



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

**THURSDAY 25 SEPTEMBER 2025
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY**

1

Board Members Present:

Councillor L Bruce (Convener)
Councillor C Cassini
Councillor N Gilbert
Councillor G McGuire

Clerk of the Licensing Board:

Mr R Thompson

Attending:

Ms C Aitken, Licensing Officer
Ms E Barclay, Committees Assistant
Ms K Harling, Licensing Standards Officer
PI A King, Police Scotland
PS S Miller, Police Scotland

Committee Clerk:

Ms L Gillie

Apologies:

Councillor F Dugdale
Councillor McMillan - attempted to join the meeting but was unable to do so.

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, 28 August 2025

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

2a. OCCASIONAL LICENCE
Bella Italia, 10 High Street, North Berwick

Alistair Macdonald and his client Loredana Calabrese attended. Mr Macdonald began by advising the restaurant had been family operated since 1981. The family believed the licence was in the company name and when Ms Calabrese's father died in November 2022 a transfer was not submitted. Board became aware of this when Ms Calabrese notified them of a change to the company. The application for Occasional Licences has been submitted and a premises licence application will hopefully come to Board in November. Mr Macdonald referred to the Licensing Standards Officer's (LSO) report and advised his client had attended a course to increase her knowledge. Mr Macdonald described the restaurant as well run, with no police involvement and concluded by advising that the premises had been operating as bring your own bottle.

The Licensing Standards Officer (LSO) advised she had contacted Ms Calabrese to advise that alcohol sales had to stop immediately. Ms Calabrese was receptive to the call and when the LSO visited shortly afterwards a notice stating that alcohol could not be sold was in place. Guidance was given on the menu (alcohol in deserts and coffee), on removing all alcohol from the bar and training requirements were discussed.

PS Stuart Miller, Police Scotland, advised that they had reviewed the circumstances, and it was not progressing. He added there had been no reports to the police from the premises and that there were no adverse comments.

Councillor McGuire commented that it was an unfortunate situation, that action had been taken swiftly and that training had been completed. The Convener echoed Councillor McGuire's comments and added that he looked forward to having the premises licence before Board soon.

Decision

The Board unanimously agreed to grant the Occasional licence

2b. OCCASIONAL LICENCE
La Trattoria, 119 High Street, Tranent

Alistair Macdonald and his client Natascia Pacitti, now using the name Scott, attended. Mr Macdonald stated that previous occasional licences were granted as was a provisional licence in the name of his client's mother. His client was a personal licence holder who had applied for the occasional licences. Mr Macdonald highlighted a period when he had no contact with his client due to a change of email address from Pacitti to Scott. He advised several emails were sent but that his client assured him she had not received them. The occasional licences ran out at the end of August and Mr Macdonald advised there was a period after this when alcohol continued to be sold, and that Ms Scott admitted this. He added that his client has assured him that no alcohol has been sold since the LSO made contact. Mr Macdonald then commented on the second LSO report and advised that a day-to-day manager (Lorenzo) was in post and booked onto a personal licence holder course next month. He added that on the provisional licence application it was stated that his client's mother would be involved in the administration but that this had not happened. She had been copied into emails but did not seem to want to be involved as she had taken on a lot more

childcare, so he stated that he thought there should be a different premises licence holder. He added that he believed Lorenzo should be manager and the main contact for police and LSO while his client should have a personal licence. Mr Macdonald said that the incident referred to in the second LSO report is a police matter and his client had a meeting booked. He stated that his client denied the sale of alcohol and that she feels she has evidence to prove it. He concluded by saying that his client was sending a manager on a course but that she does not consider she needs an update as she is confident about the law.

Ms Scott added that this was all new to her, she was a single parent and she had never run a restaurant previously. She continued by saying she had two businesses and two children that she looked after six days a week with very little help. Ms Scott added that she needed Lorenzo to help her and that she had apologised for the mistake.

The LSO highlighted some of the points from her reports including that on 08 September she had called Ms Scott to check that the sale of alcohol had stopped and was informed it had not stopped. The LSO continued by saying that Ms Scott seemed unfamiliar with the licensing requirements and advised that she reported the offence to Police Scotland and suggested to Ms Scott she undertake the personal licence holder's course. The LSO then referred to information she had received about an event held at the restaurant on 20 September called BoozeBrunch, she stated she had reported to Police Scotland another potential section 1 offence. The LSO then referred to the images from social media and stated that there was no evidence that this was a bring your own bottle event. The LSO then highlighted other images on social media which advertised cocktails which appeared after Ms Scott was advised to stop the sale of alcohol. She noted that while the legislation doesn't include fit and proper she would ask the Board to consider if Ms Scott is a fit and proper person to be granted occasional licences and if she can be trusted going forward to adhere to the licensing objectives. She further asked that grounds for refusal are be considered.

PS Stuart Miller, Police Scotland, stated there were no objections to the initial application for occasional licences. He added that as the enquiry is ongoing he could not comment further, he advised that they could report back once it had been concluded.

The Convener called for an adjournment to the meeting to seek legal advice.

Mr Macdonald stated it was inappropriate for Licensing Board to decide and judge the incident mentioned in the second LSO report as it was a police matter. He added that his client denies the accusations, that not all the images on social media were of the event on 20 September and that his client would discuss this with the police. It was noted that Police Scotland had no objection to the occasional licences and that fit and proper is not relevant to these applications.

In response to questions from Councillor McGuire Mr Macdonald stated that Lorenzo is booked onto the course but that this could take longer as he lives in Edinburgh. Lorenzo, he stated, would be the manager and needed to be there six days a week. He added that he had concerns about his client's mother and that he feels she would not resist being removed. The lease is in the name of the company and the company would also become the licence holder, with an application being lodged at the end of next week. Mr Macdonald suggested that there should be an additional licence holder in addition to his client and highlighted that his client's father is a well-known licence holder who provides help.

The Convener asked how the occasional licences, if granted, would be operated. Mr Macdonald replied that four or five occasional licences have been operated without issue. He ended by saying the issues were administrative not operational.

Ms Scott advised that she does not run her social media company and that advertisements are generically posted. She stated that she had not thought about requesting that the advertisements be removed. She continued by saying that all tables that are booked are called daily to advise that they are not selling alcohol.

The Convener commented that although Ms Scott may not have known about it, she is responsible. Ms Scott responded by saying that she totally understood.

Councillor Gilbert asked about Ms Scott's limited knowledge of legislation and if she intended to take any action to remedy this. Ms Scott responded by saying she had no issue with going on another course to and was happy to oblige. Councillor Gilbert followed up by asking if Ms Scott accepted that her knowledge is limited without attending a course. Ms Scott stated it was not fully limited but that maybe she needed to increase her knowledge and understanding of some areas.

The Convener called for an adjournment to the meeting to seek legal advice.

Councillor McGuire commented that they were there to decide on the occasional licence application and nothing else. He added that based on the steps being taken and the support from her father he was happy to support the application.

The Convener noted his concerns about the event on Saturday and stated that he would like to know what happened and that he was certain the police would find out. He also highlighted his concerns about administrative issues such as changing email addresses and not informing lawyers. He concluded by saying that he would support the application for Occasional licences but stressed that he has concerns.

Decision

For: 2 (Councillors Bruce, McGuire)

Against: 2 (Councillors Cassini, Gilbert)

The application was approved with the Convener using his casting vote.

3a. REVIEW OF PREMISES LICENCE

The Stand, 72/74 High Street, Musselburgh

Mr Macdonald and his client Mr Khan attended. Mr Macdonald began by stating that his client had paid his annual fee and that it was appropriate for the licence to continue. He explained that his client had bought The Stand after he was told that his current premises was going to be changed to a museum. The change to the premises did not go ahead and Mr Macdonald advised that his client had accepted an estimate with work on The Stand hopefully starting next month. The work should be completed at the beginning of next year and then his client would find a tenant. Mr Macdonald concluded by saying it was hoped the premises would be up and running next year.

The LSO commented that she had had no contact with the applicant over the last year.

PS Stuart Miller, Police Scotland stated that there were no comments.

Councillor Cassini asked why there was an application to have the licence continue when it is not going to be used for some time. Mr Macdonald replied by explaining that it could take many months to put the licence back in place. He added that they would have to apply for a variation to the licence.

In response to a question from the Convener Mr Macdonald advised that the intention was for a restaurant.

Councillor McGuire stated that it would not make sense to drop the licence at this point. Members agreed that they would be happy for the licence to continue.

3b REVIEW OF PREMISES LICENCE

The Kebab Mehal, Hawthorn Road, Prestonpans

This item did not need to be considered by Board due to information received from the applicant.

Sederunt: Councillor Cassini left the meeting

4 CHIEF CONSTABLES REPORT, 2024-2025

PS Stuart Miller thanked the Board for the opportunity to present the report for the 24-25 period and highlighted key areas of the report. This included detailing the police structure in East Lothian and the priorities for J Division following public consultation. He added that the East Lothian Licensing Team is normally based at Dalkeith Police Station and that PC Michael Upton had been brought into the licensing team to work in East Lothian. PS Miller then commented that he was concerned that the figures in the report were unusually low. He noted the number of licence applications during the period as well as the number of crimes of violence which were recorded for licenced premises and commented that where alcohol is a factor an alcohol tag should be applied but that it is not compulsory. A section one offence was highlighted as was a section 105 offence which occurred in Haddington. PS Miller also detailed the measures in place working with children and young people including youth volunteers and social media activity. He advised that funding from East Lothian Council for the local East Lothian Community Action Team has ceased for this period but that there was still a robust community team in place. PS Miller concluded by saying he would like to thank East Lothian Council Licensing Board, the LSO and Council colleagues, for their continued support and collaboration.

The Convener asked why the team for East Lothian for licensing is based in Dalkeith and PS Miller advised that there was more office space than other stations.

In response to a question from the Convener about the comments on concerns about the figures being incorrect PS Miller advised shoplifting across Scotland had increased. He continued by saying that when alcohol is stolen there would be a crime report for theft and an innkeeper report submitted. The numbers he had taken were from the innkeeper system and he stated that with the absence of PC Gibson there was a gap. The instance of shoplifting had been recorded but he questioned if the innkeeper report had been made. PI King added that there was probably a bit of learning and that while innkeepers are being recorded for theft of alcohol they are not being recorded for non-alcohol thefts. The Convener highlighted that his concern was that resources could be deployed elsewhere if the figures showed that instances were reducing in East Lothian. PS Miller responded by saying that the policing plan would probably be taking the data from the crime reports as an initial guide as to where the problems were rather than innkeeper which is more an internal licensing record.

The Convener further asked about the use of alcohol tags not being compulsory. PS Miller replied that it came down to individual officer's interpretation of the circumstances where they think alcohol has been a factor in a particular crime. The Convener added that he would have assumed there would be a lot more uniformity.

Councillor McGuire began by thanking the police for their service and noting that there was a byelaw of no drinking in the streets. He continued by stating he has regularly reported a group that gathers almost daily in Haddington but that the police are not dealing with it. In response PI King stated that in an ideal world they would be able to deal with this every day. He added that he chairs a multi-agency group where hotspot areas of concern for anti-social behaviour are raised but that people drinking in the street are ranked against higher risk incidents. He added they are aware of them and are actively looking to enforce the byelaws.

Councillor McGuire commented on people being seen dealing drugs on the street and PI King stated that they are aware of the problem and are trying to tackle this. He added that they are actively tackling this with community teams.

Councillor Gilbert asked if there was anywhere where shoplifting was more of an issue. PS Miller replied by saying that supermarkets had more instances with meat theft being a common occurrence. He added that there was a task force in place for retail crime and there are plans in place across all areas of Scotland to try and tackle this.

Councillor Gilbert further asked about the theft of alcohol increasing and whether this was due to an increase in the number of people shoplifting or shoplifters stealing more. PI King replied by advising it was a bit of both. He stated that they were working with partners to identify repeat offenders to divert them to community payback orders rather than short-term prison sentences. He also commented on the impact of the cost of living and repeat offenders.

The Convener asked about the section 105 offence for alcohol being purchased for a child. The information was not shared with the Board or the LSO and he asked about the process. PS Miller stated that this had been a breakdown in communication and that the incident had been dealt with appropriately but not fed back to him or Stephen Gibson. The Convener stated that he assumed discussions had taken place but noted his concerns.

The Convener thanked the police for their work and support and closed the meeting.

Signed

Councillor L Bruce
Convener of East Lothian Licensing Board

STATEMENT OF EXTENSION OF FESTIVE HOURS **2**

In terms of Section 67 of the Licensing (Scotland) Act 2005, the Board has determined that it is appropriate to grant a general extension of licensed hours for the festive period. This extension will apply as follows:-

Christmas Eve – Wednesday 24th December 2025,
Christmas Day - Thursday 25th December 2025,
Boxing Day - Friday 26th December 2025,
Hogmanay - Wednesday 31st December 2025 and
New Year's Day - Thursday 1st January 2026, (**inclusive**) and
will allow an extension of the terminal hour for the sale of alcohol during that period until **2am**.

This extension will only apply to on-sales and not to off-sales of alcohol.

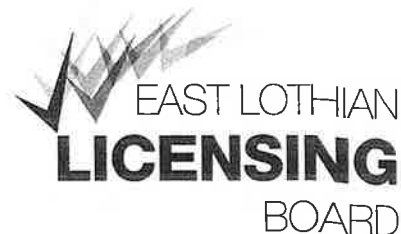
There will be no general extensions out with these days although any applications for extended hours outwith the general extension will be considered on a case-by-case basis. It should be noted that such applications will require to be submitted no later than 2nd December.

There is no need for licensees to apply for the general extension to 2am. On sales premises can utilise these hours to the extent they considered appropriate.

Our Reference: CG/gh/EN/L/P

Date: 16th October 2025

Town House Fish & Chicken Bar
17 Market Street
Haddington
EH41 3JL



Carlo Grilli
CLERK OF THE LICENSING BOARD

John Muir House
Brewery Park
Haddington
EH41 3HA
licensing@eastlothian.gov.uk

3a

Dear Sir/Madam

FINAL REMINDER

LICENSING (SCOTLAND) ACT 2005 – ANNUAL FEE NOW OVERDUE

I refer to your Premises Licence for the above premises and letters/emails sent 1st August, 8th September and 3rd October advising that the Annual Fee in respect of this licence was due on 1st October 2025.

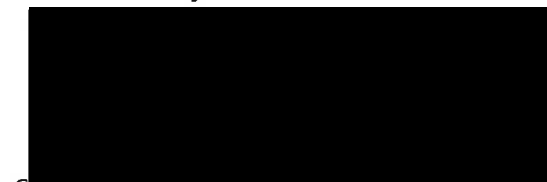
As you do not appear to have made payment of the Annual Fee you are now in breach of one of the Mandatory Conditions attached to your Premises Licence.

The Licensing Board has resolved to hold a review hearing in respect of this matter, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing which will be held at the next meeting of the Licensing Board in the Council Chambers, Town House, 56 High Street, Haddington at 10.00am on **Thursday 30th October 2025**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Should you pay the outstanding sum by 24th October, 2025 in advance of the Review Hearing, it will not be necessary to attend the Board meeting. I would remind you that your Annual Fee for 2025 is **£280.00**.

Yours faithfully



Carlo Grilli
Depute Clerk to the Licensing Board

E-mail : licensing@eastlothian.gov.uk

Our Reference: CG/gh/EN/L/P

Date: 16th October 2025



Seaglass Inn Limited
18 Links Road
Port Seton
EH32 0DU

Carlo Grilli
CLERK OF THE LICENSING BOARD

John Muir House
Brewery Park
Haddington
EH41 3HA
licensing@eastlothian.gov.uk

3b

Dear Sir/Madam

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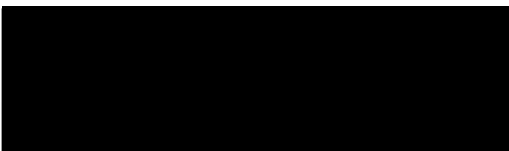
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Yours faithfully

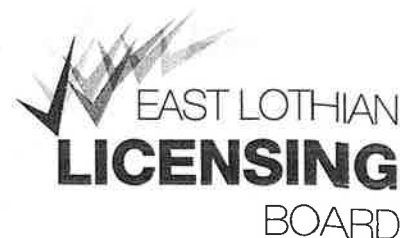


Carlo Grilli
Depute Clerk to the Licensing Board

E-mail : licensing@eastlothian.gov.uk

Our Reference: CG/gh/EN/L/P

Date: 16th October 2025



Fair Price Food Store
120 High Street
Prestonpans
EH32 9AD

Carlo Grilli
CLERK OF THE LICENSING BOARD

John Muir House
Brewery Park
Haddington
EH41 3HA
licensing@eastlothian.gov.uk

3c

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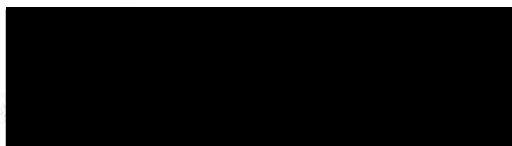
As you do not appear to have made payment of the Annual Fee you are now in breach of one of the Mandatory Conditions attached to your Premises Licence.

The Licensing Board has resolved to hold a review hearing in respect of this matter, in terms of Section 36(3)(a) of the Licensing (Scotland) Act 2005, namely that one of the conditions to which the premises licence is subject has been breached. You should attend at the Review Hearing which will be held at the next meeting of the Licensing Board in the Council Chambers, Town House, 56 High Street, Haddington at 10.00am on **Thursday 30th October 2025**. An agenda will be sent to you in due course.

Please note that the Licensing Board has the power to suspend or permanently revoke your licence if it finds that there are grounds to do so.

Should you pay the outstanding sum by 24th October, 2025 in advance of the Review Hearing, it will not be necessary to attend the Board meeting. I would remind you that your Annual Fee for 2025 is **£220.00**.

Yours faithfully



Carlo Grilli
Depute Clerk to the Licensing Board

E-mail : licensing@eastlothian.gov.uk

83386



219

Police Fire Planning
ETTS ISO NHS
CC nuss+Inverkeith

OCTOBER 2025

APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION **4**

LICENSING (SCOTLAND) ACT 2005, SECTION 29

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

1. TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary – (Tick all relevant boxes)

- ☐ Any of the Conditions to which the Premises Licence is subject
- ☒ Any of the information contained within the Operating Plan
- ☒ The Layout Plan
- ☒ Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details)

To remove the hotel accomdation from the area of the Licence and make consequential changes to
operating plan, as detailed below. To approve a revised layout plan. To update the description of
the Premises from "Resaturant, Bar, Function Rooms and Hotel" to "Restaurant, Bar and Funtion
Rooms".

East Lothian Council
Licensing

15 AUG 2025

Received

2. PREMISES LICENCE DETAILS

2(a) Licence Number of Premises EL016

2(b) Name and Address of Premises The Craig House, Carberry Road,

Inveresk, Edinburgh

Post Code EH21 8PT

Tel. No. _____

Email _____

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

Whitbread Group PLC, Whitbread Court, Houghton Hall Business Park, Porz Avenue,

Dunstable, Bedfordshire

Post Code LU5 5XE

Tel. No. _____

Email address _____

3. NATURE OF VARIATION

Complete the relevant section(s) regarding the variations sought -

3(a) Variation to the Conditions to which the Premises Licence is subject

Provide details of the Condition(s) to be varied and the variation being sought

N/A

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

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

To remove reference 'Accommodation' as an activity from Qu. 5 and from the narrative following Qu. 5.

To remove reference to the hotel in the answer to Qu.6(b) & (e). The hotel will no longer be regulated by the Licence.

To remove reference to 'residential' capacity from the answer to Qu. 7, for the same reason.

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

A copy of the proposed Layout Plan must accompany this application. **(See Note 2)**
In addition please provide details below of the proposed change to the layout of the Premises.

To remove the demise of the hotel from the Licensed area only. No other changes to the approved layout is proposed.

3(d) Variation to any other information contained or referred to in the licence

Provide details below of any other variation sought to the Premises Licence (e.g. Alteration to the description of the premises contained within the Premises Licence)

To update the description of the Premises from:

"Resaturant, Bar, Function Rooms and Hotel"

to:

"Restaurant, Bar and Function Rooms"

4. LICENCE TO BE AMENDED (See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES ☒ NO ☐

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because –

- ☐ The licence has not yet been issued by the Board
- ☐ The licence has already been returned to the Board in respect of an earlier application for variation or transfer
- ☐ Other (provide details)

5. FEE PAYABLE

Information on fees can be found at

https://www.eastlothian.gov.uk/info/210571/licensing/12259/alcohol_licences/2

If submitted with an application for transfer, please specify the order in which the applications are to be considered–

- ☐ Application for Transfer of Premises Licence followed by Application for Variation
- ☐ Application for Variation followed by Application for Transfer of Premises Licence

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

(a) the contents of this Application are true to the best of my knowledge and belief; and

- (b) (i) the appropriate fee of £ 200.00 is enclosed ☒
- (ii) the proposed Operating Plan is enclosed ☒
- (iii) the proposed Layout Plan is enclosed ☒
- (iv) the Premises Licence is enclosed ☒

Signature _____ (See note 5 overleaf)

Date 15th August 2025

Capacity ~~APPLICANT/~~ AGENT (delete as appropriate)

Full name Christopher Grunert

Address John Gaunt & Partners, 372 Cemetery Road, Sheffield

Post Code S11 8FT

Tel. No. 0114 266 8664

Email address cgrunert@john-gaunt.co.uk

Please note that the proposed Operating Plan must contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

Note 2

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

Note 3

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

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

Note 4

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

Note 5: Data Protection Act 2018

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

CONTACT US

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

Phone: 01620 827217 / 827867 / 820114

Email: licensing@eastlothian.gov.uk

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



OPERATING PLAN

LICENSING (SCOTLAND) ACT 2005, SECTION 20(2)(B)(i)

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

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

Name and Address of Premises The Craig House, Carberry Road, Inveresk,

Edinburgh

Post Code EH21 8PT

- 1(a)** Will alcohol be sold for consumption solely ON the premises? YES ☐ NO ☒
- 1(b)** Will alcohol be sold for consumption solely OFF the premises? YES ☐ NO ☒
- 1(c)** Will alcohol be sold for consumption both ON and OFF the premises? YES ☒ NO ☐

East Lothian Council
Licensing

15 AUG 2025

Received

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

DAY	ON CONSUMPTION	
	Opening time	Terminal Hour
Monday	11:00 am	11.00 pm
Tuesday	11:00 am	11.00 pm
Wednesday	11:00 am	11.00 pm
Thursday	11:00 am	12 midnight
Friday	11:00 am	12 midnight
Saturday	11:00 am	12 midnight
Sunday	11:00 am	12 midnight

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

DAY	OFF CONSUMPTION	
	Opening time	Terminal Hour
Monday	10:00 am	10:00 pm
Tuesday	10:00 am	10:00 pm
Wednesday	10:00 am	10:00 pm
Thursday	10:00 am	10:00 pm
Friday	10:00 am	10:00 pm
Saturday	10:00 am	10:00 pm
Sunday	10:00 am	10:00 pm

4. SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand?

YES ☒ NO ☐

*If YES – provide details

The premises are entitled to and have the benefit of extended hours for all other dates and times identified in the Licensing Board Policy from time to time in respect of the seasonal period and any other occasions specified by the Board.

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

ACTIVITY	ACTIVITY PROVIDED? YES / NO	To be provided during core licenced hours. Please confirm YES / NO	Where activities are also to be provided outwith core licensed hours. Please confirm YES/NO
----------	--------------------------------	--	---

5a.

Accommodation	No	N/A	N/A
Conference facilities	Yes	Yes	Yes
Restaurant facilities	Yes	Yes	Yes
Bar meals	Yes	Yes	Yes

Social functions including:

5b.

Weddings, funerals, birthdays, retirements etc.	Yes	Yes	Yes
Club or other group meetings etc.	Yes	Yes	Yes

Entertainment, including:

5c.

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

5d.

Outdoor drinking facilities	Yes	Yes	Yes
-----------------------------	-----	-----	-----

5e.

Adult Entertainment	No	No	No
---------------------	----	----	----

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

The restaurant and bar will be open from 06:30 am to accomodate breakfasts, early lunches, reception parties i.e. funerals, small conference / meetings, all without the sale of alcohol outwith core hours.

Gaming to be available throughout opening hours.

Major TV sport events will be shown, sometimes this will be outwith core hours without the sale of alcohol.

New years eve and Christmas eve - The provision of live or recorded music and dancing until 2 am - Alcohol will be sold.

Outdoor drinking facilities will be provided prior to on consumption hours for patrons partaking in breakfast, early lunches. Only non-alcoholic beverages shall be provided outwith on consumption hours.

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

Quiz nights.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?

YES ☐ NO ☒

When fully occupied, are there likely to be more customers standing than seated?

YES ☐ NO ☒

6. ON-SALES ONLY – CHILDREN AND YOUNG PERSONS

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?

YES ☒ NO ☐

6(b) Where the answer to **6(a)** is YES provide statement of the TERMS under which they will be allowed entry

Children - Entry will be allowed to the restaurant area only for the consumption of food and soft drinks, up until the termination of operating hours, and must be accompanied by an adult.

Young persons - Entry will be allowed to the restaurant area until 22:00 hrs for the consumption of food and soft drinks, at the discretion of the manager without adult supervision. After 22:00 hrs young persons will be allowed access if accompanied by an adult.

On New years eve, Christmas eve and other special occasions, children and young persons will be allowed in the restaurant under the supervision until 02:00 hrs.

Children and young persons will be allowed in the bar when accompanied by an adult and partaking in meals from the start of operating hours until 23:00 hrs.

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

0-17 years

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

Children and young persons will be permitted in the restaurant and bar areas, but subject to the restrictions laid out in 6(b).

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

Restaurant & Bar.

7. CAPACITY OF PREMISES

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

On sales - 260

Off Sales - 8.8 m2

8. PREMISES MANAGER

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

Full Name Natalia Anna Dabrowska

Date of birth

Contact address

Post Code

Tel. No.

Email address

Personal licence

Date of issue 13th June 2017

Name of Licensing Board issuing West Lothian Council

Reference no. of personal licence WL1817

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature



(* see note below)

Date 15th August 2025

Capacity ~~APPLICANT~~ / AGENT (delete as appropriate)

Tel. No. of signatory 0114 266 8664 / 07834933041

Email address cgrunert@john-gaunt.co.uk

*** Data Protection Act 2018**

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

-



- 030

[illegible]

Revision	Date	Description	By
1	14.10.15	As received via planning application	GP
2	21.02.16	Revised plan to show amended layout	GP
3	17.07.16	Final plan to show amended layout	GP

031

CARBERRY ROAD (A6124)

Car Park

Craig House PH
(Gordon Road)

Arable Field

Premier Inn Hotel

Car Park

Arable Field

Sweethope

04/09/2025

Your Ref: EL016

Our Ref: 950990

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



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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE
CRAIG HOUSE, BREWERS FAYRE, INVERESK
CRAIG HOUSE, A6124 (05) FROM WHITECRAIG ROU, WHITECRAIG, EAST
LOTHIAN, EH21 8PT.
WHITBREAD GROUP PLC, WHITBREAD COURT, HOUGHTON HALL
BUSINESS PARK, PORZ AVENUE, DUNSTABLE, BEDFORDSHIRE**

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

The variation requested consists of

- To remove the hotel accommodation from the area of the Licence and make consequential changes to operating plan.
- To approve a revised layout plan.
- To update the description of the Premises from "Restaurant, Bar, Function Rooms and Hotel" to "Restaurant, Bar and Function Rooms".

In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully



Gregg Banks
Divisional Commander

For enquiries, please contact the Licensing Department on 0300 424 0033.

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli

Clerk to the Licensing Board

Date: 24th September 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE MAJOR VARIATION

EL016, THE CRAIG HOUSE, CARBERRY ROAD, INVERESK, EAST LoTHIAN EH21 8PT

I can confirm that the application has been discussed with Christopher Grunert. The site notice was correctly displayed.

The changes applied for are:

- To remove accommodation from the activities and change the accompanying narrative in Q5
- Remove the reference to hotel in Q6(b) and (e)
- Remove residential capacity from Q7
- Remove the hotel from the licensed area
- Update the description to remove the reference to hotel

I have received no complaints about the premises, and I have no concerns about the requested changes.

Licensing Standards Officer

Herkes, Gillian

From: Robertson, Scott
Sent: 03 September 2025 10:37
To: Licensing
Subject: RE: EL016 - Major Variation - The Craig House, Carberry Road, Inveresk, Musselburgh EH21 8PT

Hello,

Please note I have no comments or objections to this application.

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | East Lothian Council | John Muir House | Haddington EH41 3HA

T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>

Sent: 02 September 2025 11:45

To: Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Licensing Standards Officer <lso@eastlothian.gov.uk>; [REDACTED]
Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk)
<lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Fire (torquil.cramer@firescotland.gov.uk)
<torquil.cramer@firescotland.gov.uk>; Kat Burke (kat.burke@nhs.scot) <kat.burke@nhs.scot>

Subject: FW: EL016 - Major Variation - The Craig House, Carberry Road, Inveresk, Musselburgh EH21 8PT

Apologies – my error – last day for objections/comments is 25th September 2025.

Regards

Alison

Alison Rafferty

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

****please note my working week is Monday, Tuesday, Thursday, Friday**

Protect Our Privacy: use a password manager to store your passwords. Never leave passwords near your computer or use the same password for multiple applications



From: Licensing

Sent: 02 September 2025 11:27

To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) ; Fire (torquil.cramer@firescotland.gov.uk) ; Environment Reception ; Environmental Health/Trading Standards ; Licensing Standards Officer ; Kat Burke (kat.burke@nhs.scot) ; [REDACTED]

Subject: EL016 - Major Variation - The Craig House, Carberry Road, Inveresk, Musselburgh EH21 8PT

Hi

Please find EL016 - Major Variation - The Craig House, Carberry Road, Inveresk, Musselburgh EH21 8PT attached for consultation, last day for objections/comments is 21st September 2025.

Regards

Alison

Alison Rafferty

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

****please note my working week is Monday, Tuesday, Thursday, Friday**

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EL 423



East Lothian Council
Licensing *Police*
- 1 SEP 2025 *via NIS*
Received *LSO Planning*
ENTS

Rateable value. Category 2

APPLICATION FOR PREMISES LICENCE / *dunbar* PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

Board 30/10
Advert 11/9 5
Objection 2/10

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

Sweet and Smoky

17 West Port

Dunbar

EH42 1BT

Question 2 - Particulars of applicant

2(a) Where applicant is an individual, provide full name, date & place of birth, home address including postcode, telephone number & email address.

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

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

The K.C Empire Ltd

29 Torrance Row

Edinburgh

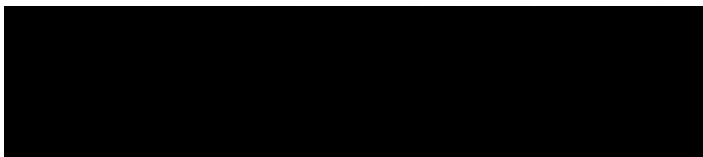
EH17 8ES

Company Number SC724500

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

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

Samrat Khatri Chhetri



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

Question 3 – Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?

YES ☐ NO ☒

If YES – provide full details _____

Question 4 – Previous convictions

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)

YES ☐ NO ☒

If YES – provide full details. For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974.

NAME	DATE	COURT	OFFENCE	SENTENCE

- (1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES

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

Question 5 – Description of premises

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

Restaurant premises located on the ground floor of a three storey
building on West Port, Dunbar.

Question 6 – To be completed by members' clubs only

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

YES ☐ NO ☐

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

Signature _____ * (see note below)

Date 1/9/25

APPLICANT / AGENT (delete as appropriate)

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

Telephone number and email address of signatory _____

0131 229 6181

alistair@macdonaldlicensing.com

I have enclosed the relevant documents with this application – please tick the relevant boxes

☒ Operating plan

☒ Layout plan (highlighting the area where alcohol is sold/consumed)

☒ Planning certificate

☐ Building standards certificate

☐ Food hygiene certificate

* Data Protection Act 2018

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

For use by the Licensing Board only Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

For use by the Licensing Board only If application is for a Premises Licence – Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

For use by the Licensing Board only If application is for a Provisional Premises Licence Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

Sweet and Smoky
17 West Port
Dunbar
East Lothian
EH42 1BT

Question 1

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

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

Question 2

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

Day	ON Consumption	
	Opening time	Terminal hour
<i>Monday</i>	12noon	9pm
<i>Tuesday</i>	12noon	9pm
<i>Wednesday</i>	12noon	9pm
<i>Thursday</i>	12noon	9pm
<i>Friday</i>	12noon	9pm
<i>Saturday</i>	12noon	9pm
<i>Sunday</i>	12noon	9pm

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	12noon	9pm
Tuesday	12noon	9pm
Wednesday	12noon	9pm
Thursday	12noon	9pm
Friday	12noon	9pm
Saturday	12noon	9pm
Sunday	12noon	9pm

Question 4

SEASONAL VARIATIONS

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

**If YES – provide details*

Would like to take advantage of any General Extensions granted in East Lothian, or Dunbar in particular, including Christmas/ New Year, and the Fringe by the Sea.

Question 5

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

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours – please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	Yes	Yes	Yes
<i>Bar meals</i>	No	No	No
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	Yes	Yes	Yes
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
<i>Recorded music – see</i> <i>5(g)</i>	Yes	Yes	Yes
<i>Live performances –</i> <i>see 5(g)</i>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No

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

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

Activities may take place with the benefit of an Extension of Permitted Hours and may apply during periods of General Extensions during the Festive period for instance.

5(f) any other activities

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

Deliveries (which may include alcohol with food).
Takeaways (which may include alcohol with food).

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
---	---------

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

*Delete as appropriate

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES
	<i>*Delete as appropriate</i>	

6(b) *Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry*

Children and young persons will be welcomed. Children will require to be accompanied by an adult. Young persons may be unaccompanied.

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

No restriction (0-17 years).

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

Children will require to vacate the premises by 10pm and young persons by 11pm (to cover any periods of extensions during General or Specific Extensions).

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

All public areas.

Question 7

CAPACITY OF PREMISES

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

20 people plus 5 staff = 25

Question 8

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

Personal details

8(a) *Name*

--

8(b) *Date of birth*

--

8(c) *Contact address*

--

8(d) *Email address*

--

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature  * (see note below)

Date 1/9/25

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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



SUPPLEMENTARY APPLICATION INFORMATION

This information is required in relation to all Premises Licence/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

BUSINESS PROFILE

Please describe your business offering

These premises are located on the ground floor of a building on West Port, about 150 metres from Dunbar High Street. It has been lying vacant for a while but may have been a Vets most recently. Our clients obtained Change of Use in 2024 and hope to open their tenants will be able to open their café/ restaurant later this year/ beginning of next year.

The applicants are the landlords, being a father and son team. The father has been involved in the licensed trade himself for many years. The tenant is a company called Sabor Portuguese Limited and the menu will have grilled chicken, ribs, sausage, rump steak, and other side dishes. It will be called Sweet and Smoky. The proposed Manager is Lisa Pereira who has experience at the Bridge Inn in Ratho, Dunstane House in Haymarket, and North Berwick Golf Club. She is self employed and been running a food trailer. Previous to this she worked in Portugal.

The premises will provide a facility for sit in customers, and also a takeaway and delivery service. Our client already has a restaurants in Edinburgh, Falkirk and Bathgate and is familiar with the rules on deliveries.

Hot and cold soft drinks will be available and the Applicant would like to support the tenant in including a range of alcoholic beverages as well, for people to consume both on the premises, perhaps with their meal or snack, or with takeaways and deliveries. Alcohol would only be sold for takeaway/ delivery purposes if with a food order.

ON CONSUMPTION

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

As explained above the operator would like to offer customers who come in to sit down and have something to eat and drink and the option of an alcoholic beverage.

OFF CONSUMPTION

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

Again as explained above the operator would like to be able to offer the option of alcohol, such as wines and beers, being included in a takeaway or delivery service but only if there is food included. The operator would not offer a facility where people could just come in and purchase alcohol.

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

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

Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:

Restaurant Facilities are very much part of this Application, being a food driven business.

Social Functions – Weddings; Birthdays; Retirements ; Other:

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

The operator would like to be able to offer a facility for small functions, but this would mean closing the premises to other customers so it is likely to only happen on a few occasions.

Entertainment – Recorded Music; Live Performances; Dance Facilities;

Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport - If you intend to provide for any of these facilities please describe the nature and extent and likely frequency of each:

There will be background music. It is not envisaged that there will be Live Performances. They might have a TV showing sport such as golf, tennis, rugby, and occasionally football but they do not wish this to become a destination for football fans! There are plenty of good bars in Dunbar that can provide that facility.

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

Not applicable.

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

Not applicable.

Activities Outwith Licensed Core Hours - In your Operating Plan, at 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

The business may open at (7am) for breakfasts, snacks, plus takeaways and maybe deliveries. No alcohol will be sold or supplied until the commencement of licensed hours.

Any Other Activities - In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

The business may occasionally allow BYOB functions or evenings.

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

It is considered that this will be a family friendly business and children and young persons will be welcomed. Children will require to be accompanied by an adult. Young persons, at the discretion of management, may be unaccompanied. It is not envisaged that any activities taking place on the premises that would be unsuitable for children or young persons to be there.

LICENSING OBJECTIVES

Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023

Preventing Crime and Disorder

This business will be very much a mixture of locals and visitors/ tourists. Our clients will provide a friendly and relaxed atmosphere for them to come and enjoy their food and drink. They will expect customers to behave, and would expect them to do likewise when they leave. (There will be CCTV, which will cover the entrance.) Our clients would not hesitate to notify the Police of any serious disturbances, and to provide access to their CCTV footage.

They will strictly enforce Challenge 25 and will have no hesitation in refusing customers access if they are considered drunk or inebriated, nor anyone that appears under 25 that cannot provide ID.

Securing Public Safety

A substantial refurbishment and fit out will be necessary and this will need a Building Warrant, which will cover many safety aspects for the layout of the premises. The safety of our client's staff and customers are paramount and the layout will take this into account including facilities for ordering a takeaway.

This is a considerable investment for our clients and the newly fitted (bistro) will be maintained to a high standard.

Preventing Public Nuisance

There are residential properties nearby including immediately above and our clients are aware that their amenity should not be disturbed. Recorded Music will be very much background music but if there are any issues our clients will be proactive in working to remedy them, including, if required, with the LSO.

Protecting and Improving Public Health

Our clients are aware of the concern expressed by the Government, the NHS, and Licensing Boards as to the overconsumption and irresponsible consumption of alcohol in Scotland. Our clients certainly do not wish to contribute to this.

They very much want to become part of the Dunbar hospitality scene, and be a magnet for local people to visit and utilise. The only way of doing that is to prove that they are responsible operators, which they have no doubt they will do.

Protecting Children and Young Persons From Harm

As mentioned previously our clients will strictly enforce Challenge 25 and will have an Age Verification Policy. Staff will be trained as to what ID they can accept, how to check it and how to refuse in a polite but firm way.

There will be no activities taking place that would be adverse to the interests of children and young persons being there.

APPLICATION SUPPORTING COMMENTS**Additional Information**

As explained the proposed tenant has considerable experience in the licensed trade and is excited to be opening her own project in Dunbar. She lives in the town and knows the area well. She feels sure that there is a demand for her type of operation.

Supporting Comments

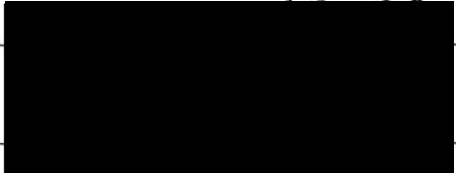
i.e. reasons why the Board should support your application.

This is bringing a property that has been closed for several years, just off the High Street, back into use, to satisfy a demand that our clients consider to be there. They are responsible operators as they have provided in their other business. Whilst the business is food driven the ability to provide the option of an alcoholic beverage to customers sitting in, and to those who want to takeaway or have food and drink delivered, is important. They would ask the Board to support this new business in Dunbar.

SIGNATURE AND DECLARATION BY APPLICANT**IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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

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

Signature	
Date	19/11

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, alistair@macdonaldlicensing.com

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
*Delete as appropriate		

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

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

It should be straightforward for a wheelchair user to obtain access here. The door is quite narrow but certainly access should be possible with care, and assistance will be available. A copy of the entrance is attached. There is no step.

Question 3

Facilities available

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

Once inside there should be plentiful space for a wheelchair user to be shown to a table where there will be table service of course. As will be seen from the plan there is an accessible toilet near the front of the premises.

Our client wishes to provide a facility for visitors and tourists, but also for locals and would not wish access restricted for anyone, whether it be due to mobility, sight, hearing etc. Guide Dogs will be permitted.

Question 4

Other provisions

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

Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness.

It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature * (see note below)

Date 1/9/25

Capacity APPLICANT/AGENT

Telephone number and email address of signatory.....

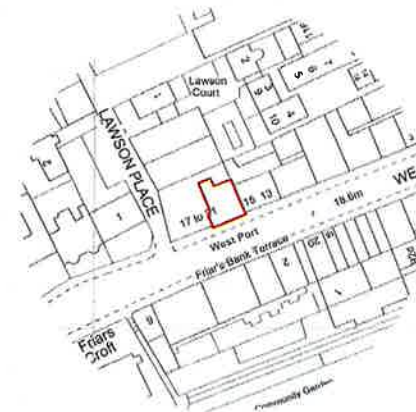
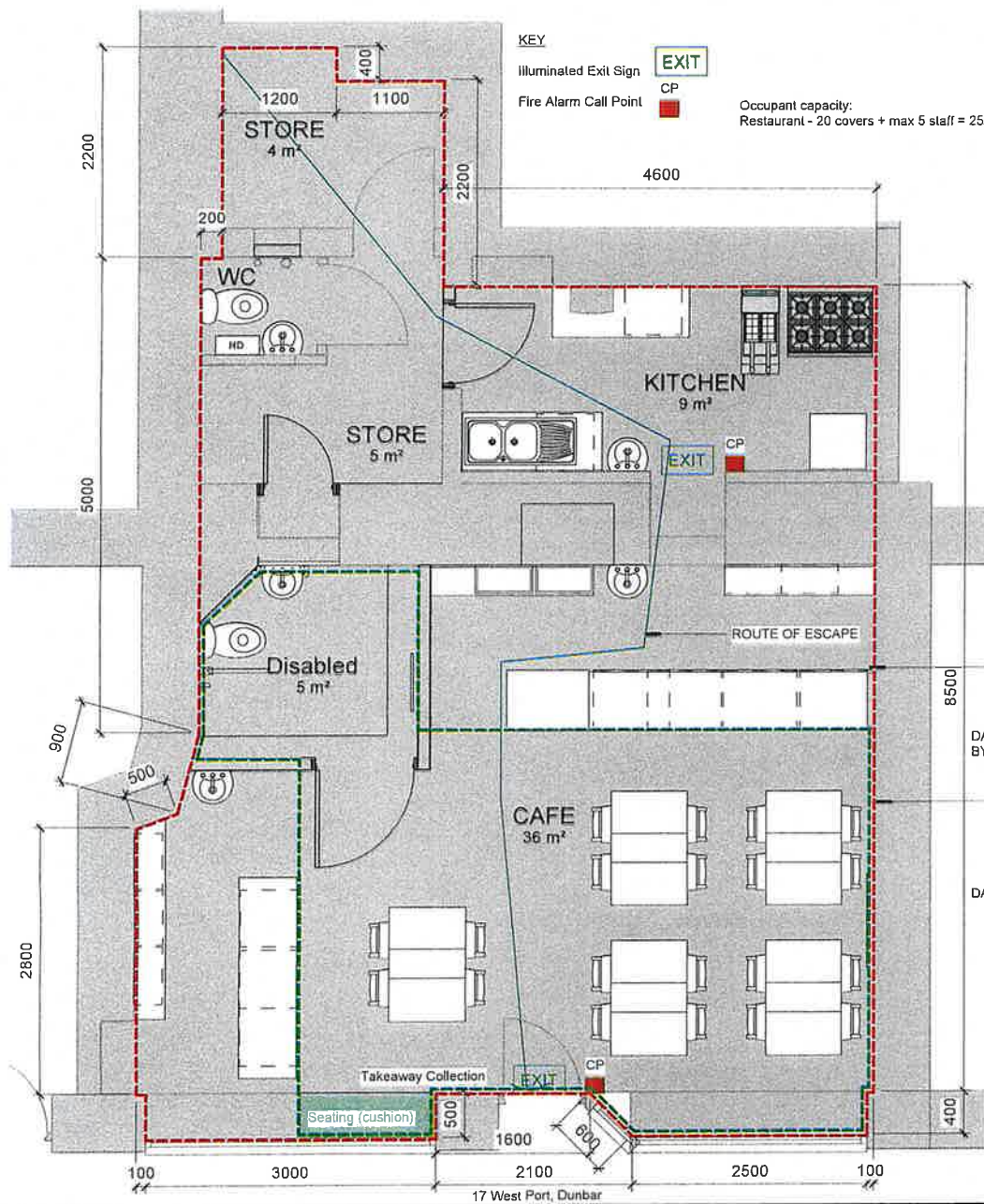
Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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





VISUAL SCALE 1:1250 @ A3

Location Plan License

1 : 1250

DASHED GREEN LINE INDICATES ACCESS
BY CHILDREN AND YOUNG PERSONS

DASHED RED LINE INDICATES LICENCED PREMISES



VISUAL SCALE 1:50 @ A3

Floor Plan License

1 : 50

Alan Hardie Architect

5 Mitchell Street, Dalkeith, EH22 1JQ
m. 07706 270072 e. alan@alanhardie.co.uk
w. www.alanhardie.co.uk

No dimensions for construction to be scaled from this drawing, refer to figured dimensions only. Any discrepancies to be referred to the architect. This drawing is to be read in conjunction with relevant engineer's drawings and specifications. Structural & services information is indicative. Alan Hardie Architect owns the copyright for this drawing which should not be reproduced in any form without written permission.

Client

Khushi Enterprises

Project

Alterations to create Café
17 West Port,
Dunbar, EH42 1BT

Floor Plan (Licensing)

Project number	2024-044A	Drawing number	Revision
Date	November 2024	A(01)004	A
Drawn by	AH		
Status	WARRANT	Scale As indicated	Size A3

Rev Description

A	Amendments
0	Initial issue

Date

17.07.2025
17.07.2025



East Lothian Council

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

SECTION 50
PLANNING CERTIFICATE

APPLICANT: **The KC Empire Ltd**

NAME AND
ADDRESS OF
PREMISES: **17 West Port, Dunbar, EH42 1BT**

SECTION 50 PLANNING CERTIFICATE

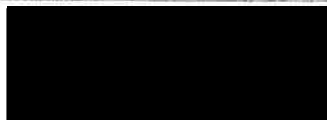
- ☐ I confirm that planning permission (ref:) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.
- ☐ I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

- ☒ I confirm that planning permission (ref: 24/01311/P) has been obtained in respect of the construction or conversion of the subject premises.
- ☐ I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License to cover the above proposals.

Signed:



Date: **11th August 2025**

Keith Dingwall
Chief Planning Officer

Aitken, Christine (Licensing)

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 12 September 2025 09:48
To: Licensing
Subject: LIC06 Premises - no convictions - EL423 SWEET & SMOKY DUNBAR
Attachments: LIC06 PREMISES - NO CONVICTIONS - EL423 SWEET & SMOKY DUNBAR.RTF

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 953627

regards

Stephen

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 2nd October 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

SWEET AND SMOKY, 17 WEST PORT, DUNBAR, EAST LoTHIAN, EH42 1BT

I refer to the above subject and can confirm I have visited the premises, and the site notice was correctly displayed.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises.

This type of licence is considered for premises that are yet to be, or in the course of being, constructed or converted for use as a licensed premises. On my visit the premises was constructed however closed for refurbishment.

I can confirm that the application is compliant with the act.

Within an 800m radius there are 21 premises, 18 of which provide on sales:

Morrisons Daily	21 High Street	Off sales
Premier Store	135 High Street	Off sales
The Topsy Truffle	59 High Street	Off sales
Eagle Inn	75 High Street	On and off sales
Graze	65 High Street	On and off sales
King's Palace Chinese Restaurant	129-131 High Street	On and off sales
New Bayswell Hotel	16 Bayswell Park	On and off sales
Royal MacIntosh Hotel	Station Road	On and off sales
Station Yard Micropub	Station Road	On and off sales
Board Game Bistro	119-121 High Street	On and off sales
The Bear & Bull	72 High Street	On and off sales
The Rocks Bar and Restaurant	Marine Road	On and off sales
The Royal British Legion (Scotland)	147 High Street	On and off sales
The Volunteer Arms	17 Victoria Street	On and off sales
Castle Hotel	163 High Street	On sales
Dunmuir Hotel	11 Newhouse Terrace	On sales

Hector's	32a High Street	On sales
Hillside Hotel	3 Queens Road	On sales
Shapla Tandoori	140 High Street	On sales
The Creel Restaurant	25 Lamer Street	On sales
The Harbour Chapel	10 Victoria Street	On sales

I recommend the following condition be considered in relation to deliveries of alcohol:

- 1) 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.

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

Licensing Standards Officer

Aitken, Christine (Licensing)

From: Robertson, Scott
Sent: 16 September 2025 08:13
To: Licensing
Subject: RE: EL423 - Application for Provisional Premises Licence - Sweet and Smoky, 17 West Port, Dunbar EH42 1BT

Hello,

Please note I have no comments or objections to this application.

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | East Lothian Council | John Muir House | Haddington EH41 3HA

T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>

Sent: 11 September 2025 08:26

To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; Kat Burke (kat.burke@nhs.scot) <kat.burke@nhs.scot>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; dunbarcommunitycouncil@gmail.com

Subject: EL423 - Application for Provisional Premises Licence - Sweet and Smoky, 17 West Port, Dunbar EH42 1BT

Morning

Please find attached EL423 - Application for Provisional Premises Licence - Sweet and Smoky, 17 West Port, Dunbar EH42 1BT for report.

Last day for objections/comments is 2nd October 2025.

Regards

Alison

Alison Rafferty

Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

****please note my working week is Monday, Tuesday, Thursday, Friday**

Protect Our Privacy: use a password manager to store your passwords. Never leave passwords near your computer or use the same password for multiple applications

Rafferty, Alison (Licensing)

From: Licensing
Sent: 30 September 2025 08:08
To: Rafferty, Alison (Licensing)
Subject: FW: Objection Alcohol License for Sweet and Smoky, West Port, Dunbar

From: Fitzpatrick, Sheila <sfitzpatrick1@eastlothian.gov.uk>
Sent: 30 September 2025 07:45
To: Licensing <licensing@eastlothian.gov.uk>
Subject: FW: Objection Alcohol License for Sweet and Smoky, West Port, Dunbar

Good morning,

Please see objection/representation from Lynn Jardine, below. I haven't acknowledged receipt of this.

Sheila

From: Jardine, Lyn <ljardine1@eastlothian.gov.uk>
Sent: 29 September 2025 17:03
To: Fitzpatrick, Sheila <sfitzpatrick1@eastlothian.gov.uk>
Cc: Elliot, Fiona <felliott@eastlothian.gov.uk>
Subject: Objection Alcohol License for Sweet and Smoky, West Port, Dunbar

Hello Sheila

I'm of the understanding that the Licensing (Scotland) Act 2005 allows for me as councillor to represent the concerns of constituents. Section 22(1)(b) allows objections and representations from "any person" and this is deliberately broad.

I am writing in my capacity as an elected member for Dunbar and East Linton ward to object to the above licensing application. I do so in my own right as permitted under section 22 of the *Licensing (Scotland) Act 2005*, and also on behalf of constituents who have raised concerns with me.

The concerns expressed to me relate to the following grounds:

- **Public Nuisance and Residential Amenity** – The premises lie within a mixed residential and commercial area. Constituents are concerned that the proposed licence would significantly increase noise, late-night disturbance, and associated anti-social behaviour. In particular at pub closing time, there are often groups shouting very loudly, probably making their way home. This regularly disturbs sleep on a Friday and Saturday night, as well as with increased frequency in summer and special holidays. There are young children and elderly people living in the vicinity for whom the sense of safety, family life, health and wellbeing as well as peaceful enjoyment of their home face being impacted should their licence be granted. West Port, despite its town centre location, is relatively quiet in terms of residential aspects - with the businesses being mostly during daylight hours. The consent for the food outlet already extends commercial hours, without enabling the additional risks associated with sale of alcohol.
- **Public Safety** – There are specific worries about increased footfall, traffic, and potential disorder in the immediate vicinity, with risks to residents, including families living nearby. Furthermore, cars regularly

stop on the opposite side of the road to Sweet and Smoky, leaving their engines running while they eat takeaway from the chip shop. This is noisy and disruptive. It also creates danger and difficulty in crossing the road, and using the pavement - with cars often mounting the pavement on the Sweet and Smoky side so cars can pass each other and avoid the stationary cars.

- **Prevention of Crime and Disorder** – Constituents fear that granting this licence could contribute to incidents of disorder and strain on local policing resources. The Ridge, occupying all the land on the opposite side to the West Port properties, have an events permission from 09:00 - 00:00, for up to 90 people, who can bring their own alcohol. This will increase footfall between the venue and the premises and potentially risk increasing instances of anti-social behaviour, drunk and disorderly behaviour, around a high density but quiet residential area.

I believe these objections fall squarely within the licensing objectives set out in the legislation and merit full consideration by the Board/Committee.

For clarity: while I am submitting this objection in my own name, it reflects concerns put to me directly by residents who do not wish to be individually identified for reasons of privacy and safety. I therefore ask that the Committee considers this representation as expressing genuine local concerns.

I would be grateful if you could confirm receipt of this objection and ensure that it is included in the papers for consideration.

Yours sincerely,

Lyn Jardine
Councillor - Dunbar & East Linton Ward

Email - ljardine1@eastlothian.gov.uk
DD - 01620 827006
M - 07977 165050
linktr.ee/lynjardineSNP

Please note that I carry out my Council duties alongside work so am not always available to respond quickly. If you have an urgent matter, please leave a message on voicemail.

Data Protection

To serve the interests of constituents and to fulfil my role as a Councillor, I need to collect, store, use, share and dispose of personal data. In doing so, I abide by the Data Protection principles set out in General Data Protection Regulation and the Data Protection Act 2018. My privacy notice on the Council's website explains how I do this.



LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☒ Objection

☐ Representation

Please send your Objection or Representation to:

**The Clerk to the Licensing Board, East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA**

Any person may, by notice to the Licensing Board —

- (a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or
- (b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM**

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) The K.C. Empire c/o MacDonald Licensing

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises Sweet and Smoky, 17 West Port, Dunbar

Post code EH42 1BT

This Application is for

☒ Premises Licence

☐ Provisional Premises Licence

☐ Variation of an existing Premises Licence

☐ Occasional Licence

Application Number (if known) _____

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: Mr Mrs Miss Ms Other Mr and Mrs
(delete/complete as appropriate)

Surname STEWART

First Name(s) ALAN and MARGARET

Address _____



_____ Post code _____

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION
ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other _____
(delete/complete as appropriate)

Surname _____

First Name(s) _____

Address of person lodging objection/representation on behalf of organization

_____ Post code _____

Name of Organisation _____

Nature of Organisation e.g. resident's association, ward councillor, trade association

Address of Organisation _____

_____ Post code _____

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
- the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
 - Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.
- (c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

The applicant has already demonstrated a disrespectful disregard for neighbours by criticising

objectors on social media, calling West Port "dirty" and "a dump". These comments were subsequently removed.

- (d) Granting the application would be inconsistent with one or more of the licensing objectives¹:-

Objective	Explanation
Preventing crime and disorder	See additional information.
Securing public safety	Type text here
Preventing public nuisance	The premises will attract additional traffic. The premises will attract antisocial noise. Residents above and opposite the premises already face the prospect of it being open 7 days a week until 2100 hours. Whos is protecting the amenity of residents?
Protecting and improving public health	Residents amenity, well-being and health is seriously threatened by this application which will create additional noise and disturbance at anti social hours.
Protecting children and young persons from harm	See additional information.

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

(e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-

- (i) the nature of the activities proposed to be carried on in the subject premises,
- (ii) the location, character and condition of the premises, and
- (iii) the persons likely to frequent the premises.

Please explain why

The building was formerly a vet surgery. This was a quiet, day time use of premises which was complimentary to the residential part on the fringe of town centre within the conservation area.
The applicant originally applied for planning permission for a cafe.
However they wrote on social media ton 13 January 2025 on their 'follow the chicken FaceBook page' that they were planning a restaurant.
Planning permission has been granted for a cafe.
This has been extended to being a take-away.
All three points above are entirely relevant because they would create additional nuisance traffic, temporary parking issues for customers collecting take-aways.
The planning permission is for a cafe with take away - not an off-licence shop that also sells food.

(f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

- (i) licensed premises, or
- (ii) licensed premises of the same or similar description as the subject premises,

Please explain why

There are 4 shops in close proximity to the premises that are off-licenses :
The Coop, Friars Bank (100 meters south from Sweet and Smoky and open until 2200hours)
The Coop, High Street (100 metres north)
Premier Foods, High Street (130 metres north)
Morrisons, High Street, 300 meters south)

There is no need for thsi premises to sell off-licence alchohol.

² Please indicate which of the factors apply, with a concise explanation why.
Please delete any that do not apply.

PART B – REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application.

--

As to modifications which should be made to the Operating Plan

--

As to conditions which should be imposed

--

Other representations

--

PART C – Additional Information/Supporting Documents

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

Please see additional document which gives details of relevant information and situations likely to be exacerbated by this application

**Please attach supporting documents/further pages as necessary.
Please number all extra pages.**

I have read and understood the attached privacy notice

Your Signature

[REDACTED]

Date 1 October 2025

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

Any person who has supplied personal information as part of this application
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE

PRIVACY NOTICE

The Data Controller of the information being collected is East Lothian Licensing Board. The information is collated on its behalf by East Lothian Council.

The Data Protection Officer can be contacted at
01620 827989 Email: DPO@eastlothian.gov.uk

Your information is being collected to use for the following purposes:

- The processing of an application for a premises licence
- The determination of an application for a premises licence
- The issue of any premises Licence granted
- Inclusion on the Register of premises Licences available for public inspection
- Ensuring compliance with the terms of the Premises Licence
- The processing of any complaints made in respect of the Premises Licence
- The determination of any complaints made in respect of the Premises Licence

Your information is:

Being collected by East Lothian Council on behalf of the East Lothian Licensing Board

The legal Basis for collecting the information is:

Personal Data	Special categories of personal data
Legal Obligations	Processing is necessary for one of the Conditions in Part 2 of Schedule 1 to the Data Protection Act 2018 referring to substantial public interest in terms of paragraph 6 thereof as processing is necessary for the exercise of a function conferred on a person by an enactment or rule of law

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached pro forma, East Lothian Council may not be in a position to accept the objection/representation as competent or relevant. This means that your objection/representation will not be considered when determining whether the application to which your objection/representation relates is determined.

Your information may be shared with the following recipients or categories of recipient:

- | | |
|--|--|
| ■ Police Scotland | ■ Some information will also be shared with the Public via the Register of Premises Licences |
| ■ Scottish Fire & Rescue Service | |
| ■ Public Health | ■ Planning Services |
| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
| | ■ The Scottish Government |

The retention period for the data is:

- (1) Where an application relates to the grant of a premises licence, variation of premises licence, or transfer of premises licence is refused by the Board, information relating to that application will be retained on the Licensing Register for a period of 5 years from the **date of refusal** and thereafter will be destroyed.
- (2) In any other case, where information relates to a premises licence, that information will be retained on the Licensing Register for a period of 5 years from the date the premises licence **ceases to have effect** and thereafter will be destroyed.

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

Objection_TakeAwayLicensing_Oct2025

A & M Stewart

OBJECTION TO SWEET AND SMOKY Licensing application.

ADDITIONAL INFORMATION

Consideration regarding licensing needs to look at this application in context, not just for the licensing application alone.

We object to the application because it is a clear and calculated attempt to be disingenuous with the planning and licensing process, with the objective of manipulating the system to gain their intended outcome.

The planning application was for a cafe and was submitted in December 2024, just before the Xmas holiday when most people and businesses were on holiday. The application was for a cafe, but the applicant boasted on social media that they would soon be opening a restaurant. This planning application was subsequently changed to a take-away. Now, the applicant refers to a 'restaurant' with a take away..

Councillors were alerted and the applicant was revised and resubmitted to include a take-away. Residents objected on many legitimate grounds yet, the planning permission was still granted for opening hours 1200-2100hrs, 7 days a week.

Now, the advertisement in the window of the premises is different from the notice which is logged on East Lothian Council's website.

- The notice on the website is for on/off licence.
- The notice in the shop window states that the application is for "consumption of alcohol on and off premises the premises and offering, restaurant facilities, receptions such as weddings, funerals, birthdays, retirements etc, recorded music".

This is not a cafe. It is not a restaurant.

This is now an entertainment venue with large parties and music.

It is evident that this applicant is intent on using the premises well beyond the original 'cafe' application.

Therefore the entire context of this application needs to be considered rather than just this licensing application.

Anti social noise and behaviour.

We will have inevitable noise from deliveries if similar to cafe - refrigerated lorry parked immediately outside our building similar to the invasive noise caused by chip shop deliveries - Sunday - at 7.30am - which woke us. We regularly have refrigerated lorries outside running their engines to keep refrigeration working - causes disturbance when working at desks in our home. This is because the lorries cannot always park outside the chip shop and because there are insufficient restrictions on the loading area, it means that refrigerated large trucks can park 1.5meters from our bedroom windows and unload trolleys -clattering and banging whilst leaving the engine running.

The sale of alcohol and the link to anti social behaviour is also well known - we experience enough of this already from licensed cafes and pubs on the High Street during their opening hours. A serious example on a summer weekday afternoon happened just a few weeks ago and made me very uneasy and fearful of going on to the High Street at around 5pm - two men were having a fist fight across the road from The Eagle - had clearly been sitting drinking outside there in the sunshine for much of the afternoon. There were children in the area as well as people shopping and also visitors to our town walking along the High Street- some of the shopkeepers were outside their premises phoning the police - there was blood on the pavement outside Flux afterwards- the police arrived too late to break up the fight sadly

I hope this will not be something I might witness again and not on the street [REDACTED]

Re off sales - There are already numerous places for off sale alcohol purchases in our town and I fail to see why a cafe and takeaway needs to be able to also sell alcohol as another off licence vendor- I can count at least 5 within a short walk from the cafe/takeaway itself.

The trading hours will also mean we will potentially experience anti social noise and behaviour before the pubs close followed by more such noise when the pubs then close.

We have indicated that the applicant has already intentionally or otherwise, provided a history of creeping specification – increasingly edging the stakes forward from a café that someone might expect to be open in daytime hours – to an off licence open for parties with music.

Therefore, we strongly suspect to see a future application from the owners of 'Sweet and Smoky' to extend their business hours beyond 2100 hours.

They initially applied for planning permission for a cafe and boasted on social media they were actually planning to be a takeaway so then had to re-apply for the correct permission - not a good way to instil confidence in your neighbours that you are going to be trustworthy licence holders.

Further context :

[REDACTED] on Garden Lane we also experience anti-social behaviour from drinkers - mainly underage - who use the garden created by The Ridge as a 'drinking den'. This is because they think they are hidden away from sight of the public. There is also urination in the area across from this garden just behind the wall at the top of the steps leading to the Co-op and also in the vennel a [REDACTED] leading from Garden Lane on to Friars Bank Terrace. This occurs throughout the summer evenings, in darkness ours and even on Hogmany when a large group gathered, smashed bottles, vomited and urinated whilst creating considerable noise. This wasn't good-humoured partying at a national holiday, it was blatant under-age drunken, anti-social behaviour resulting in broken glass and cans being thrown into our garden and damage to the Ridge gardens. The opening archway between Delisle Street and the pathway to the Coop shop is often frequented at night by youths gathering at the seats net to the archway. Under-age drinking, running across the road and loud shouting, swearing etc is common.

The creation of an off-licence in this residential end of town, thinly disguised as a 'take-away' located directly opposite this vennel and archway can only fuel this anti-social behaviour.

12139

OCCEXT021

R/LSO 10/9

EAST LoTHIAN LICENSING BOARD

East Lothian Council
Licensing

10 SEP 2025

Received

9 February 2026

Licensing (Scotland) Act 2005

Application for Extension of Licensed Hours

6a

Before completing this form please read the guidance notes at the end of the form.

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. Application must be lodged 14 days prior to the event.

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

1. LICENCE DETAILS (see note 1)	
Premises licence number	EL0251
Premises name and full postal address (including post code, which this application refers to)	Musselburgh Rugby Club, 3a Stoneyhill Farm Road, Musselbu EH21 6RN

2. APPLICANTS DETAILS	
Name of individual	Neil Durham
Company/Partnership	Musselburgh RFC Club Steward
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
FAX NUMBER	
EMAIL ADDRESS (if you would prefer us to correspond you by e-mail) mrfcbar@outlook.com	

5. PROVIDE EXTENDED HOURS APPLIED FOR (see notes 2 and 3)		
Day	Commencement Time	Terminal Hour
Monday	00.00	03.30
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

4. DURATION OF LICENCE

From: [enter date] 9/2/26

To: [enter date] 9/2/26

3. THE EVENT OR OCCASION

Specify the type of event or occasion to be catered for on the premises and the organiser

Superbowl event hosted by Club Steward Neil Durham. Televised American Football Game with meal and half time buffet included in the ticket price. Tickets to be bought in advance. Game k at 11.30pm. There is a keen interest from our members some currently playing American Football and also patrons that attended the Mercat Bar's Superbowl party previously

7. CHECKLIST (Please tick yes/no)		
• I have Made or enclosed payment of the fee for the application	YES/NO	yes

8. SIGNATURE AND DECLARATION BY APPLICANT (see note 4)

DECLARATION

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

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

SIGNATURE	DATE
Neil Durham	5/9/25

NOTES

- Section 68 of the Licensing (Scotland) Act 2005 provides that the holder of a premises licence is eligible to apply for an extension of licensed hours in connection with:-
 - a special event or occasion to be catered for on the premises, or
 - a special event of local or national significance.
- This application must be lodged at least 28 working days before the event. This excludes the day of the event and the day of lodging. Delivering on a Saturday, Sunday, after 5pm or on public holidays is not lodging.
- The extension of licensed hours may be for such period as is specified in the application or such other period as the Board considers appropriated, but it must not exceed one month.
- Data Protection Act 1998
 - The information on this form may be held on an electronic register which may be available to members of the public on request
- Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

O'Reilly, Arlene

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 11 September 2025 12:16
To: Licensing
Subject: OCCEXT021 - OCC EXT LIC APP - MUSSELBURGH RFC 09/02/26
Attachments: OCCEXT021 APPLICATION.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 953433

Regards

Stephen

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 19th Septmeber

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL EXT LICENCE APPLICATION(S) OCCEXT021

**MUSSELBURGH RFC, 3A STONEYHILL FARM ROAD, MUSSELBURGH, EAST LoTHIAN,
EH21 6RN**

The applicant is Neil Durham who is the Bar Convener at Musselburgh Rugby Football Club, where the committee hold the premise licence. Application has been made for an extension of licensed hours on:

OCCEXT021 – Monday 9th February 0000-0330 – Superbowl viewing

I wish to make the following observations and recommend the below conditions are added to the licence. This application has been considered in relation to the Licensing Objectives detailed within the Licensing (Scotland) Act 2005 and any observations given are restricted to those areas.

These are well run premises and I can confirm that there have been no complaints or issues raised to the operation of the premises licence that I am aware of.

Mr Neil Durham, is bar convener and a personal licence holder.

The event the extension is applied for is the NFL Super Bowl 2026. This is an annual event. The event starts at 23:30 on Sunday 8th February and carries over till the early hours of Monday 9th February.

I have no objections to the grant of the application however, I recommend the following conditions:

- A personal licence holder is in attendance throughout the event
- The event is by invitation/ticket only and is limited to tickets purchased in advance
- The attendance must include the consumption of a meal
- That last orders are called by 03.00 am and comprises of no more than one drink per customer
- Staff ensure that customers are all advised to be considerate of others and leave quietly

Licensing Standards Officer

EAST LoTHIAN LICENSING BOARD

Licensing (Scotland) Act 2005

1st January 2026.

Application for Extension of Licensed Hours

6b

Before completing this form please read the guidance notes at the end of the form.

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. Application must be lodged 14 days prior to the event.

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

1. LICENCE DETAILS (see note 1)	
Premises licence number	EL 404
Premises name and full postal address (including post code, which this application refers to)	Lido Musselburgh, 168-170 High Street, Musselburgh, East Lothian, EH21 7DZ

2. APPLICANTS DETAILS	
Name of individual	
Company/Partnership	Buzzworks Hospitality Limited 34 Grange Street Kilmarnock KA1 2DD
TELEPHONE NUMBERS	
Daytime	01292 432342
Evening	
Mobile	07860 854589
FAX NUMBER	
EMAIL ADDRESS (if you would prefer us to correspond you by e-mail)	
Avril.davis@buzzworksholdings.com	

5. PROVIDE EXTENDED HOURS APPLIED FOR (see notes 2 and 3)		
Day	Commencement Time	Terminal Hour
Monday		
Tuesday		
Wednesday		
Thursday	09:00am	11:00am
Friday		
Saturday		
Sunday		

4. DURATION OF LICENCE	
From: [enter date]	1st January 2026
To: [enter date]	1st January 2026

3. THE EVENT OR OCCASION
Specify the type of event or occasion to be catered for on the premises and the organiser Pre Racing event in connection with Musselburgh Races. Event lasts from 9am to noon with canapes and prosecco. Numbers will be prebooked and limited to 100 We already have a licence from 11am to 1pm for Thursdays The full venue will be closing at 6pm on the 1st January

7. CHECKLIST (Please tick yes/no)	
• I have Made or enclosed payment of the fee for the application	YES/NO

8. SIGNATURE AND DECLARATION BY APPLICANT (see note 4)	
DECLARATION <i>IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</i> The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE	DATE 01/10/2025
	

NOTES

- Section 68 of the Licensing (Scotland) Act 2005 provides that the holder of a premises licence is eligible to apply for an extension of licensed hours in connection with:-
 - a special event or occasion to be catered for on the premises, or
 - a special event of local or national significance.
- This application must be lodged at least 28 working days before the event. This excludes the day of the event and the day of lodging. Delivering on a Saturday, Sunday, after 5pm or on public holidays is not lodging.
- The extension of licensed hours may be for such period as is specified in the application or such other period as the Board considers appropriated, but it must not exceed one month.
- Data Protection Act 1998
 - The information on this form may be held on an electronic register which may be available to members of the public on request
- Information on the Licensing (Scotland) Act 2005 is available on the website of the Scottish Parliament (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)

09/10/2025

Your Ref: LIDO, MUSSELBURGH

Our Ref: 958511

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



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

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
EXTENDED HOURS APPLICATION
PREMISES: LIDO MUSSELBURGH
168-170 HIGH STREET, MUSSELBURGH, EAST LoTHIAN, EH21 7DZ.
PREMISES LICENCE HOLDER: BUZZWORKS HOSPITALITY LIMITED, 34,
GRANGE STREET, KILMARNOCK, KA1 2DD**

I refer to the above premises and an application for extended hours to be granted on 1st January 2026, and in terms of Section 69(2) of the Licensing (Scotland) Act 2005, I make the following objection.

The applicant currently holds a premises licence allowing the sale of alcohol between 1100 – 2300 Monday to Wednesday, 1100 – 0100 Thursday to Saturday and 1100 – 0000 on Sunday.

The applicant has applied for an extension, **from 0900 to 1100 hours on Thursday 1st January 2026.**

The applicant has indicated that the extended hours requested are required to facilitate a pre racing event in connection with Musselburgh Races.

Section 68(1)(b) of the Licensing (Scotland) Act 2005 allows applications for extended hours to be granted if the Licensing Board consider it appropriate to do so in connection with a special event or occasion to be catered for on the premises or a special event of local or national significance, as per Section 21.2 of Board Policy.

OFFICIAL

The Board also expects the applicant will be required to satisfy the Board that the hours sought are appropriate in the circumstances of the application. Accordingly in order to assist the Board in making a decision, applicants will require to provide the Board with comprehensive information including a description of the special event or occasion, the activities and times proposed, and the reason for the event or occasion requiring extended hours.

It is pertinent to note that this event is not classified as a special event or occasion that would be recognised by the Board Policy.

The Board Policy in respect of Licensed Hours was adopted to limit incidents of anti-social behaviour and noise that local residents may experience and I am fully supportive of this policy.

In conclusion, I am of the opinion that the core hours enjoyed by this venue can adequately cater for the event and I believe that the extended hours may be detrimental to the following licensing objectives:

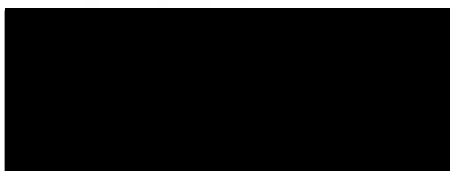
- Preventing Crime and Disorder
- Preventing Public Nuisance

I therefore object to these applications under Section 69(2) of the Licensing (Scotland) Act 2005.

Should, the Board grant this application, I would request that consideration be given to attaching the conditions listed in Appendix.

Submitted for your information.

Yours faithfully



Gregg Banks
Divisional Commander

For enquiries, please contact the Licensing Department on 0300 424 0033

OFFICIAL

APPENDIX

**LIDO MUSSELBURGH
168-170, HIGH STREET
MUSSELBURGH, EH21 7DZ
1st January 2026
0900 – 1100 hours**

- 1. A Personal Licence holder will be present for the duration of the event.**
- 2. Staff are fully briefed prior to the event in relation to drunkenness offences and duty of care to customers. A record of this briefing should be retained detailing information covered and names of staff briefed.**
- 3. Extended hours will not be used if the event does not take place.**
- 4. Any other reasonable request made by the police or council officials is complied with.**
- 5. The premises will employ SIA registered door staff from opening to manage any increased risks with patrons.**

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 8th October 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCEXT022 OCCASIONAL EXT LICENCE APPLICATION(S) OCCEXT022

BUZZWORKS HOSPITALITY LIMITED FOR LIDO, 168-170 HIGH STREET,
MUSSELBURGH, EAST LoTHIAN, EH21 7DZ

The applicant is Avril Davis on behalf of Buzzworks Hospitality Limited who hold the premises licence. Application has been made for an extension of licensed hours on:

OCCEXT022 – Thursday 1st January 2026 0900-1100am

The event detailed on the application is a “pre-racing event in connection with Musselburgh Races” between 9am-noon including canapes and prosecco. No further information is given as to why this is a special event to be catered for on the premises or why the event cannot take place within the on-sales policy hours appropriate to the premises.

I refer the board to section 68 of the Licensing Scotland Act –

68 Extended hours applications

(1) The appropriate Licensing Board may—

(a) on the application of the holder of the premises licence in respect of any licensed premises, and

(b) if the Board consider it appropriate to do so in connection with—

(i) a special event or occasion to be catered for on the premises, or

(ii) a special event of local or national significance,

extend the licensed hours in respect of the premises by such period as is specified in the application or such other period as the Board consider appropriate.

In this case the connected event is the New Years Day Races held at Musselburgh Racecourse. This is not a special event held on the applicant's premises. I would not consider this a race meet a special event of local or national significance. It is one of the promoted Sensational 6 race meets but also one of a full calendar of 25 events held at a separate premises. I have been in contact with management at Musselburgh Racecourse who have confirmed they are aware of the event and are looking to partner with Lido but this has not yet been agreed.

In addition, I refer the board to the Statement of Licensing Policy section 21.2

Each extended hours' application will be assessed on its own merits. When the extended hours sought, in respect of on sales premises, fall out with the on sales policy hours as appropriate to the premises, the applicant will require to demonstrate to the Board that there are good reasons for the hours sought and that the hours are appropriate in the circumstances.

The Board will not grant an extended hours application where the applicant fails to satisfy the Board that a genuine special event is taking place and the application merely relates to extra drinking time. Where the applicant is seeking extended hours they must clearly demonstrate to the Board in their application, the nature of the special event taking place.

The Board considers that this approach is consistent with the objective of protecting and improving public health. The applicant will require to provide the Board with sufficient information to enable a decision to be made.

This information will include: -

- the hours sought*
- a description of the special event or occasion*
- the proposed activities to take place during these hours*
- when each activity will take place*
- why the event or occasion is considered to be special*
- why the event or occasion cannot take place within the on sales policy hours appropriate to the premises.*

The Board will not normally grant applications for early drinking prior to travelling to sporting events.

This appears to be an event that has been created to allow extra drinking prior to travel by patrons to the organised sporting event of horse racing at Musselburgh Racecourse. The event at Musselburgh Racecourse is advertised with doors opening at 10:30am, first race at 12:35pm and last race at 3:30. There is hospitality available at the venue from 11am.

The application is inconsistent with Board policy with no justification or information as to why it is special and cannot take place in the current on-sales hours the premises has been provided.

The application has been referred for determination by Licensing Board Members.

Licensing Standards Officer



LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION OR REPRESENTATION

7

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☐ Objection

☒ Representation

Please send your Objection or Representation to:

The Clerk to the Licensing Board, East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA

Any person may, by notice to the Licensing Board —

(a) Object to the application on any ground relevant to one of the grounds for
refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM**

East Lothian Council
Licensing

30 SEP 2025

Received

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) ANY

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises Auld Hoose

19 Forth Street, North Berwick

Post code EH39 4HX

This Application is for

☐ Premises Licence

☐ Provisional Premises Licence

☒ Variation of an existing Premises Licence

☐ Occasional Licence

Application Number (if known) _____

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: Mr Mrs Miss Ms Other _____
(delete/complete as appropriate)

Surname Sinclair

First Name(s) Margaret

Address

Post code

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION
ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other
(delete/complete as appropriate)

Surname

First Name(s)

Address of person lodging objection/representation on behalf of organization

Post code

Name of Organisation

Nature of Organisation e.g. resident's association, ward councillor, trade association

Address of Organisation

Post code

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
 - ☐ the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - ☐ Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
 - ☐ Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.
- (c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

- (d) Granting the application would be inconsistent with one or more of the licensing objectives¹:-

Objective	Explanation
Preventing crime and disorder	
Securing public safety	
Preventing public nuisance	
Protecting and improving public health	
Protecting children and young persons from harm	

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

- (e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-
- (i) the nature of the activities proposed to be carried on in the subject premises,
 - (ii) the location, character and condition of the premises, and
 - (iii) the persons likely to frequent the premises.

Please explain why

- (f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—
- (i) licensed premises, or
 - (ii) licensed premises of the same or similar description as the subject premises,

Please explain why

² Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

PART B - REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application.

The Auld Hoose is an institution in North Berwick - & I want it to still be there in the next 100 years. Complaining how it is run is Not the same as wanting it closed.

As to modifications which should be made to the Operating Plan

Opening hours have to be modified. There is no need to remain open till 1:00am in a built up area. 11:pm is normal & acceptable time to close. as clients will take about 1 hour to vacate the premises.

As to conditions which should be imposed

Publican should be in charge of his/her clients behaviour. No drinking in the street, No shouting etc...

Other representations

The publican should be available to receive calls from neighbours.

PART C – Additional Information/Supporting Documents

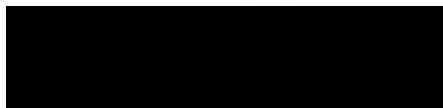
Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

Broken glass + cigarette ends are often left outside our house + next door (The wind blows cig-ends along pavement)
I sweep up outside my house (on average) 3 Times a week - esp after the week ends
Noise, Noise - always shouting + speaking loudly - esp after closing time.

Please attach supporting documents/further pages as necessary.
Please number all extra pages.

I have read and understood the attached privacy notice

Your Signature



Date 29/ Sept 2025

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

Any person who has supplied personal information as part of this application
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE

PRIVACY NOTICE

The Data Controller of the information being collected is East Lothian Licensing Board. The information is collated on its behalf by East Lothian Council.

The Data Protection Officer can be contacted at
01620 827989 Email: DPO@eastlothian.gov.uk

Your information is being collected to use for the following purposes:

- The processing of an application for a premises licence
- The determination of an application for a premises licence
- The issue of any premises Licence granted
- Inclusion on the Register of premises Licences available for public inspection
- Ensuring compliance with the terms of the Premises Licence
- The processing of any complaints made in respect of the Premises Licence
- The determination of any complaints made in respect of the Premises Licence

Your information is:

Being collected by East Lothian Council on behalf of the East Lothian Licensing Board

The legal Basis for collecting the information is:

Personal Data	Special categories of personal data
Legal Obligations	Processing is necessary for one of the Conditions in Part 2 of Schedule 1 to the Data Protection Act 2018 referring to substantial public interest in terms of paragraph 6 thereof as processing is necessary for the exercise of a function conferred on a person by an enactment or rule of law

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached pro forma, East Lothian Council may not be in a position to accept the objection/representation as competent or relevant. This means that your objection/representation will not be considered when determining whether the application to which your objection/representation relates is determined.

Your information may be shared with the following recipients or categories of recipient:

- | | |
|--|--|
| ■ Police Scotland | ■ Some information will also be shared with the Public via the Register of Premises Licences |
| ■ Scottish Fire & Rescue Service | |
| ■ Public Health | ■ Planning Services |
| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
| | ■ The Scottish Government |

The retention period for the data is:

- (1) Where an application relates to the grant of a premises licence, variation of premises licence, or transfer of premises licence is refused by the Board, information relating to that application will be retained on the Licensing Register for a period of 5 years from the **date of refusal** and thereafter will be destroyed.
- (2) In any other case, where information relates to a premises licence, that information will be retained on the Licensing Register for a period of 5 years from the date the premises licence **ceases to have effect** and thereafter will be destroyed.

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☐ Objection

☒ Representation

Please send your Objection or Representation to:

The Clerk to the Licensing Board, East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA

Any person may, by notice to the Licensing Board —

(a) Object to the application on any ground relevant to one of the grounds for
refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM**

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) _____

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises AULD HOOSE

19 FORTH STREET

NORTHBERWICK Post code EH39 4HX

This Application is for

☐ Premises Licence

☐ Provisional Premises Licence

☒ Variation of an existing Premises Licence

☐ Occasional Licence

Application Number (if known) _____

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

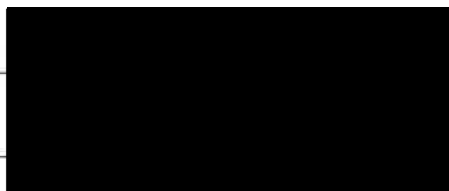
(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: (Mr) Mrs Miss Ms Other MR
(delete/complete as appropriate)

Surname HAMILTON

First Name(s) GRAEME

Address



Post code



**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION
ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other

(delete/complete as appropriate)

Surname

First Name(s)

Address of person lodging objection/representation on behalf of organization

Post code

Name of Organisation

Nature of Organisation e.g. resident's association, ward councillor, trade association

Address of Organisation

Post code

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
 - ☐ the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - ☐ Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
 - ☐ Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.
- (c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

- (d) Granting the application would be inconsistent with one or more of the licensing objectives¹:-

Objective	Explanation
Preventing crime and disorder	
Securing public safety	
Preventing public nuisance	
Protecting and improving public health	
Protecting children and young persons from harm	

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

(e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-

- (i) the nature of the activities proposed to be carried on in the subject premises,
- (ii) the location, character and condition of the premises, and
- (iii) the persons likely to frequent the premises.

Please explain why

(f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

- (i) licensed premises, or
- (ii) licensed premises of the same or similar description as the subject premises,

Please explain why

² Please indicate which of the factors apply, with a concise explanation why.
Please delete any that do not apply.

PART B – REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application.

As to modifications which should be made to the Operating Plan

The pub should be closing at 11pm every night

As to conditions which should be imposed

Other representations

PART C – Additional Information/Supporting Documents

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

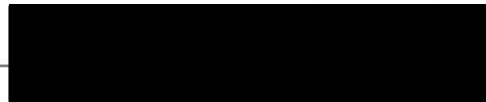
The reason we feel 11pm is the closing time is that even after closing, people have been standing out in the street, they are loud, singing, chanting. We have already provided photographic evidence of over 50 people outside, often after midnight. It is impossible to sleep, we have woken in the morning. It is not good for our health, physically or mentally. A condition of a pubs license does state that "all amplified announcements, music, noise levels, speech should be controlled so they are non-intrusive/low level to any neighbouring residential properties" and this is 100% not the case - emailing anti-social behavior teams and police 101 has had no effect and is not something we want to be doing every night.

Please attach supporting documents/further pages as necessary.

Please number all extra pages.

I have read and understood the attached privacy notice

Your Signature



Date

22/9/25

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

Any person who has supplied personal information as part of this application
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE

PRIVACY NOTICE

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The Data Protection Officer can be contacted at
01620 827989 Email: DPO@eastlothian.gov.uk

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- The issue of any premises Licence granted
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- Ensuring compliance with the terms of the Premises Licence
- The processing of any complaints made in respect of the Premises Licence
- The determination of any complaints made in respect of the Premises Licence

Your information is:

Being collected by East Lothian Council on behalf of the East Lothian Licensing Board

The legal Basis for collecting the information is:

Personal Data	Special categories of personal data
Legal Obligations	Processing is necessary for one of the Conditions in Part 2 of Schedule 1 to the Data Protection Act 2018 referring to substantial public interest in terms of paragraph 6 thereof as processing is necessary for the exercise of a function conferred on a person by an enactment or rule of law

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Your information may be shared with the following recipients or categories of recipient:

- | | |
|--|--|
| ■ Police Scotland | ■ Some information will also be shared with the Public via the Register of Premises Licences |
| ■ Scottish Fire & Rescue Service | |
| ■ Public Health | ■ Planning Services |
| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
| | ■ The Scottish Government |

The retention period for the data is:

- (1) Where an application relates to the grant of a premises licence, variation of premises licence, or transfer of premises licence is refused by the Board, information relating to that application will be retained on the Licensing Register for a period of 5 years from the **date of refusal** and thereafter will be destroyed.
- (2) In any other case, where information relates to a premises licence, that information will be retained on the Licensing Register for a period of 5 years from the date the premises licence **ceases to have effect** and thereafter will be destroyed.

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION OR REPRESENTATION

East Lothian Council
Licensing

- 2 OCT 2025

Received

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☐ Objection

☒ Representation

Please send your Objection or Representation to:

The Clerk to the Licensing Board, East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA

Any person may, by notice to the Licensing Board —

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM**

copy held

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) UNKNOWN AS YET

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises THE AULD HOOSE

19 FORTH STREET

NORTH BERWICK Post code EH39 4HX

This Application is for

☐ Premises Licence

☐ Provisional Premises Licence

☒ Variation of an existing Premises Licence

☐ Occasional Licence

Application Number (if known) UNKNOWN

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: Mr (Mrs) Miss Ms Other _____
(delete/complete as appropriate)

Surname SHAW

First Name(s) WILMA

Address

Post code

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION
ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other
(delete/complete as appropriate)

Surname

First Name(s)

Address of person lodging objection/representation on behalf of organization

Post code

Name of Organisation

Nature of Organisation e.g. resident's association, ward councillor, trade association

Address of Organisation

Post code

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
 - ☐ the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - ☐ Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
 - ☐ Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.
- (c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

- (d) Granting the application would be inconsistent with one or more of the licensing objectives ¹:-

Objective	Explanation
Preventing crime and disorder	
Securing public safety	
Preventing public nuisance	
Protecting and improving public health	
Protecting children and young persons from harm	

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

- (e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-
- (i) the nature of the activities proposed to be carried on in the subject premises,
 - (ii) the location, character and condition of the premises, and
 - (iii) the persons likely to frequent the premises.

Please explain why

- (f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—
- (i) licensed premises, or
 - (ii) licensed premises of the same or similar description as the subject premises,

Please explain why

² Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

PART B - REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application.

I do not want the pub to close as I see it as part of our community but I do want this community recognised in the conditions of its right to function.

As to modifications which should be made to the Operating Plan

Pub should stop serving at 11pm (eleven p.m.)
People have to drink up and leave.
There are school children and workers who need undisturbed sleep — as do the rest of us.

As to conditions which should be imposed

Publicans should ensure patrons are quiet outside and move on after hours.
At all times, no behaviours should impact on neighbours.
Pavements and roads should not be blocked either.

Other representations

Landline access to neighbours as a last resort of disturbances.
Phoning/emailing ASB teams and police does not have instant effect.
This was a previous condition (landline) after mediation although it doesn't prevent disturbances occurring.

Please refer to neighbours' letter
of complaint ^{received at ELC HQ} 23/08/25 for details.

PART C - Additional Information/Supporting Documents

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

- Antisocial Behaviour ELGF 371382 (24/06/25)
- " " ELGF 376744 (06/07/25)
- Police contact. PS 20250714-0108 (14/07/25)
- NBCC re CAPPS 9/08/25
- Neighbour reports 5/07/25, 13-14/07/25 } to 101
6/08/25, 23/08/25
- letter to licensing by neighbours 12/08/25
- Police visit following up CAPPS. 18/08/25
- letter of complaint to various, signed receipt ELC HQ 22/08/25 (13908)
- Police PS 20250824-0156
- Photos from neighbour in emails to ELC councillors
- It is nigh impossible to have direct contact with ELC teams and 101 at times of events.

Please attach supporting documents/further pages as necessary.

Please number all extra pages.

These are just most recent events. This has been on going for several years.

I have read and understood the attached privacy notice

Your Signature Wilma Shaw

Date 29/09/2025

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

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MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE

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- The determination of any complaints made in respect of the Premises Licence

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Being collected by East Lothian Council on behalf of the East Lothian Licensing Board

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Personal Data	Special categories of personal data
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Your information may be shared with the following recipients or categories of recipient:

- | | |
|--|--|
| ■ Police Scotland | ■ Some information will also be shared with the Public via the Register of Premises Licences |
| ■ Scottish Fire & Rescue Service | |
| ■ Public Health | ■ Planning Services |
| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
| | ■ The Scottish Government |

The retention period for the data is:

- (1) Where an application relates to the grant of a premises licence, variation of premises licence, or transfer of premises licence is refused by the Board, information relating to that application will be retained on the Licensing Register for a period of 5 years from the **date of refusal** and thereafter will be destroyed.
- (2) In any other case, where information relates to a premises licence, that information will be retained on the Licensing Register for a period of 5 years from the date the premises licence **ceases to have effect** and thereafter will be destroyed.

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☒ Objection

☐ Representation

Please send your Objection or Representation to:

**The Clerk to the Licensing Board, East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA**

Any person may, by notice to the Licensing Board —

(a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or

(b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM** East Lothian Council
Licensing

16 SEP 2025

Received

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) Business Any

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises Auld House
FORTH ST

NORTH BERWICK

Post code EH39 4HX

This Application is for

☐ Premises Licence

☐ Provisional Premises Licence

☒ Variation of an existing Premises Licence

☐ Occasional Licence

Application Number (if known) UNKNOWN

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: (Mr) Mrs Miss Ms Other _____
(delete/complete as appropriate)

Surname BEANES

First Name(s) PATRICK & MARY

Address

Post code

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION
ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other

(delete/complete as appropriate)

Surname

First Name(s)

Address of person lodging objection/representation on behalf of organization

Post code

Name of Organisation

Nature of Organisation e.g. resident's association, ward councillor, trade association

Address of Organisation

Post code

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
 - ☐ the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - ☐ Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
 - ☐ Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.
- (c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

- (d) Granting the application would be inconsistent with one or more of the licensing objectives¹:-

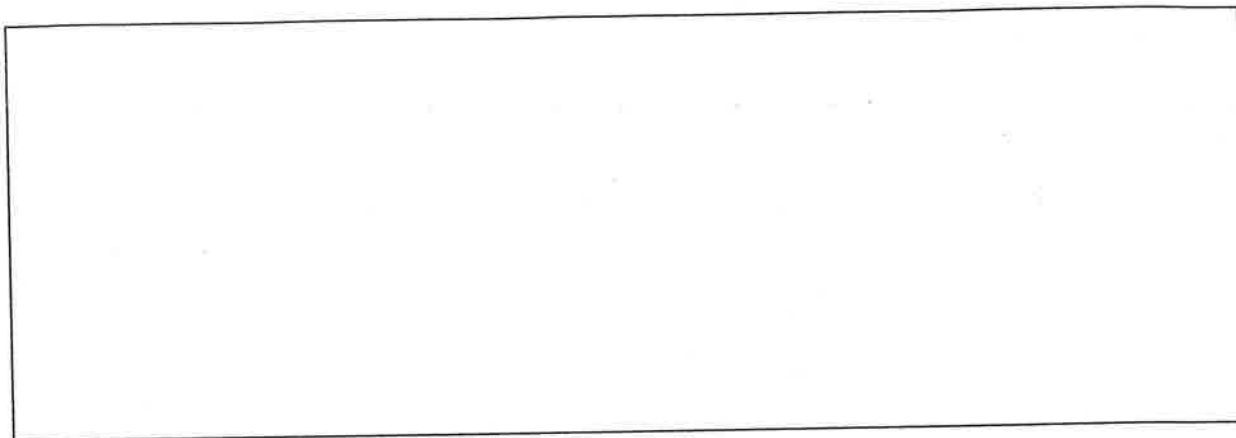
Objective	Explanation
Preventing crime and disorder	
Securing public safety	
Preventing public nuisance	
Protecting and improving public health	
Protecting children and young persons from harm	

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

(e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-

- (i) the nature of the activities proposed to be carried on in the subject premises,
- (ii) the location, character and condition of the premises, and
- (iii) the persons likely to frequent the premises.

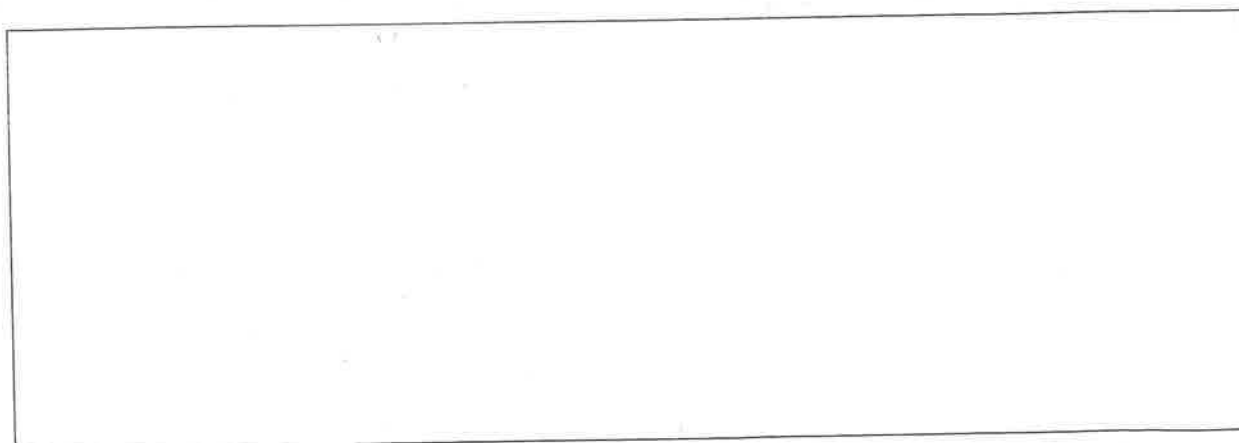
Please explain why



(f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

- (i) licensed premises, or
- (ii) licensed premises of the same or similar description as the subject premises,

Please explain why



² Please indicate which of the factors apply, with a concise explanation why.
Please delete any that do not apply.

PART B – REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application,

THERE IS NOTHING WRONG WITH THE AULD
HOUSE BUT, UNDERWEAK MANAGEMENT
IT CAN BE A PROBLEM. IT IS A POPULAR PART
OF THE COMMUNITY BUT IT NEEDS ITS GOOD
NAME PROTECTING BY STRICT ADHERENCE TO LICENCE.

As to modifications which should be made to the Operating Plan

AT PRESENT THERE SEEMS TO BE NO SHUT OUT
TIME. RECENTLY, CUSTOMERS WERE OUT ON THE
STREET WELL AFTER MIDNIGHT AND STILL GOING
IN AND OUT OF THE PREMISES TO DRINK...

As to conditions which should be imposed

THE LANDLORD MUST BE AWARE OF ANY
OVERSPILL AND MUST EXERCISE SOME CONTROL
OVER ROUNG BEHAVIOUR, ASKING HIS CUSTOMERS
TO LEAVE THE AREA. CROWDS GATHERED OUTSIDE
DISTURB RESIDENTS AND CREATE LITTER,
GLASSES, VALES, CIGARETTE ENDS ETC ETC

Other representations

PART C – Additional Information/Supporting Documents

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

IN GENERAL, AND IN THE PAST, STRONG MANAGEMENT HAS KEPT THIS ESTABLISHMENT WELL ACCEPTED BY THE COMMUNITY AND LOCAL RESIDENTS. LATELY, HOWEVER, OUT OF HOURS MUSIC AND GENERAL LACK OF RESPECT FOR RESIDENTS HAS SEEN A DECLINE IN THIS ACCEPTANCE OF THE PUB.

Please attach supporting documents/further pages as necessary.
Please number all extra pages.

I have read and understood the attached privacy notice

Your Signature

Date

11 September 2021

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

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- | | |
|--|--|
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| ■ Scottish Fire & Rescue Service | |
| ■ Public Health | ■ Planning Services |
| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
| | ■ The Scottish Government |

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- to request access to your personal data;
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 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



East Lothian Council
Licensing

- 1 OCT 2025

Received

LICENSING (SCOTLAND) ACT 2005, SECTION 22

NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☐ Objection

☒ Representation

Please send your Objection or Representation to:

The Clerk to the Licensing Board, East Lothian Council,
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- (a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or
- (b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM**

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) THE MANAGER

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises AULD HOOSE
19 FORTH STREET
NORTH BERWICK Post code EH39 4HX

This Application is for

- ☐ Premises Licence ☐ Provisional Premises Licence
☒ Variation of an existing Premises Licence ☐ Occasional Licence

Application Number (if known) _____

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: Mr ~~Mrs~~ ~~Miss~~ ~~Ms~~ ~~Other~~ _____
(delete/complete as appropriate)

Surname HOMER

First Name(s) Neville

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
 - the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
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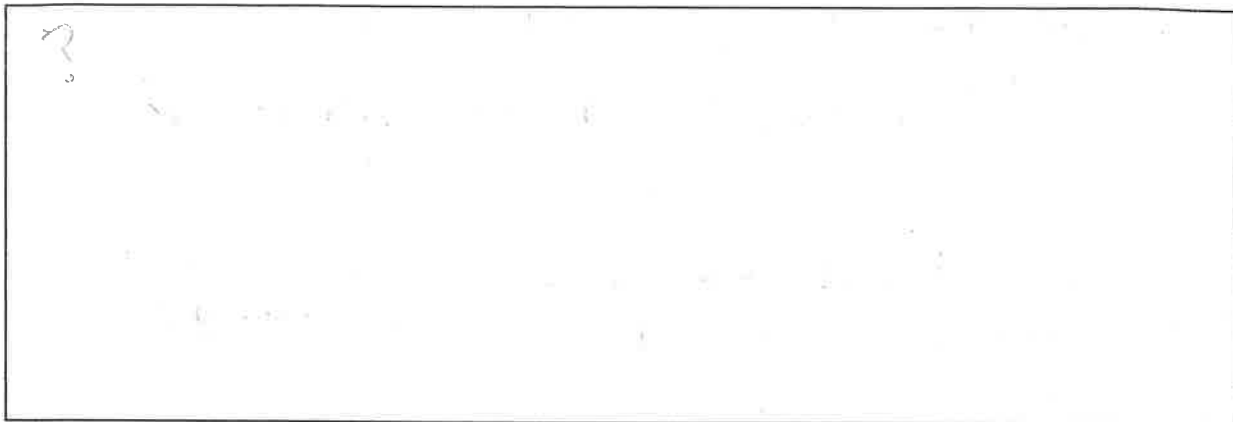
- (d) Granting the application would be inconsistent with one or more of the licensing objectives¹:-

Objective	Explanation
Preventing crime and disorder	
Securing public safety	blocking / parked blocking road that is a bus route
Preventing public nuisance	A) Excessive noise from customers spilling out of the pub B) Noise arising from visiting musicians
Protecting and improving public health	OUTSIDE NOISE CAN EXTEND TO PAST 1 AM and sometimes almost 2 AM at some weekends
Protecting children and young persons from harm	

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

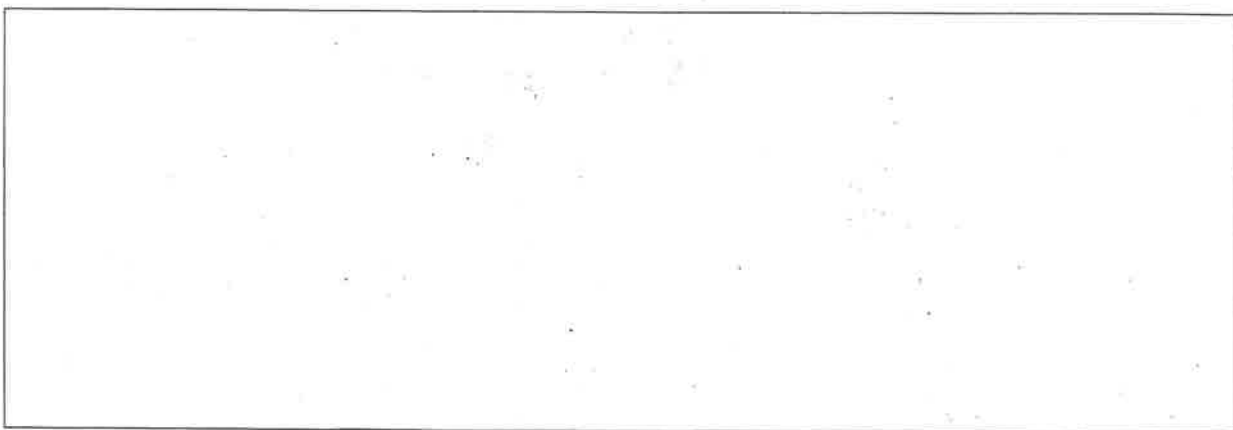
- (e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-
- (i) the nature of the activities proposed to be carried on in the subject premises,
 - (ii) the location, character and condition of the premises, and
 - (iii) the persons likely to frequent the premises.

Please explain why



- (f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—
- (i) licensed premises, or
 - (ii) licensed premises of the same or similar description as the subject premises,

Please explain why



² Please indicate which of the factors apply, with a concise explanation why.
Please delete any that do not apply.

PART B - REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application.

When I bought my house [REDACTED] in 1977 :-

- CLOSING TIME WAS NORMALLY 10 PM
- CUSTOMERS DID NOT HAVE TO COME OUTSIDE TO SMOKE
- POLICE PATROLS INCLUDING CHECKING THE PREMISES WERE OBSERVING LICENSING RULES
- THE MANAGEMENT RESPECTED LOCAL HOME RESIDENTS

As to modifications which should be made to the Operating Plan

OBSERVING THE ABOVE MADE THE PUB A RESPECTED BUSINESS BY NEARBY RESIDENTS

As to conditions which should be imposed

- 1 Telephone with message recording system required
 - 2 A LOG BOOK TO BE MAINTAINED RECORDING COMPLAINTS RECEIVED BY PHONE OR VERBALLY
 - 3 CONSPICUOUS SIGNAGE AT DOOR EXIT POINTS TO BE CLEARLY READABLE REGARDING NOT TO DISTURB NEARBY HOMES.
 - 4 CONTAINERS ON PAVEMENT TO COLLECT CIG. BUTTS
- ON ONE OCCASION I COUNTED 50 cigarette butts on the pavement, gutter and road.

Other representations

- NOTE: LATE NIGHT COMPLAINTS ABOUT NOISE & CUSTOMERS SPILLING ON TO THE MAIN ROAD (A BUS ROUTE) THAT ARE REPORTED TO POLICE BY PHONE (106 999) ARE OFTEN GREETED BY THE POLICE SAYING "THERE IS OVER A 10 MINUTE WAIT."
- CONSIDERATION TO PUB HAVING "NO ADMITTANCE AFTER 11.00 PM"

PART C – Additional Information/Supporting Documents

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

① Refer to excellent ^{written} letters of complaint by various neighbours
- REC/NOT/133908 of 22 Aug 25

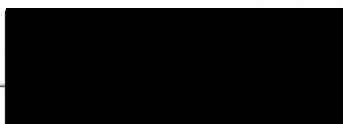
② Several 101 calls by myself

③ A 999 call when a very loudly swearing customer was being evicted
I was concerned for safety of bar staff lady. The police phoned me back for more information including clothes being worn. Date - Saturday 9 AUGUST 2025.

Please attach supporting documents/further pages as necessary.
Please number all extra pages.

I have read and understood the attached privacy notice

Your Signature



Date

29 Sept. 2025

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

Any person who has supplied personal information as part of this application
MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE

PRIVACY NOTICE

The Data Controller of the information being collected is East Lothian Licensing Board. The information is collated on its behalf by East Lothian Council.

The Data Protection Officer can be contacted at
01620 827989 Email: DPO@eastlothian.gov.uk

Your information is being collected to use for the following purposes:

- The processing of an application for a premises licence
- The determination of an application for a premises licence
- The issue of any premises Licence granted
- Inclusion on the Register of premises Licences available for public inspection
- Ensuring compliance with the terms of the Premises Licence
- The processing of any complaints made in respect of the Premises Licence
- The determination of any complaints made in respect of the Premises Licence

Your information is:

Being collected by East Lothian Council on behalf of the East Lothian Licensing Board

The legal Basis for collecting the information is:

Personal Data	Special categories of personal data
Legal Obligations	Processing is necessary for one of the Conditions in Part 2 of Schedule 1 to the Data Protection Act 2018 referring to substantial public interest in terms of paragraph 6 thereof as processing is necessary for the exercise of a function conferred on a person by an enactment or rule of law

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached pro forma, East Lothian Council may not be in a position to accept the objection/representation as competent or relevant. This means that your objection/representation will not be considered when determining whether the application to which your objection/representation relates is determined.

Your information may be shared with the following recipients or categories of recipient:

- | | |
|--|--|
| ■ Police Scotland | ■ Some information will also be shared with the Public via the Register of Premises Licences |
| ■ Scottish Fire & Rescue Service | |
| ■ Public Health | ■ Planning Services |
| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
| | ■ The Scottish Government |

The retention period for the data is:

- (1) Where an application relates to the grant of a premises licence, variation of premises licence, or transfer of premises licence is refused by the Board, information relating to that application will be retained on the Licensing Register for a period of 5 years from the **date of refusal** and thereafter will be destroyed.
- (2) In any other case, where information relates to a premises licence, that information will be retained on the Licensing Register for a period of 5 years from the date the premises licence **ceases to have effect** and thereafter will be destroyed.

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.



East Lothian Council
Licensing

13 OCT 2025

LICENSING (SCOTLAND) ACT 2005, SECTION 22 **Received**

NOTICE OF OBJECTION OR REPRESENTATION

If you are completing this form by hand, please write legibly
in block capitals using ink.

Please indicate below the type of notice you are making (tick appropriate box)

☐ Objection

☒ Representation

Please send your Objection or Representation to:

The Clerk to the Licensing Board, East Lothian Council,
Licensing, Administration and Democratic Services,
John Muir House, Haddington
East Lothian, EH41 3HA

Any person may, by notice to the Licensing Board —

- (a) Object to the application on any ground relevant to one of the grounds for refusal specified in section 23(5), or
- (b) Make representations to the Board concerning the application

If you are OBJECTING, please complete Part A of this form.

If you are MAKING REPRESENTATIONS, please complete Part B of this form.

All parties should complete Sections 1, 2 and Part C of this form.

**YOU MAY WISH TO CONSULT YOUR SOLICITOR
BEFORE COMPLETING THIS FORM**

Section 1 – Application Details

This objection/representation relates to the following Application:

Applicant's name (if known) Any

(This is the name of the applicant in respect of the licensed premises referred to in the application)

Name & Address of premises OLD HOUSE,

19 FORTH STREET, NORTH BERWICK

Post code EK39 4HX

This Application is for

☐ Premises Licence

☐ Provisional Premises Licence

☒ Variation of an existing Premises Licence

☐ Occasional Licence

Application Number (if known) UNKNOWN

Section 2 – Objector/Representer Details

If you fail to complete this section, the objection or representation may not be considered

(A) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION AS AN INDIVIDUAL

Individual title: Mr Mrs Miss (MS) Other _____
(delete/complete as appropriate)

Surname FEARNHOUGH

First Name(s) TRACEY ANN

Address

Post code

**(B) COMPLETE IF YOU ARE OBJECTING OR LODGING A REPRESENTATION
ON BEHALF OF AN ORGANISATION**

Title: Mr Mrs Miss Ms Other
(delete/complete as appropriate)

Surname

N/A

First Name(s)

Address of person lodging objection/representation on behalf of organization

Post code

Name of Organisation

Nature of Organisation e.g. resident's association, ward councillor, trade association

N/A

Address of Organisation

Post code

PART A – OBJECTION

I/we object to a premises licence being granted to the above premises, on the following grounds (delete any that do not apply):-

- (a) The premises are excluded premises.
- (b) The application must be refused where:-
 - ☐ the Licensing Board has refused a premises licence application in respect the premises less than a year before this application – Section 25(2)
 - ☐ Granting the application would have the effect of allowing alcohol to be sold on the premises during a continuous period of 24 hours or more – Section 64(2) or
 - ☐ Granting the application would have the effect of allowing alcohol to be sold for consumption off the premises before 10am, after 10pm, or Section 65(3) or both.
- (c) That, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a premises licence for the following reasons:

- (d) Granting the application would be inconsistent with one or more of the licensing objectives ¹:-

Objective	Explanation
Preventing crime and disorder	
Securing public safety	
Preventing public nuisance	
Protecting and improving public health	
Protecting children and young persons from harm	

¹ Please indicate which of the licensing objectives the application would be inconsistent with, along with a concise explanation why. Please delete any of the objectives that do not apply.

(e) The premises are unsuitable for use for the sale of alcohol, having regard to ²:-

- (i) the nature of the activities proposed to be carried on in the subject premises,
- (ii) the location, character and condition of the premises, and
- (iii) the persons likely to frequent the premises.

Please explain why

(f) Granting the application would result in overprovision of licensed premises, having regard to the number and capacity of—

- (i) licensed premises, or
- (ii) licensed premises of the same or similar description as the subject premises,

Please explain why

² Please indicate which of the factors apply, with a concise explanation why. Please delete any that do not apply.

PART B - REPRESENTATION

I/We wish to make these representations to the Board concerning the application:

In support of the application.

When we moved to this area 14 yrs ago, we recognised that the pub was part of a vibrant community enjoying good relationships with residents. Despite all the challenges, and negative impact currently, I still do not want the pub to close completely but I do want the residential community recognised and our right to well-being & peace in our every day lives.

As to modifications which should be made to the Operating Plan

The pub should stop serving at 11pm on Sunday to Thursday. On Friday and Saturday this should be midnight in line with the other pubs in North Swick. Due to its current late opening hour, closure causes the pub to be a nuisance. Many of us have children who need to attend school and go to work. We need to sleep better.

As to conditions which should be imposed

The publican should ensure that clients outside are quiet and leave the area quietly. Smoking, running around, verbal abuse and fighting has a huge effect on our sleep, mental health and well-being. There should be someone in the door to monitor the situation. At all times, noise should not impact on neighbours whether from inside or outside. Smoking, gatherings outside, blocking the pavement is also intimidating, especially for our young daughter.

Other representations

A landline or reliable phone number on the premises is essential so that we can let the publican/staff know if there is a disturbance. Phone calls or emails to the police or to anti-social behaviour teams does NOT have an instant effect which is needed. Previously this helped in the past -

PART C – Additional Information/Supporting Documents

Please add here any additional comments you wish to make. If you are submitting any background written materials in support of your Objection/Representation it would be helpful if you could list them here

Here is a summary of frequently occurring behaviours

1. Male clients urinating + vomiting outside our house which we have had to clear up.
2. Sometimes men have urinated in front of our children
3. At weekends foul & abusive language
4. Screaming & fighting (a window was broken at our neighbour's ground floor [redacted])
5. Male clients let their daughters & children don't feel safe coming home at the weekend when the pub is open late [redacted]
6. Very loud, disruptive music from bands
7. Sleep regularly disturbed, requiring ear-plugs
8. Children's attendance at school impacted due to sleep deprivation

Please attach supporting documents/further pages as necessary.
Please number all extra pages.

I have read and understood the attached privacy notice

Your Signature [redacted]

Date

4 October 2025

YOU MAY WISH TO CONSULT YOUR SOLICITOR BEFORE COMPLETING THIS FORM

GDPR

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| ■ The applicant and/or the applicant's agent | ■ Building Standards |
| ■ Neighbouring Proprietors | ■ Environmental Health |
| ■ Licensing Standards Officers | ■ Community Councils |
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- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.

03/10/2025

Your Ref: **EL038**

Our Ref: 951427

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



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

IN CONFIDENCE FOR THE ATTENTION OF EAST LoTHIAN LICENSING BOARD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005
REQUEST FOR INFORMATION REGARDING
PREMISES: AULD HOOSE
19 FORTH STREET, NORTH BERWICK, EAST LoTHIAN, EH39 4HX.
PREMISES LICENCE HOLDER: GREENE KING RETAILING LTD.**

In regard to the request for review of Licenced premises EL038, Auld Hoose, North Berwick after invitation from Carlo Grilli, Clerk to the Licensing Board, I wish to report the following on behalf of Police Scotland.

The premises license holder is Greene King Retailing Ltd, and the current Designated Premises Manager is Craig Thomson. Mr Thomson holds Personal Liquor Licence EL2197 granted by East Lothian Licensing Board on 3rd April 2024.

On 31st March 2025, Police Scotland received an application from East Lothian Council to substitute the Designated Premises Manager of the Auld Hoose to Craig Thomson. This application was signed and dated 26th March 2025. The relevant checks were carried out by Police Scotland and the application was returned to East Lothian Council with no police objections.

There have been several notifications to the police regarding the premises.

PS-20250608-0017

About 0004 hours, Sunday 8th June 2025, police were contact regarding noise from people outside the premises smoking and drinking

OFFICIAL

PS-20250615-0147

About 0037 hours, Sunday 15th June 2025, police were called regarding noise outside the premises

PS-20250705-3947

About 2252 hours, Saturday 5th July 2025, police were called regarding noise from patron outside the premises

PS-20250714-0108

Police were contacted regarding noise at the premises from 2305 hours Saturday 13th July 2025, until 0018 hours Sunday 14th July 2025.

PS-20250801-4212

About 2346 hours, Friday 1st August 2025, police were called regarding noise at the premises from band within and patrons out with.

PS-20250806-3985

About 2254 hours, Wednesday 6th August 2025, police were called regarding a crowd of about 10-12 people outside shouting and being rowdy.

PS-20250809-3390

About 2133 hours, Saturday 9th August 2025, Police were on patrol and observed a male entering and exiting the premises, shouting swearing and challenging others to fight.

PS-20250824-0156

Police received an email regarding excessive noise and anti-social behaviour, stating it was happening every night.

PS-20250927-3433

Staff from the premises have called police regarding a male outside causing a disturbance after being ejected.

On Wednesday 27th August 2025, Following the recent calls to police it was decided that Police Scotland would place the Auld Hoose on the Monitored List.

Between 27th August 2025 and the date of this correspondence there have been two recorded inspections of the Auld Hoose. No issues were highlighted during these inspections.

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

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

OFFICIAL

Yours faithfully



Gregg Banks
Divisional Commander

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

EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 3rd October 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE REVIEW

**EL038, AULD HOOSE, 19 FORTH STREET, NORTH BERWICK, EAST LoTHIAN EH39
4HX**

On 17th September 2025, I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

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

Licensing Standards Officer

Licensing Standards Officer Report**EL038– Auld Hoose, Forth Street, North Berwick, East Lothian, EH39 4HX**

The premises licence holder is Greene King Retailing Ltd. On 26th March 2025, following application by minor variation, Craig Thomson was appointed premises manager. Craig Thomson holds a personal licence EL2197 granted by East Lothian Licensing Board on 3rd April 2024.

As Licensing Standards Officer I have received the following information about the premises operations under the current premises manager's control.

Complaints Received/actions taken by Licensing Standards Officer

Date	Complaint	Complainer No.	Action
24/06/2025	noise coming from pub next door especially at night	1	LSO spoken to tenant and provided guidance on measures to control noise.
08/07/2025	Last night (05/07/2025) there was extreme noise outside "The Auld Hoose" pub for over an hour as well as people being sick outside the pub. The pub no longer has a landline & complainers do not want to go into the pub to complain or challenge the perpetrators.	1	Information passed to Greene King area managers.
28/07/2025	Premises manager from another premises in area gave information that there is to be live music 1 st – 11 th August at premises raising residential concerns	2	Call to Greene King area manager– spoke with Doug Scougall about concerns
08/07/2025	Last Saturday (05/07/2025) the noise from people coming out of the pub was extremely loud and lasted till about 1.30am. Some people were shouting obscenities, urinating and vomiting in the lane where we live. This has been going on every weekend for several weeks now.	3	Information passed to Greene King area Manager. Informed that they would be meeting for a face to face meeting with premises manager Craig Thomson.
08/08/2025	2x complaints on same evening – customers outside screaming and shouting residents met with negative comment when approaching patrons. Will raise at next CAPP meeting	1	Complainer advised of meeting taking place with Greene King and tenant scheduled for 19 th August.
17/08/2025	Last night, Saturday, 16/08/2025 We were treated to noise from the customers until one o'clock this morning.	1	Complainer advised of meeting taking place with Greene King and

	They were nearer the elderly and vulnerable people's block of flats at 21 but could be heard around our part of Forth Street too. Please can you give us details of the granted hours and conditions?		tenant scheduled for 19 th August.
17/08/2025	Crowds of people outside bedroom window shouting at 1am	4	Spoken to by Community Protection Officers, information passed to LSO
19/08/2025	Face to face meeting –Craig Thomson and Greene King area managers. Actions communicated back to LSO: • Exploring door staff for a Friday and Saturday night. • Extra signage will be placed at the entrances to ask patrons to keep noise down and respect the neighbours when leaving, to be displayed internally and externally. • Craig to meet LSO. Doug and Alasdair to attend where possible • Craig will meet with residents at a future CAPP meeting. • Lollipops to be given away at the end of day to patrons leaving. • Landline will go in when the new Franchise take over. • In the meantime, Craig is to purchase a pub mobile phone for residents to contact the pub.	N/A	Further meeting with tenant, LSO, Police. EP and Greene King arranged for 2 nd September.
22/08/2025	Concerns letter/petition received at ELC, also sent to Greene King	Multiple	Full list of complaints sent to Greene King and Craig Thomson by East Lothian Council Licensing Team.
23/08/2025	Loud shouting, screaming, singing, chanting at 01.15 in the morning	4	Full list of complaints sent to Greene King and Craig Thomson
28/08/2025	Contact from Local Councillor Jeremy Findlay – concerns from residents reported		No specific details given

02/09/2025	Scheduled meeting took place – Craig Thomson, Greene King Management, LSO, Police Licensing – Sgt Stuart Miller, Environmental Protection Officer – Luke Anstock		Positive meeting, information from Greene King that tenancy model will be changing to franchise, and new management will be taking over potentially in Nov/December. Sign asking patrons to be quite and respect neighbours placed outside. Craig Thomson detailed that he didn't plan at this time to have any more live music. Guidance given that once new management is identified residence be invited to meet them.
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In addition to the above, during meetings with the premises and further investigation, I identified that following the reissue of the premises licence in March, an administrative error was made by a licensing officer who omitted a previous specific condition from the premises licence:

- No amplified music shall be played after 11pm

This condition was then added back onto the premises licence, which was reissued, and the premises manager Craig Thomson was made aware. I cannot hold a premises licence holder, or premises manager accountable for any breach of this condition given the circumstances and error made. There are no other specific conditions attached to the premises licence. There is no condition for the premises to provide a premises phone number. This appears to have been an agreement with a previous premises manager.

There have been no complaints made to me, through the ASB team or licensing team about the premises since 28th August 2025 and after the meeting 2nd September, now 5 weeks ago. I am aware that residents have refused any further mediation offers.

I have been informed by Greene King management that the tenancy arrangement and premises manager is going to be changing and at the time of this conversation this was potentially planned for November/December 2025.

The premises currently operates to the full extent of Board Policy on sales hours.

Given there have been no complaints for 5 weeks and the changes planned, I believe a review of the premises licence at this time would be too previous.

Licensing Standards Officer

Herkes, Gillian

From: Anshus, Oyunn
Sent: 18 September 2025 12:23
To: Licensing
Subject: 25/01522/LIC50 - Request for Review - Auld Hoose, 19 Forth Street, North Berwick
Attachments: AuldHoose-RegistrationNeeded18092025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

We have not received any complaints in relation to food or health and safety for this business. The new food business operator has however not yet registered the food business.

A food business registration has been posted to him today (see letter attached). This business is therefore not at present in compliance with food law as they need to register.

Do feel free to pass my contact details to Mr Thomson – should he get in touch with you. I do not have any contact details for this business, other than the premises address.

Kind regards,

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

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 17 September 2025 12:15
To: Licensing Standards Officer <lso@eastlothian.gov.uk>; Environmental Protection <envprot@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Lothian & borders Police <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>
Subject: FW: Request for Review - Auld Hoose, 19 Forth Street, North Berwick

Good Afternoon

The Auld Hoose, 19 Forth Street, North Berwick is coming up to the East Lothian Licensing Board on Thursday 30th October, 2025 for Review. The Clerk of the Board has requested a report from yourselves by Monday 13th October 2025.

Kind regards
Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House

Licensing

From: Anstock, Luke
Sent: 07 October 2025 12:19
To: Licensing
Cc: Harling, Karen (Licensing); Environmental Protection
Subject: RE: Request for Review - Auld Hoose, 19 Forth Street, North Berwick

Auld Hoose, 19 Forth Street, North Berwick

This report has been prepared at the request of the Clerk of the Board in relation to the review of the Auld Hoose at 19 Forth Street.

Environmental Health has not directly received any complaints from members of the public regarding the stated premises. It is understood however, that the licensing team has received a number of complaints regarding excessive noise. These complaints primarily relate to noise from patrons congregating outside and causing disturbance when leaving the premises. Reference was also made to noise from amplified music. A petition document signed by 28 residents was shared with environmental health.

A meeting at the premises was held on the 2nd September. In attendance was the premises manager, senior management from Greene King, Licensing Standards Officer Karen Harling and Environmental Health Officer Luke Anstock. Management reported that the monitoring of external areas was being carried out during shift and that a dispersal policy including an early call for last orders was being implemented. Signage requesting patrons to respect neighbours was evident at exits. Officers were advised that the current management arrangements were temporary with a full refurbishment expected in the coming months and also that the business was trading at a higher level than under previous management.

The following recommendations were made regarding noise control:

- Door supervisors or other suitably trained staff could be considered during busier periods to help manage the outside space and ensure patrons leave the premises quietly and efficiently.
- A noise limiter device should be installed for amplified music. Management agreed that this would be actioned during the refurb.
- A mobile phone should be purchased by the business. This would allow members of the public to be able to contact the pub directly to report issues.

Greene King managers were cooperative throughout and acknowledged the concerns raised. It is understood that the council has not received any further complaint since the meeting.

Kind regards,

Luke Anstock
Environmental Health Officer
Public Health & Environmental Protection
Protective Services
East Lothian Council

Phone: 07773625831