

EL421

East Lothian Council
Licensing
- 1 JUL 2025
Received



APPLICATION FOR PREMISES LICENCE / PROVISIONAL PREMISES LICENCE*

LICENSING (SCOTLAND) ACT 2005, SECTION 20

*Delete as appropriate

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

92 North High Street
Musselburgh
EH21 6AS

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.

Pawan Kumar Khadka



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.

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.*

* 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
NONE				

- (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)

Convenience store located on the ground floor of a building on
North High Street, Musselburgh.

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 30/6/25

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.

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

92 North High Street
Musselburgh
EH21 6AS

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

Question 2

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

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

Question 3

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

<i>Day</i>	<i>OFF Consumption</i>	
	Opening time	Terminal hour
<i>Monday</i>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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**If YES – provide details*

Question 5

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

COL. 1 <i>5(a)</i> <i>Activity</i>	COL. 2 <i>Please confirm</i> <i>YES/NO</i>	COL. 3 <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	COL. 4 <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	No	No	No
<i>5(b) Activity</i> <i>Social functions</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	No	No	No
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
<i>5(c)</i> <i>Activity</i> <i>Entertainment</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<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

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

The shop may open from 6am providing a range of goods and services but no alcohol will be sold or supplied until the commencement of licensed hours. Certain Activities may take place during this period.

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)

Takeaways (which may include alcohol)

This is a general convenience store which will provide a range of products including groceries, confectionery, toiletries, medicines, cigarettes and vapes and may provide, subject to demand, have a coffee machine and a limited option of hot food, such as pies and snacks.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
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**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/NO*
	<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*

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

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

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

Question 7

CAPACITY OF PREMISES

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

20.31 m²

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 30/6/25

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

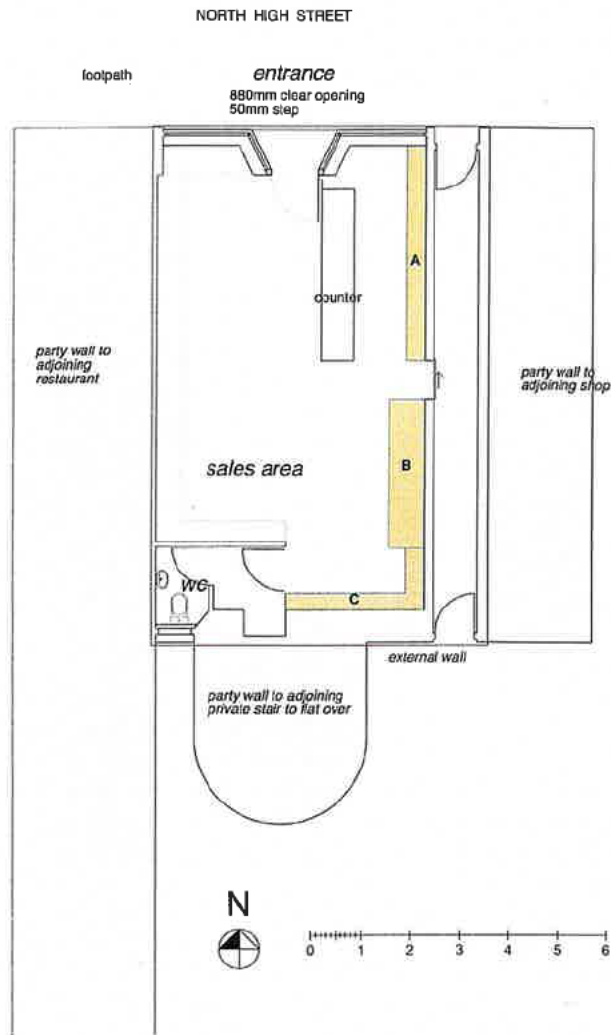
Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.com

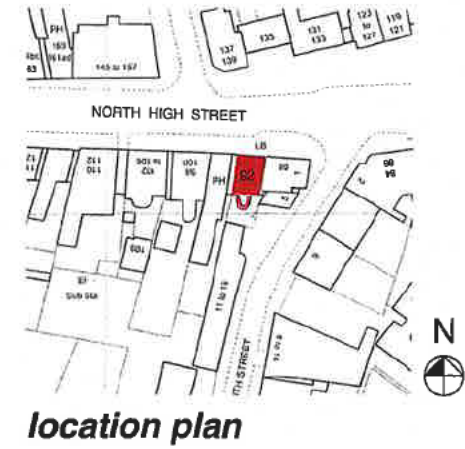
*** Data Protection Act 1998**

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



ALCOHOL DISPLAY

behind counter		
A	4300mm x 6 shelves, 2.1m high	= 25.80m / 9.03m ²
customer access :		
B	2900mm x 6 shelves, 1.5m high	= 17.40m / 4.35m ²
C	3300mm x 6 shelves, 2.1m high	= 19.80m / 6.93m ²
TOTAL		= 63.00m / 20.31m ²



existing convenience store licence plan
92 NORTH HIGH STREET
MUSSELBURGH EH21 6AS

scale 1:100 May 2025
 Whittlelaw Assoc. 01968 660452



East Lothian Council

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

SECTION 50 PLANNING CERTIFICATE

APPLICANT:

Pawan Kumar Khadka

NAME AND
ADDRESS OF
PREMISES:

92 North High Street, Musselburgh, EH21 6AS

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:) 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:

12th June 2025

Keith Dingwall
Chief Planning Officer

“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
<i>*Delete as appropriate</i>		

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.

As will be seen from the photo attached, there is a small step but the applicant would either alter this so there is an appropriate means of access, or provide a temporary ramp. See photo attached. They would certainly wish someone in a wheelchair to be able to access the premises.

Question 3

Facilities available

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

The shop inside will be designed so that there is space for a wheelchair user to manoeuvre in front of the counter. The aisles should be wide enough for a wheelchair but if there are any difficulties, such as upper shelves for instance staff will assist in procuring items for the customer.

Staff will be trained so as to be proactive in assisting customers with mobility issues, but also sight, hearing etc.

As explained this could involve fetching items, corresponding by written notes from someone who has difficulty with sight for instance.

In general our clients wish to become known as a friendly local convenience store and dealing with all customers is an important part in that.

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.

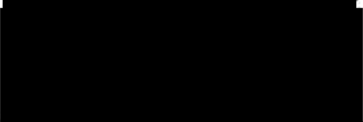
Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types 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 30/6/11

Capacity APPLICANT/AGENT

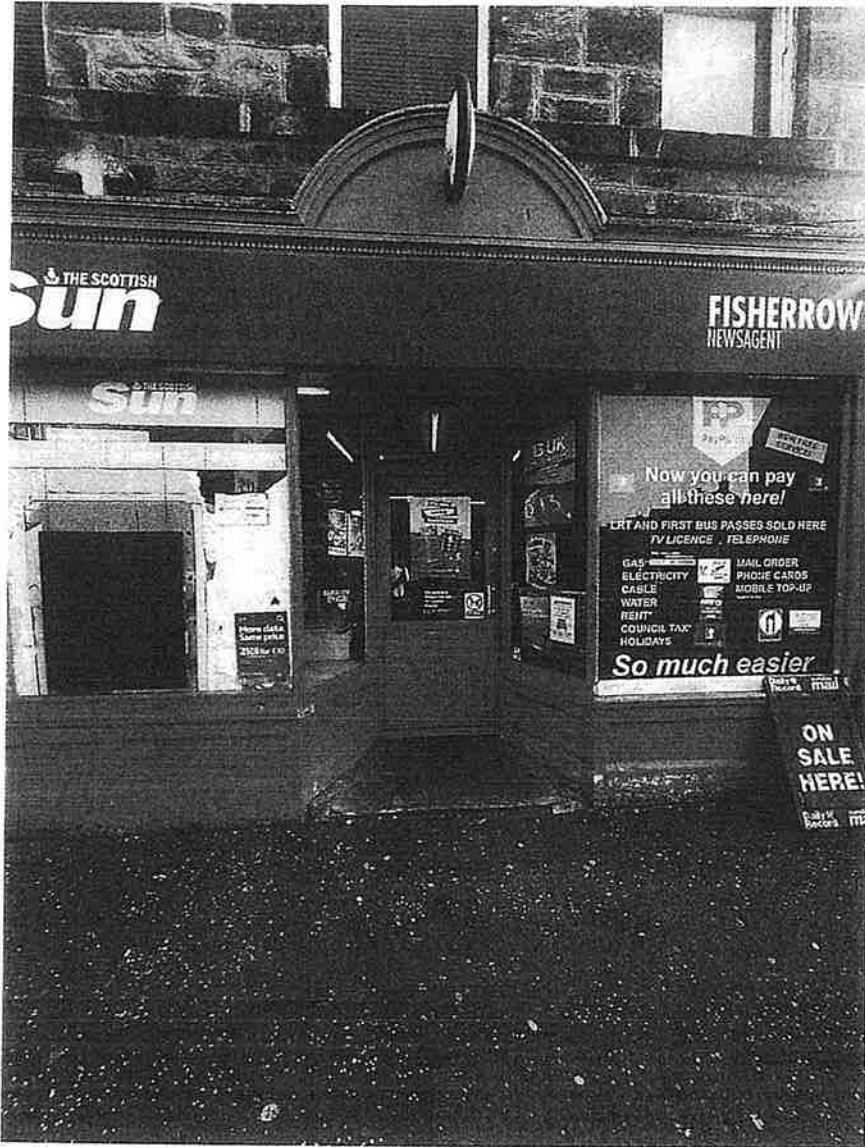
Telephone number and email address of signatory.....

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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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

This will be a local convenience store. The business at the moment is more newsagents and confectionary, so there will be a wider range of products available.

Our client can be influenced by local demand and will take into account suggestions by customers as to what products they should be offering.

ON CONSUMPTION

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

Not applicable.

OFF CONSUMPTION

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

Our clients will provide a range of beers, wines and spirits in addition to the variety of food, soft drinks, stationery, confectionery, pet food etc that will be offered in the premises.

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:
Not applicable.

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:
Not applicable.

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 may be background music appropriate for a shop.

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 premises may open from 6am for the provision of goods and services, but no alcohol will be sold or supplied until the commencement of licensed hours. Background music may be played during this period.

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:
Our client may offer deliveries if there is sufficient demand.

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.

There is of course no restriction on children and young persons entering retail premises but our client appreciates that that does bring a responsibility. Our client will be diligent, and strictly enforce Challenge 25. Staff will receive training highlighting this, what ID they can accept, how to check ID, and how to refuse politely but firmly.

It is envisaged that the Till will have an Age Verification prompt and record refusals.

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

The premises are located on North High Street, Musselburgh, which is a busy road with a wide variety of shops, bars and restaurants nearby. Whilst our client would like to build up a regular customer base, he appreciates that he will also depend on people visiting the area for whatever reason, which could be as a result of working in the area, or just passing through. Customers will be expected to behave properly in the shop, towards staff and other customers. If it is deemed inappropriate to serve any particular customer they will be asked, politely, to leave. Our client would phone the Police for assistance if required. CCTV footage would be available for viewing by the Police.

Securing Public Safety

The premises are to be refurbished. At present they do not include a toilet, as the shop owner also owns the flat above. He locks the door and goes to his flat. Part of the arrangement would be that this entry into the flat would be blocked off and a toilet and kitchen facility provided, in terms of the Layout Plan. There will require to be a Building Warrant for this, which will require suitable safety aspects to be taken into account. Our client will also design the layout with that in mind.

Preventing Public Nuisance

The background music to be played will not disturb residents, we are sure. It is not anticipated that there will be customers "hanging about" outside. It is likely that they will either be going home, or to a further destination, but our client would ask customers to move on if necessary. They will have CCTV to assist in this anyway.

Protecting and Improving Public Health

Our client would like to build up a rapport with the local customer base. The last thing he would want is to do anything or supply anything that would affect adversely the health of his customers, or staff. Customers who appear to be under the influence of alcohol, or drugs, will be refused politely but firmly.

Protecting Children and Young Persons From Harm

As explained our client will strictly enforce Challenge 25 and have an Age Verification Policy in place. Staff will be trained, with a specific highlight on Challenge 25, ID, how to check etc. They will also be made aware of possible Agency Purchases and how to identify this. Our clients would not hesitate to notify the Police of any adult who is purchasing alcohol for youngsters.

APPLICATION SUPPORTING COMMENTS

Additional Information

This is an exciting proposed venture for our clients. The shop has been run by the same owner for many years, and needs to be update and upgraded with a wider range of products. Our client is excited at the prospect of this.

Supporting Comments

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


As explained above our client would very much appreciate the support of the Board in this proposed project. He would like to add alcohol to the product range offered but is aware of his responsibilities if he was to be given the privilege of a Licence.

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	30/6/25

07/07/2025

Your Ref:

Our Ref: 935977

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



**POLICE
SCOTLAND**

Keeping people safe

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 GRANT OF A
PREMISES LICENCE
92 NORTH HIGH STREET
92 NORTH HIGH STREET, FISHERROW, MUSSELBURGH, EAST LOTHIAN,
EH21 6AS.
PAWAN KUMAR KHADKA, [REDACTED]**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully

[REDACTED]

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: 23rd July 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

92 NORTH HIGH STREET, MUSSELBURGH, EAST LoTHIAN EH21 6AS

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 and operating. My understanding is that the premises has been a convenience store for many years without the provision of alcohol. The current operator is retiring and a new operator, the applicant has taken on the premises. There are building works to be completed to add a toilet to the rear to reflect the submitted plan.

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

The off sales capacity applied for is 20.31 m². As per Board police section 26.5 the Board will consider the number, capacity and type of licensed premises within an 800m radius of the applicant's premises. There are 39 other licensed premises within an 800m radius as follows:

On and off sales premises

1. The Auld Hoose, 102 New Street – On and off sales
2. Anchor Bar, 159 North High Street – on and off sales
3. Auld Brigg Tavern, 45 Eskside West – On and off sales
4. Buenos Aires Café and Grill, 76 High Street – On and off sales
5. Caprice Restaurant, 198 High Street – On and off sales
6. Coach and Horses, 110 High Street – On and off sales
7. Company Bakery, 6 Station Road – On and off sales
8. Dal Patino, 49a High Street – On sales only
9. David Macbeth Moir, 30-34 Bridge Street – On and off sales
10. Dragon Way, 81 High Street – On sales only
11. East Coast, 171-173 North Street – On and off sales

12. Eskmills Bowling Club, 4 Station Road – On sales only
13. Event Space (Eskmills), Archibald House – On sales only
14. Fisherrow Tap – On sales and off sales – Subject to major variation to change to off sales only, convenience shop
15. Gurkha Bar and Restaurant, 96 North High Street – On and off sales
16. Inveresk Bowling and Social Club, 19 Carlyle
17. Lanna Thai – 32 Bridge Street – On sales online
18. Lido, 168-170 High Street – On and off sales
19. Musselburgh and Fisherrow Welfare Club, 253 North High Street – On and off sales
20. Sportsman's Bar, 58 High Street – On and off sales
21. The Ship Inn, 184 North High Street – On and off sales
22. The Stand, 72-74 High Street – On and off sales
23. The Volunteer Arms (Staggs), 78-81 North High Street – On and off sales
24. The Willow, 83 High Street – On and off sales

Off sales only

25. Low Cost Supermarket (Day Today), 119-121 North High Street – Off sales only
26. The Scotsman (Musselburgh Express) 179 North High Street – Off sales only
27. Musselburgh Service Station, 1 Edinburgh Road – Off sales only
28. Flowers by Arrangement, 138 North High Street – Off sales only
29. Aldi, Olive Bank Retail Park – Off sales only
30. Home Bargains, Olivebank – Off sales only
31. Lidl, Olivebank Industrial Estate – Off sales only
32. Iceland Food Limited, Newhailes Road – Off sales only
33. Tesco Extra, Olive Bank Road – Off sales only
34. Best One, 121 High Street – Off sales only
35. Miros village, 127 High Street – Off sales only
36. Morrisons Daily, 160 High Street – Off sales only
37. Musselburgh News, 53 High Street – Off sales only
38. The Wee Shop – 18 Newbigging – Off sales only
39. Open All Hours, 56 Eskview Terrace – Off sales only

Within the 800m radius there are 15 similar premises. There are 3 similar premises (highlighted) within a 400m radius.

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

Herkes, Gillian

From: Robertson, Scott
Sent: 09 July 2025 08:57
To: Licensing
Subject: RE: 92 North High Street, Musselburgh - Provisional Premises Licence

Hello,

Please note I have no comments in relation to this application.

Kind 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: 01 July 2025 13:46
To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; stewart_m1@sky.com; kat.burke@nhs.scot
Subject: FW: 92 North High Street, Musselburgh - Provisional Premises Licence

Good Afternoon

Please find attached provisional premises application for report/representation by 24th July, 2025.

Kind regards

Gillian

Gillian Herkes
Licensing Officer
Democratic & Licensing Services
John Muir House
Haddington
East Lothian Council
01620 820114
gherkes@eastlothian.gov.uk

Please note :- My working days are Tuesday to Friday



Accredited paralegal
liquor licensing

Email title: Licensing Board Applications – Objection by NHS Lothian Public Health

As a statutory partner in the licensing forum and reviewer of applications, NHS Lothian value receiving new premises license applications and the opportunity to comment.

NHS Lothian continue to support the licensing board particularly in relation to the objectives of protecting and improving public health, and protecting children and young people from harm.

The licensing regime does not have responsibility for promoting business growth, but does have a legal requirement to promote the licensing objectives of ***Preventing crime and disorder; Securing public safety; Preventing public nuisance; Protecting and improving public health Protecting children and young persons from harm.***

Alcohol deaths in Scotland are increasing. There were 1,276 alcohol specific deaths registered in Scotland in 2022, an increase of 2%.¹

Levels of alcohol related harm in relation to crime, community safety, child welfare, health and wellbeing are concerning and have a greater affect in our most deprived communities, contributing to inequalities.

NHS Lothian is submitting the following objection with regards to the premises applications at:

**92 North High Street
Musselburgh
EH216AS**

The objection is based on the application being inconsistent with one or more of the licensing objectives.

We believe the application listed above is located within an area we have identified as having higher levels of alcohol related harm.²

There has been good evidence for over a decade that increased alcohol outlet density is associated with harms to health. Overprovision of alcohol creates harm by directly increasing opportunities for purchases, and influences the perceived normality of alcohol consumption, including the exposure to children and young people. Overprovision also makes it more difficult for people to recover from alcohol dependence. Specifically within Scotland, researchers at the University of Edinburgh have found that alcohol related mortality and morbidity are significantly higher in neighbourhoods with a greater density of alcohol outlets (on and off sales). This relationship was particularly striking for off sales outlet density.³

Protecting and improving public health

¹ <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

² As calculated by Public Health and submitted to be considered as part of the licensing statement consultation.

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4415114/#:~:text=An%20IQR%20increase%20in%20off,%2C%2015%25%20higher%20mortality>

There is strong evidence that when alcohol is more available, due to more places to buy or longer opening hours, people buy and drink more, resulting in an increase in harm to health and alcohol related crime.⁴

Excessive use of alcohol is linked to a range of physical and mental health problems, as well as accidental injury and premature mortality. Medical conditions linked with alcohol use include high blood pressure, liver disease, stroke, cancer and brain damage.

The license board should consider the cumulative implication for each license application across the population, including implication on children and young people, and those recovering from alcohol dependency. The licencing board has a powerful role in reducing availability and acceptability over time, by acting on both the number and opening hours of on and off licence premises.

More licensed premises contribute to population alcohol related harm: ^{5, 6}

- Alcohol-specific deaths are 4.3 times higher in the most deprived areas compared to the least deprived areas (1.8 times higher for all causes of death).
- Alcohol related death rates in neighbourhoods with the most off-sales outlets were 2.4 times higher than in neighbourhoods with the least.

Protecting children and young persons from harm

Alcohol use is the leading cause of harm in young people and increases the risk of alcohol dependency in adulthood. Children have no control over what they are exposed to and therefore limiting exposure to alcohol is crucial, especially since:⁷

- Off sale alcohol outlets accounted for 47% of children's exposure.
- Children living in the most deprived communities were almost 5 times more likely to be exposed to off sale alcohol outlets than children in the least deprived areas.
- Children living in the most deprived communities were almost 3 times more likely to be exposed to on sale alcohol outlets than children in the least deprived areas.
- Children in deprived areas experienced 31% of their exposure to off sales outlets within 500 m of their homes compared to 7% for children from less deprived areas.
- Children from all areas received 22—32% of their exposure within 500 m of schools, but the proportion of this from off sales outlets increased with area deprivation.

Thank you for considering this written objection. We will not be objecting in person. Please contact us directly if you wish to discuss further.

⁴ <https://exilens.stir.ac.uk/>

⁵ <https://www.alcohol-focus-scotland.org.uk/media/310734/alcohol-outlet-availability-and-harm-in-city-of-edinburgh.pdf>

⁶ <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/vital-events/deaths/alcohol-deaths>

⁷ Inequalities in children's exposure to alcohol outlets in Scotland:
<https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-022-14151-3>

Herkes, Gillian

From: Margaret Stewart [REDACTED]
Sent: 15 July 2025 11:28
To: Licensing
Subject: Licence applications - North High Street and New Street, Musselburgh

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.

Good morning,

Musselburgh and Inveresk Community Council have recently sent a letter to Chief Inspector Leathes, stating our concerns on antisocial behaviour in Musselburgh, which is at an all time high at the moment.

We are now aware of 2 applications, one at 92 North High Street and another at 170 New Street - the latter of which is mainly a residential area a minute away from the North High Street and less than a minute from the beach.

These applications, if granted will do nothing but aggravate an already 'pollution of licensed premises' in this area and so near to the beach, which is putting our young people in harms way when they are jumping into the harbour and endangering themselves and others whilst being under the influence of alcohol.

If these licences are allowed to go ahead it just makes a mockery off the system and the communities inability to help or change anything.

We are trying to help our young people stay safe and also the rest of the community whilst going about their everyday business.

We would urge East Lothian Council not to grant these licences and add to an already overburdened police force.

Yours sincerely

Margaret Stewart
Secretary
MICC

On behalf of
Musselburgh & Inveresk Community Council.

