislation firmly but fairly. Maximise alcohol seizures. Engage with partners and Community Policing Teams to identify appropriate support and diversionary activities.

Licensed Premises: monitor licensed premises activity and act as first responders to antisocial behaviour related incidents whenever possible.

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TACKLING SERIOUS AND ORGANISED CRIME

Serious and organised crime has far-reaching consequences that affect a large proportion of society and the economy. Those involved have spread their activity into an increased variety of criminal enterprises including illegal drugs, money laundering, fraud, human trafficking, fake goods and the licensed trade.

The Serious Organised Crime Task Force was set up by the Scottish Government to provide direction and co-ordination for all organisations involved in tackling Serious Organised Crime in Scotland.

The task force has a remit to disrupt, dismantle and pursue Serious Organised Crime Groups (SOCGs). Key partners include Police Scotland, NCA, HMRC, COPFS, SOLACE and the Scottish business Resilience Centre, amongst others.

If SOCGs gain a foothold in licensed premises then this would afford the criminal group a seemingly legitimate income stream, which could be no more than a veneer for other criminal activities.

SOCG's pose a serious threat to communities, individuals and businesses. We use intelligence and enforcement to break the cycle of crime and reduce opportunities for criminals to profit from illegal activity.

All opportunity is taken to disrupt the running of these licensed premises with the assistance of the National Intervention Unit. Multi-Agency Proactive visits are conducted with key partners in an effort to put the pressure on these operators, in an effort to disrupt their activity and cease from trading.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

- The Licensing Officer will continue to work in conjunction with partner agencies and LSOs to provide guidance and support to all parties, ensuring license holders and licensed premises staff have a better understanding of their responsibilities/obligations. This collaborative approach should seek to further develop partnerships as well as fulfil licensing objectives
- The Dedicated Night Time Economy Policing Plan will continue and will be led by Local Community Police Officers, with assistance from Response Officers (subject to incident demand). This co-ordinated plan will be devised with the Licensing Officer and will include licenced premises inspections to ensure compliance with licensing obligations and to detect and deter any alcohol-fuelled criminality. All incident related visits will continue to be recorded for any required further action from the Licensing Officer.

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- Continue with the “It’ll Cost You” Proxy Purchase Campaign. This will encompass further distribution of campaign materials, engaging with licensed premises staff to provide appropriate guidance and some social media activity to increase awareness across East Lothian.
- Provide student safety inputs at Queen Margaret University.
- The Licensing Officer will continue to review any relevant intelligence and liaise with colleagues or other intelligence sources (where permitted) to facilitate a satisfactory resolution.
- Work in conjunction with event organisers, events planning colleagues and partner agencies to agree conditions for events, offer advice and support in order to achieve a safe and crime free environment for such events.
- Funding by East Lothian Council for the policing Community Action Team has ceased for the 2025/26 period, which will impact the capability of local policing.

CONCLUSION

Police Scotland would like to thank East Lothian Licensing Board, The Licensing Standards Officer, and the wider council colleagues for their continued support, collaboration.

We look forward to a safe and healthy 2025/2026.