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07/11/2025

Your Ref: EL157

Our Ref: 28293

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 - SECTION 36
PREMISES LICENCE REVIEW APPLICATION
LICENCE NO: EL157
PREMISES: ANCHOR BAR
159 NORTH HIGH STREET, FISHERROW, MUSSELBURGH, EAST LOTHIAN,
EH21 6AN.
PREMISES LICENCE HOLDER: EAST COAST TAVERNS (SCOTLAND) LTD

In terms of section 36(1) of the Licensing (Scotland) Act 2005 I hereby make application to the East Lothian Licensing Board for a review of the premises licence in respect of the premises known as ANCHOR BAR 159 NORTH HIGH STREET, FISHERROW, MUSSELBURGH, EAST LOTHIAN, EH21 6AN.

This application for review is made in terms of the grounds set out at Section 36(3) (ZA): that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premise licence.

The view that the ground at Section 36(3)(za) applies is based on the following information:

The Anchor Bar is situated on North High Street, Musselburgh. North High Street is primarily commercial premises at street level with residential properties above. The premises consist of a front lounge bar connected to a room behind containing a pool table, as well as a mezzanine level used mainly for functions. At the rear of the property are the office and the cellar. The premises shows live sport. The capacity of the premises is 100 persons.

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The Premises Licence holder is East Coast Taverns, Registered Address 159 North High Street, Musselburgh, East Lothian, EH21 6AN. Richard (Ricky) Ross is the sole director.

The premises currently benefits from the following licensed hours:

Monday to Wednesday – 1100 to 2300 hours
Thursday – Saturday 1100 to 0100 hours
Sunday – 1100 – 0000 hours.

There have been 6 police incidents of note at the premises in the last 12 months.

PS-20250321-3769

21/03/2025 2 males refused service, subsequently assaulted by another patron outside the premises to serious injury.

PS-20250601-0181

01/06/2025 Police attended in relation to a serious assault that was reported to have taken place at the locus. Police viewed CCTV footage on the premises system, when they returned a few hours later to seize the footage the footage had been deleted.

PS-20250705-4092

05/07/2025 Police called by staff regarding an aggressive male refusing to leave, left prior to police arrival.

PS-20250916-3790

16/09/2025 Police called by staff regarding an aggressive male refusing to leave, left prior to police arrival.

PS-20250927-3327

27/09/2025 1 x serious assault and 1 assault to injury. See below for further details.

PS-20251010-3092

Police called due to two males acting aggressively when refused entry.

A police enquiry has confirmed that on the evening of the 27th of September 2025 a 17 year old male was consuming alcohol within the premises, along with his father.

Personal licence holders Cameron Ross and Nicole Craig were working within the premises at this time.

The 17 year old male and his father became involved in an altercation with a third male at the pool table. This has escalated into serious disorder within the premises.

About 8 minutes of CCTV footage has been seized by the police which captures:

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- Several physical struggles between patrons as some patrons try to evict others
- The 17 year old throwing a pint of beer at another male's head causing immediate heavy bleeding from the side of the victim's head
- 1 male striking another male on the head with a pool cue
- 1 male snapping two pool cues in half and brandishing them at other persons within the premises.

This resulted in an extensive police enquiry, the 17 year old male being charged with serious assault and another male being charged with assault to injury.

On Wednesday, 22nd October 2025 PC Upton, Licensing Officer for East Lothian attended at the Anchor Bar and carried out an inspection. He was met by a staff member Nicole Craig and the Designated Premises Manager, Nicola Burdell.

Both engaged well with police and assisted with the inspection. During the inspection it was noted:

- 1 staff member's personal licence was not able to be produced in terms of section 93, Licensing (Scotland) Act 2005, police were advised this was due to the Premises Licence Holder, Richard Ross, putting this in the safe and the keys not being on site.
- No age verification policy documents signed by staff were available
- No s110 notice was on display
- No refusals book was in use
- An incident book was in use but referred only to incidents where police had been called.

PC Upton then cautioned and charged Nicola Burdell and Nicole Craig with the following offences:

- A contravention of section 106 of the Licensing (Scotland) Act 2005 (allowing consumption of alcohol by a young person on the premises)
- A contravention of section 115 of the Licensing (Scotland) Act 2005 (allowing disorderly conduct on a licensed premises)

Both have been reported to the Procurator Fiscal.

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Prior to the inspection PC Upton made attempts to contact Cameron Ross via phone and left a voice message. Nicole Craig also made him aware police were looking to speak to him.

After the inspection Nicola Burdell spoke with Richard Ross on the phone and told him police had attended and charged her. She thereafter told PC Upton that Richard Ross wished to speak to him and confirmed PC Upton had the correct telephone number for him.

PC Upton made several calls to Richard Ross and Cameron Ross and attended at their home address to no avail. Both appear to be actively avoiding police.

Cameron Ross has therefore been reported to the Procurator Fiscal for:

- A contravention of section 106 of the Licensing (Scotland) Act 2005 (allowing consumption of alcohol by a young person on the premises)
- A contravention of section 115 of the Licensing (Scotland) Act 2005 (allowing consumption of alcohol by a young person on the premises)

Richard Ross has been reported to the Procurator Fiscal for

- A contravention of section 115 (2) and 141B of the Licensing (Scotland) Act 2005 (premises licence holder – vicariously liable - allowing consumption of alcohol by a young person on the premises)
- A contravention of section 106 of the Licensing (Scotland) Act 2005 (allowing consumption of alcohol by a young person on the premises)

Their lack of engagement is of concern, indicating Richard Ross is not willing to accept responsibility for this incident.

Furthermore, this incident constitutes a failure to uphold the licensing objectives as articulated at Section 4(1) of the 2005 Act, namely:

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

I request that the Licensing Board considers the aforementioned grounds for review and takes such steps as it considers necessary or appropriate for the purposes of the Licensing Objectives under the terms of Section 39(2) or 39(2A) of the Act.

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Yours faithfully



Gregg Banks
Divisional Commander

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

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Our Reference: CG/gh/EN/L/EL0157

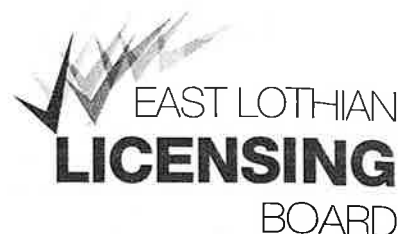
Date: 12th November 2025

Private & Confidential

East Coast Taverns (Scotland) Ltd
159 North High Street
Musselburgh
EH21 6AN

Dear Sir/Madam

LICENSING (SCOTLAND) ACT 2005 – SECTION 36(1)
NOTIFICATION OF PREMISE REVIEW HEARING
EL0157 Anchor Bar, 159 North High Street, Musselburgh, EH21 6AN



Carlo Grilli
CLERK OF THE LICENSING BOARD

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

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

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

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

Police Scotland made review in terms of Section 36(3)(za) on the grounds specified in Section 39(2) or 39(2A) of the Licensing (Scotland) Act 2005.

The Review Hearing will be heard at the next meeting of the Licensing Board to be held in Council Chambers, Court Street, Haddington at 10.00am on **Thursday 27th November 2025**

You are entitled to attend the Hearing and the Board members may, but are not obliged to, invite you to give your views in respect of this matter. If you wish someone else to represent you at the Hearing, you will be required to provide a written mandate confirming that they are instructed to do so. You can provide that mandate to this office in advance of the Hearing.

The Licensing Board has asked the Licensing Standards Officer to prepare a report into this matter for their consideration at the Hearing.

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

Yours sincerely


Carlo Grilli
Clerk to the Licensing Board


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EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 13th November 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PREMISES LICENCE REVIEW

**EL0157, ANCHOR BAR, 159 NORTH HIGH STREET, MUSSELBURGH, EAST LoTHIAN
EH21 6AN**

On 12th November 2025, I received intimation that application to review the Premises Licence under Section 38(3)(za) of the licensing (Scotland) Act 2005 had been submitted by Police Scotland 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 application for the consideration of Licensing Board Members.

Licensing Standards Officer

Licensing Standards Officer Report

EL0157– Anchor Bar, 159 North High Street, Musselburgh, East Lothian, EH21 6AN

The premises licence holder is East Coast Taverns (Scotland) Ltd. On 15th December, following application by minor variation, Nicola Burdell was appointed premises manager. Nicola Burdell holds a personal licence 333092 granted by City of Edinburgh Licensing Board on 26th August 2016.

Following notification of the review application, I visited the premises on 13th November 2025 and completed a compliance inspection. The premises manager Nicola Burdell was on duty as the only staff member. The premises was quiet with 2-3 patrons. It was clean and tidy. All documentation was produced including premises licence, operating plan, layout plan, staff training records and personal licences. I was informed there are 3 personal licence holders who work at the premises and two additional staff. Training records were produced for them. There were challenge 25 signs displayed however, no written age verification policy. CCTV was found to be in working order. Guidance was given to complete the following:

- Children and young person access sign to be completed and displayed at entrance
- No smoking sign to be placed on door
- Written age verification policy to be implemented

Prior to this visit, my last contact with the premises was in December 2022 when a complaint was received. The complaint related to a fight outside the premises. Staff at the premises contacted police at the time of the incident. Guidance was given to premises manager Richard Ross and his son Cameron Ross to monitor outside areas. CCTV was found to be in working order and covered the outside areas. The premises was clean and tidy on my visit.

Until the most recent incident in September contained in the review application, I have not received any complaints or been made aware of any issues at the premises since December 2022.

Licensing Standards Officer