



## **MINUTES OF THE MEETING OF THE EAST LoTHIAN LICENSING FORUM**

**WEDNESDAY 22 MAY 2024, 10AM  
HYBRID SYSTEM**

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**Forum Members Present:**

Mr G Blaikie  
Mr S Baxter  
Ms K Harling  
PC L Wilson  
Mr A Podder  
Mr J Thayers

**Council Officials Present:**

Ms M Scott

**Elected Members Present:**

Councillor J McMillan  
Councillor G McGuire

**Visitors Present:**

N/A

**Apologies:**

Councillor L Bruce

**Declarations of Interest:** There were no Declarations of Interest recorded at the meeting.

**1. MINUTES OF THE MEETING OF THE EAST LOTHIAN LOCAL LICENSING FORUM HELD ON 21 FEBRUARY 2023 AND MATTERS ARISING**

The minute was agreed as an accurate recording of the meeting.  
There were no matters arising.

**2. POLICE REPORT (VERBAL)**

PC Wilson gave an update on reported incidents between the 21<sup>st</sup> February and 21<sup>st</sup> May 2024. There were 60 alcohol related incidents between this time including; 9 assaults, 6 disturbances, 3 failure to leave, 1 noise complaint, 1 drug related incident, 1 hate crime, 1 accident, 1 robbery and 37 thefts. The Police and Licensing Standard Officer have completed 40 planned and unplanned visits which only flagged up some minor issues or none at all. PC Wilson reported there had been an increased effort to use Special Constables to complete inspections which has raised some points of learning. He is making an effort over the next few weeks to complete online evening training sessions to address these points. PC Wilson explained the main issue that had been raised from public house owners was Special Constables requesting to see paperwork on busy weekend evenings which is not necessary as these deep dive checks can be completed on quieter days as to no inconvenience staff.

PC Wilson made Members aware a bid had been put in for extra funding and resources for the It Will Cost You campaign but unfortunately this was not successful as other areas were deemed to need this more but he confirmed the campaign will still run as planned at the beginning of the summer months to inform young people about the dangers of alcohol.

Graham Blaikie asked if there had been an increase in reported hate crime incidents. PC Wilson explained he did not have first hand knowledge on this but he knows from colleagues in the first few weeks there was a significant increase in reports but this is now more settled. He believes people are more willing to report these crimes now.

Councillor McMillan asked if it would be possible for the police to do a public statement regarding the It Will Cost You campaign to raise awareness of it. He also raised concerns regarding young people using their travel passes to move all around East Lothian and causing anti social behaviour concerns on bus routes, especially at the terminuses and asked if this was something the police were aware of. Councillor McMillan also asked if the police were aware of any incidents of youths abusing alcohol in Haddington around the end of term when the 6<sup>th</sup> year pupils leave school and if any special measures could be put in place to combat this. PC Wilson shared Councillor McMillan's concerns around young people travelling around East Lothian as this makes it very difficult to determine what area they come from or the location they have secured their alcohol. PC Wilson was aware of the anti social behaviour, particularly around bus terminuses but this is not something he deals with personally. This was also the case for the issues Councillor McMillan raised in Haddington but PC Wilson was aware of these and the increase in youths drinking when the weather improved. He highlighted the It Will Cost You campaign will begin at the same time and community officers will continue to do their best to address the issue, including doing talks in schools on the dangers of alcohol. Stuart Baxter added that outreach workers in Haddington also make youths aware of the dangers of drinking alcohol but they do not have the authority to remove any alcohol from them.

John Thayers asked if the police were currently completing test purchases. PC Wilson confirmed this is not something they police are carrying out at this time.

### **3. LICENSING STANDARDS OFFICER REPORT**

Ms Harling spoke to her report and explained the following outcomes from the February, March and April Licensing Board Meetings.

#### **FEBRUARY**

- Occasional Licenses for Dunglass Estate (3 different catering companies) - granted with the expectation a premises licence application would follow by May.
- Occasional Licenses for Luffness Golf Club (application for several occasional licenses with commencement time before Board policy for temporary bars on the golf course – granted with conditions that the area be clearly delineated and one drink per person.
- Occasional Licenses for Broxmouth Courtyard (Application for 8 occasional licences with a terminal hour of 12 midnight out with Board policy terminal hour of 11pm on those days. Provisional premises licence at premises has 11pm terminal hour) - granted with varied terminal hour to 11pm.

#### **MARCH**

- Premises Licence Application for Mazzoli Café, Haddington (full premises licence application following operation on occasional licences) – granted.
- Major Variation Application for Event Space (Eskmills Venue), Musselburgh (application to add gaming for bingo events) – granted.
- Occasional Licence Application for Gosford House (application for an occasional licence for a wedding from 12noon – 2am) - Denied by Board and terminal hour changed to 1am in line with Board policy.
- Occasional Licence Application for Seton Walled Garden (application for occasional licences over a period of 6 months on a weekly basis. Premises has been operating in this way for 2 years) - granted for this year with the expectation that a premises licence application will be made.
- Premises License Review for Newbigging Newsagent, Musselburgh (Information was presented to the Board that the premises manager had died in Oct 2022. Extensive guidance was given to the premises over a period of months however the premises licence holder failed to appoint a premises manager. A compliance notice was served in relation to no premises manager and no staff training and alcohol sales were to cease. In Jan 2024 a member of the public bought alcohol from the premises as sales had recommenced. Police and LSO visit the premises and found alcohol on display in excess of capacity on the licence and the premises licence holder made an admission that alcohol had been sold) - The Board reviewed the information and questioned the premises licence holder. The Board revoked the premises licence on the grounds the premises licence holder was not a fit and proper person.

#### **APRIL**

- Occasional Licence Application for Edinburgh Marathon Festival (application for occasional licence for bar at the finish of the Edinburgh Marathon to open at 10am, out with Board policy for commencement hour) - after hearing from the organiser who gave details of why the early start was needed the Board granted the licence.
- Occasional Licence Application for East Linton Gala Committee (application for an occasional licence for an alcohol refreshment tent at East Linton Gala. The gala field will contain a funfair, inflatables, highland dancing competition, there is a planned gala parade, gala court and market. The application was brought to the board in relation to the Board's policy that events predominantly organised for children should not necessarily attract the need for an occasional licence) - The Board unanimously refused to grant the occasional licence as the event was considered a children's event in keeping with policy and stated that fundraising with alcohol was not a sufficient reason. The applicant wished to appeal the decision and was informed this

would need to be done on application to a sheriff. There has been no appeal made so far.

- Provisional Premises Licence Application for One Stop, Tranent (application was made for a provisional premises licence for an off sales premises with deliveries) - granted with a conditions for deliveries.
- Major Variation for Little Superstore, Ormiston (application was made to change the off sales hours on Sunday from 12noon to 10am. It was reported that this was a retrospective change and that the premises had a notice to say that alcohol was available from 10am 7 days a week) - The Board reminded the applicant to check his licence carefully and not make mistakes in the future. The change was granted.
- Major Variation Application for The Tower Inn, Tranent (application made for extension of outside area to form a beer garden) - granted with 3 conditions.
- Premises Licence Application for Dunglass Estate (full premises licence application received. Terminal hour of 12 midnight requested on Wednesday out with Board policy) - licence granted with condition that the additional hour on a Wednesday only be used for wedding events.
- Major Variation Provisional Premises Licence Application for Broxmouth Courtyard (major variation application received to amend terminal hour to 12 midnight Monday – Wednesday which is out with Board policy. Additional activities added) - Licence granted with condition that the additional hour on a Wednesday only be used for wedding events and a condition in relation to deliveries.
- Premises Licence Cease to have effect for Beer Zoo - Premises licence holder insolvent, licence noted to have ceased to take effect.

Ms Harling reported there were 13 Provisional Licenses outstanding confirmation. She explained they would need to come to the Board to ask for an extension and this would only be granted if they can confirm construction has been delayed which has been outwith their control.

Ms Harling confirmed herself and PC Wilson have visited areas currently struggling with anti-social behaviour to offer guidance and support and ask premises to report incidents when they happen, not days after the event as it is helpful for Police to know at the time. Ms Harling added East Linton was flagged as a hotspot, particularly of theft therefore she and PC Wilson visited and offered information on how best to combat this.

### **Marketing the Forum**

Ms Harling confirmed she continues to market the Forum but this is an ongoing process.

### **Pre-inspection Letters**

Ms Harling confirmed letters with information about the statement of licensing policy and helpful resources are being distributed to all licensed premises. Inspection will take place after all letters delivered.

### **Members Club Presentation**

A presentation for Club premises under the act will take place to give guidance on the requirements of the legislation. A venue, time and date are still to be confirmed for this.

Councillor Cassini asked if there was a way for extensions on provisional license to be granted if there was no resolution as Councillors are busy during the summer months attending community events. Ms Harling made it clear that if applicants apply for an extension then they must attend a Board meeting to provide information on why work has not been completed.

Councillor Cassini raised a concern of anti-social behaviour and underage drinking taking place within the old Esk Green Care Home on Short Hope Street and asked if PC Wilson

would be able to look into this. PC Wilson confirmed he would pass this onto community officers to look into.

Graham Blaikie asked how many pubs Ms Harling has seen closing recently. Ms Harling reported she hasn't heard of any pubs closing down but instead a lot are reducing their hours or days as they do not have the footfall required to stay open on certain days. She reported premises are also having issues retaining permanent, reliable staff. Mr Blaikie said there were twice as many pubs closing down in Scotland compared to England.

Ms Harling confirmed personal license holders would receive two reminder letters to renew their license. She stated if a license holder has changed their address and not made the department aware then they will not receive a letter.

### **Decisions**

The Forum agreed:

- For minutes of the Forum to be sent to Board members if no one is able to attend
- Members to send any contacts of youth organisations or persons involved in youth work to Miss Scott to collate and send on to Ms Harling to contact
- Ms Harling to draft a letter to send to youth organisations about hosting an event to recruit or involve young people in the Forum
- Mr Thayers to contact Alcohol Focus Scotland to see what information is accessible in regards to seeing what home delivery orders include alcohol

### **4. ANY OTHER BUSINESS**

Ms Harling confirmed the letter to the Scottish Government on Occasional Licenses, which was drafted by Councillor Bruce has now been sent. Mr Blaikie asked if there was a way to work out how much processing Occasional Licenses was actually costing the Board as it would be more than the £10 charge for the license. Ms Harling said she wasn't sure this would be possible to work but it was something they would look into. She is hopeful the cost for Occasional Licenses will increase from £10 to between £50-£100.

### **NEXT MEETING DATE**

Future meeting invites will be sent out electronically.

- Wednesday 21<sup>st</sup> August, 10am
- Wednesday 20<sup>th</sup> November, 10am (joint meeting with the Licensing Board)
- Wednesday 26<sup>th</sup> February 2025, 10am
- Wednesday 21<sup>st</sup> May 2025, 10am