



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

**THURSDAY 26 MARCH 2026  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON  
& HYBRID MEETING FACILITY**

**1**

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**Board Members Present:**

Councillor LA Menzies  
Councillor F Dugdale  
Councillor N Gilbert (r)  
Councillor G McGuire (Convener)  
Councillor J McMillan (r)

**Clerk of the Licensing Board:**

Mr R Thompson, Solicitor

**Attending:**

Ms E Barclay, Democratic Services Assistant  
Ms S Fitzpatrick, Team Leader, Licensing and Landlord Registration  
Ms K Harling, Licensing Standards Officer  
Ms G Herkes, Licensing Officer  
PC M Upton, Police Scotland

**Committee Clerk:**

Ms L Gillie, Team Manager, Democratic and Licensing

**Apologies:**

Councillor L Bruce

**Declarations of Interest:**

None

The committee 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.

She also reminded members of the need to act in accordance with the Council's pre-election guidance and the Code of Recommended Practice on Local Authority Publicity due to being in the pre-election period for the 2026 Scottish Parliamentary Election.

The committee clerk recorded the attendance of Board members by roll call.

(r) remote participants

Councillor McMillan made a transparency statement advising that he had visited the golf courses included on the agenda in connection with the economy strategy of East Lothian Council. He also noted less formal links with the Golf Alliance and Scotland's Golf Coast and the Scottish Open.

**1. MINUTES FOR APPROVAL  
East Lothian Licensing Board, 26 February 2026**

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

**2. PROVISIONAL LICENCE  
Dunbar Golf Club, East Links Road, Dunbar (new clubhouse)**

Alistair Macdonald, Macdonald Licensing, Andrew David Little, Food and Beverage Manager and John Montgomery, Director of Golf were present. Mr Macdonald explained that the application was for the new club house, which is under construction, and hopefully available for use in October 2026. He advised the application had been kept as close as possible to the old club licence with a change being made to Sunday hours being one hour later. Mr Macdonald noted the 10am start time and stated that this was included in the old licence and was to enable golfers to have a drink before going out onto the course.

PC Upton, Police Scotland confirmed that they had no objections and no comment to make.

The Licensing Standards Officer (LSO) commented that the 10am start time highlighted by Mr Macdonald was on the old licence and that there had been no complaints. She concluded by stating that the premises appeared to be well run and there were no concerns.

In response to a question from Councillor McMillan Mr Little advised that they kept children and young people 1.5 metres away from the bar and that areas in the new clubhouse could be screened off to enable them to have a completely separate space.

Councillor Menzies asked about proxy sales on the course and was advised that there was no sale of alcohol on the course and they do not encourage alcohol going out onto the course. It was also highlighted that there are course marshals who would be able to see if alcohol is passed to a child.

Councillor Gilbert asked when they thought the new club house would be open and Mr Little stated they hoped it would be completed in September.

Members commented that they were happy to support the application.

**Decision**

The Board unanimously agreed to grant the Provisional Licence.

**3a. OCCASIONAL LICENCE**  
**Temporary Clubhouse, Dunbar Golf Club, Dunbar**

Alistair Macdonald, Macdonald Licensing, Andrew David Little, Food and Beverage Manager and John Montgomery, Director of Golf were present. Mr Macdonald advised that this application was for the temporary facility needed until the new clubhouse was completed. He noted that the request was for the licences to start on Friday 27 March but that the temporary facility may not open until Monday 30 March. Mr Macdonald added that times of 10am to 10pm were requested as it is felt unlikely that it will be booked for functions. He concluded by stating that additional occasional licences may be needed until the new clubhouse is completed.

PC Upton, Police Scotland confirmed that they had no objections and no comment to make.

The LSO stated that she had seen the porta cabins and that they were more than suitable and look like a fully functioning venue. She commented that the 10am start time reflected the time contained in the previous licence.

In response to questions from Councillor Gilbert Mr Montgomery advised that there were nine porta cabins in total and included the pro shop, an office, toilets and that the kitchen was external to meet health and safety regulations. The areas are connected by a covered walkway. He further advised of fencing around the new clubhouse for safety and that there were designated pathways to the first tee. It was also noted that the golf course had not changed but that it had moved around one hole, so the first hole becomes the eighteenth hole. It was highlighted that the porta cabins meet the requirements of their insurance.

In response to a question from Councillor McMillan it was stated CSQ, who are based in Edinburgh, had been used. They were described as having extensive knowledge and with experience of working with porta cabins. It was added that they want visitors to feel comfortable and to have as good an experience as they normally have, and that the reaction had been positive so far from visitors to the site.

Mr Little responded to a question from Councillor McGuire by stating that no CCTV would be in place, but that staff would monitor children and young people. He added that the calendar for the next six months was quiet, and a separate area would be set aside for any groups to keep them away from the bar.

Members commented that they would be happy to support the application with Councillor Dugdale noting that she was reassured by what she had heard from the LSO.

**Decision**

The Board unanimously agreed to grant the Occasional Licence applications.

**3b. OCCASIONAL LICENCE**  
**Seton Gardens, Seton Mains, Longniddry**

The applicant, Craig Wood, was present and began by advising that the custodians of the land, who he is separate from, had first applied for planning permission two years ago. There is an architect in place who last heard from planning in November regarding SEPA. Mr Wood highlighted that he had liaised with the licensing department and the LSO and contacted building control who would not consider a section 50 until planning

permission was in place. He concluded that he had contacted Environmental Health who had visited and were impressed with the facilities.

PC Upton, Police Scotland confirmed that they had no objections and no comment to make.

The LSO confirmed she was aware of the venue and had received no complaints.

Members commented that they were happy to support the application with Councillor Menzies commenting that she had been a guest at an event and had been very impressed. Council McMillan added that he was aware of the strong personal reputation of the applicant.

## **Decision**

The Board unanimously agreed to grant the Occasional Licence application.

### **3c. OCCASIONAL LICENCE Premier, Duns Road, Gifford**

The applicant, Prasanth Baskaran, was present with Brian McMahon, GNE Consultancy attending remotely. Mr McMahon began by advising that he was appearing on behalf of Gordon Emslie. He stated that they had obtained a section 50 from Environmental Health and were seeking a section 50 from Building Control. He advised that there were historic issues from when the premises was occupied and owned by the Co-op which resulted in building standards advising further action was required before a section 50 was granted. He addressed the layout amendment in the LSO report by stating that they intend to submit a variation at the time of lodging the confirmation. The amendment does not relate to any alcohol display area. Mr McMahon concluded by asking Board to grant the occasional licence to allow the business to continue operating while resolving the outstanding building warrant issues and completing the full application process

Mr Baskaran added that he had seen the complaint about building standards but that he did not know what that was and that he thought he had to pay something to the Council for the section 50.

PC Upton, Police Scotland, stated that this application had come in as a continuation of Occasional Licences and the police had not objected. He added that he had since become aware of the report from the LSO and the concerns noted. He concluded by saying he was to follow up on the concerns and would notify Board of any offences.

The LSO began by advising of two reports presented for this application. She also advised of a complaint received from Gifford Community Council on the viability of the shop, managerial competence and the ability to comply with licencing legislation. The LSO highlighted concerns relating to a staff member providing a false name, staff training and the amount of time Mr Baskaran spends working in the shop. She then provided a verbal update, not contained in the report, stating that she had visited the shop an additional two times and Mr Baskaran had not been present either time.

In response to questions from Councillor Menzies Mr Baskaran advised that the timings for the store are 10am to 10pm and customers must have photo ID if they look under 25. He added that they know the local people from the Gifford area and that they refused someone once and they did not come back. In response to a query on public safety Mr Baskaran stated that children do not hang around the shop, that he has no experience of shoplifters and staff are not trained in looking out for shoplifters. When

asked how often he was at the store Mr Baskaran stated he was there five or six hours and at home the rest of the time looking after his wife and baby. Mr Baskaran advised that his staff are trained in the time of sales, IDs and questions and answers and that he has training records in the shop.

The LSO stated that she had spoken with Mr Baskaran by phone and there had been no training records available in the shop. The LSO added that staff had been unable to show they had received any training and were not able to converse with her. It was repeated that training records were held in the shop, with the LSO responding to say no documentary evidence had been available.

Councillor McMillan expressed his concern that Mr Baskaran had said he didn't know what work was required by building standards and asked for an explanation of the extent of that work. Mr McMahan responded by advising that the Co-op had building warrant which was not confirmed but that they had been allowed to ignore this building warrant and put in a new application to undo it. Remedial work now needs to be completed to put a wall or structure back in place.

Councillor McMillan commented that the Community Council who had raised concerns were keen for shop to succeed but there were concerns about the management and stock levels. He also raised an issue with guttering on the property and asked if they were aware of this. Mr McMahan stated he would make sure Mr Emslie and Mr Baskaran looked at the issue. Mr McMahan advised that the landlord should be dealing with the building warrant and that they only provide advice in relation to licensing matters. He continued by stating he gave credit to Frank Fairgrieve from East Lothian Council as they were now clear about what needed to be done.

Councillor McMillan stated that Mr Emslie had previously spoken about supporting Mr Baskaran as part of the Sri Lankan community and that he felt disappointed in this. Mr McMahan stated he could not speak on behalf of Mr Emslie and added that although the two-hour training is not statutory, he would make a commitment to get the training completed, if not already done, and ensure it is recorded.

In response to a question about recruitment Mr McMahan stated that a community store is much more than just somewhere to go and buy bread and milk. Mr Baskaran advised that his staff were friends that he brought up from London. He stated that they had worked in an off licence for two or three years and that the licensing laws differ between England and Scotland. He concluded by saying that they were trying to book their personal licence course for the next day (Friday 27 March).

Councillor McMillan asked Mr Baskaran about the time spent in the shop and he replied by saying he did not have regular hours, weekdays only from 10 or 11 am. He advised that he brought stock with him when he came to the shop and had deliveries on Wednesday and Friday. On days when he needed to help his wife Mr Baskaran stated he came to the shop in the afternoon. Mr Baskaran added that he checks products for dates as losing products means losing money.

Councillor Gilbert asked when Mr Baskaran had been in the shop this week and he replied by saying he could not remember what time he had there on Tuesday but he had brought the van to restock items in the shop. When asked about Monday and Wednesday he stated that he had not been there on Monday but had been there on Wednesday evening.

Councillor Menzies queried the rules on alcohol prices and promotions. Mr Baskaran replied by saying that Scotland has a unit price that needs to be checked. Mr McMahan added that Premier take care of this for shops and when the price list is released, the price change is done before the start of the licence period, but the promotion would

always cover more than 72 hours. Councillor Menzies advised that the reason she had asked was to see if Mr Baskaran understood the 72 hours. She noted that staff would need to check if it hadn't been done and the item was removed for 72 hours until the price change had gone through.

In response to a question from Councillor McGuire Mr McMahon advised the Premier can put on one day specials or weekend specials whereas with alcohol Premier will always make sure that there are at least 72 hours and the price change should be done before they start the licence period

Mr McMahon suggested that a schedule over the next weeks for when Mr Baskaran is at the shop could be put together to give the LSO some reassurance

The Convener referred to Councillor McMillan's comments about the community wanting the shop to succeed and Mr Emslie saying he would be with Mr Baskaran to help him through this. He added that there was a real danger that the shop would close and that they are keen to help but that there have been a number of excuses over the last year. Mr McMahon replied to say that he would speak to Mr Emslie and that it was in the interest of Mr Baskaran for the shop to be a success.

The meeting was paused to allow members to discuss the application in private.

When members returned Councillors Menzies and Gibert commented on concerns about licensing objectives, how crime and disorder would be prevented and the issues raised in the LSO report. Councillor Menzies also commented that it was a criminal offence to obstruct the LSO by providing a false name. They stated they were minded to refuse the application.

Councillors Dugdale, McMillan and McGuire advised of their real concerns, the need for improvements and to take the licensing objectives seriously. Working with the LSO and police was highlighted as was the need for staff training with records being kept. Councillor McMillan commented that he does not feel this is a successful community shop and he hopes Mr Baskaran will take the opportunity to show he is competent.

## **Decision**

For: Councillors Dugdale, McGuire, McMillan

Against: Councillors Gilbert, Menzies

The Board agreed to grant the Occasional Licence by majority.

## **4. MAJOR VARIATION Renaissance Golf Club, Cowden Hill Drive, North Berwick**

Niall Hassard, Hassard Licensing and Jerry Sarvadi, co-founder and co-owner were present. Mr Hassard provided a short introduction to the golf club and stated his firm had been engaged following a visit from the LSO. He advised that some matters needed attention including gaps in documentation, which have been updated, licencing layout plans, site plans, updating some of the activities and the licenced hours particularly in relation to the service of breakfast. Mr Hassard added that there had been visits by the police and LSO during this. He then addressed the halfway house which contains a kitchen area, w.c. and food and drink including a small amount of alcoholic drinks. The halfway house will be staffed during the summer months but during winter guests will sign for food and drink consumed. Mr Hassard described several controls for when it is not staffed including regular housekeeping, access via a

keypad with the code only given to over 18s and non-members being chaperoned by a caddy. CCTV is also in place. He commented on the code of conduct and said that items would be logged against memberships and that any discrepancies would be seen on CCTV. Mr Hassard added that membership can be withdrawn from members who do not uphold the code of conduct and that the fridge would be screened and lockable with no access after 10pm.

PC Upton, Police Scotland confirmed that they had no objections, he also stated that he did not dispute the report by the LSO but the risk was considered to be low.

The LSO summarised her report. The start time of 9am was noted and the two related conditions in the report. The LSO stated that this did not pose any issues. She then commented on the halfway house not being staffed in the evening and during the winter months. The LSO mentioned two concerns with licensing conditions, 5 - authorisation of a sale and 9a - age verification policy. She also noted the possibility of codes being passed on and that CCTV was more reactive than proactive. The LSO concluded by adding a third condition to the application - that alcohol was only to be sold by a personal licence holder or trained member of staff.

Councillor Menzies asked if the club would be happy with the third condition and Mr Hassard replied that asked for it to be waived due to the reasons and risk analysis of the police. He added that the club know they are responsible.

In response to a further question from Councillor Menzies Mr Sarvadi stated that there have been occasions where membership has been suspended. He added that they have a zero tolerance policy.

In response to a question from Councillor Dugdale Mr Hassard advised that under 18s were allowed access only with an adult and that he could not think of any under 18s that play on their own. He added that there was no provision to have the sale of alcohol from the halfway house from 9am and that they accepted the condition on the sale of alcohol from 9am at the clubhouse with a plated meal.

Councillor McMillan noted that a halfway house had been in existence previously but not included on the licence and that he understood that the access code was known locally. He queried how regularly the code would be changed. Mr Hassard stated he could not say how often the code would be changed but that staff would be on the course and concerns about members behaviour would be raised. He added that having the halfway house staffed at all times would not work for the club and that staff would be there often to replenish food and drinks. He concluded by saying that events in the winter would be staffed.

Councillor Gilbert asked the LSO if she was aware of other self-service facilities in Scotland. She responded by saying that she was not aware of any in the surrounding areas but that she could not confirm that they do not exist in Scotland.

Councillor Dugdale asked about how information is shared with international members and Mr Hassard stated that members are greeted by staff, any communication would take place at this point.

The Convener questioned that as there was no knowledge of similar places in Scotland whether this would be setting a dangerous precedent. One club in East Lothian with a halfway house was mentioned but it was stated that this was believed to be staffed.

Councillor McMillan commented that he did not feel this was a dangerous precedent and that he would be minded to grant without the addition of condition 3. All other members commented they would be in support of all three conditions.

**Decision**

For, with conditions 1 and 2: Councillor McMillan

For, with conditions 1, 2 and 3: Councillors Dugdale, Gilbert, McGuire, Menzies

The Board agreed to grant the Major Variation by majority subject to the following conditions:

- Alcohol served between 09.00 – 11.00 hrs is to accompanied by a substantial plated meal with a limit of 2 drinks per person.
- Alcohol served between 09.00 – 11.00 hrs is to served only by the glass and not the bottle.
- Alcohol only to be sold at the halfway house by a personal licence holder or trained member of staff present there.

Signed

.....

Councillor G McGuire  
Convener of East Lothian Licensing Board



76962

EL 2475

PC/USD 29/4

SCHEDULE 2

APPLICATION FOR A PERSONAL LICENCE

FIRST APPLICATION / RENEWAL APPLICATION (delete as appropriate)

2

Before completing this form please read the guidance notes.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

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

1. YOUR PERSONAL DETAILS

If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) \_\_\_\_\_

Surname Rigby \_\_\_\_\_

Forenames Jack Maxwell \_\_\_\_\_

Date and place of birth [REDACTED] \_\_\_\_\_

National Insurance No. [REDACTED] \_\_\_\_\_

Address where ordinarily resident to be used for correspondence purposes

[REDACTED] \_\_\_\_\_

\_\_\_\_\_

Post town [REDACTED] Post code [REDACTED] \_\_\_\_\_

East Lothian Council  
Licensing

www.eastlothian.gov.uk

28 APR 2026

Received

**1. PERSONAL DETAILS (cont)**

Telephone Numbers

Daytime Tel. \_\_\_\_\_ Evening Tel. \_\_\_\_\_

Mobile No. [REDACTED] \_\_\_\_\_

Fax No. \_\_\_\_\_ Email [REDACTED] \_\_\_\_\_

Address for correspondence associated with this application  
(if different to the address above)

Licensing Training

21a Rutland Square

Post town Edinburgh Post code EH1 2BB

**2. YOUR LICENSING QUALIFICATION (Read note 2)**

I hold an accredited qualification (please tick) YES  NO

If you have ticked yes please provide a copy of your qualification with your application.

**3. FIRST APPLICATIONS ONLY**

This section should only be completed if you are submitting your first application to this Licensing Board. If answering Yes to any question please provide details below. **Note: You may only hold one personal licence at a time.**

Do you currently hold a personal licence? YES  NO

Do you currently have any outstanding applications for a personal licence, with this or any other Licensing Board? YES  NO

Has any personal licence held by you been forfeited in the last 5 years? YES  NO

Licensing Board \_\_\_\_\_ Licence number \_\_\_\_\_

Date of issue \_\_\_\_\_ Date of expiry \_\_\_\_\_

Any further details \_\_\_\_\_

#### 4. RENEWAL ONLY

**This section should be completed only if you are applying for a renewal of your existing licence.** Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below.

##### Details of current personal licence

Licensing Board \_\_\_\_\_ Licence number \_\_\_\_\_

Date of issue \_\_\_\_\_ Date of expiry \_\_\_\_\_

Any further details \_\_\_\_\_

If you cannot provide your personal licence, provide a statement explaining why

**Other personal licence** Note: You may only hold one personal licence at a time

I confirm that I do not hold any other personal licences other than the one submitted for renewal

YES  NO

## 5. CHECKLIST

I have (please tick if yes)

- Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3. YES
- Enclosed a copy of any licensing qualification I hold YES
- Enclosed my current personal licence (renewal only) YES
- Made or enclosed payment of the fee for the application YES

## 6. Previous Convictions

You must provide details below of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. Please continue on a separate sheet if necessary. If you are declaring that you have no such convictions please write "none". Read note 4

NAME	DATE	COURT	OFFENCE	SENTENCE

**7. Declaration**

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

Signature (read Note 5



Applicant / ~~Agent~~ (Delete as appropriate)

Date

14. 4. 26

I understand that East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. East Lothian Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.



I CERTIFY THIS IS A  
TRUE LIKENESS OF  
JACK RIGBY

JILL DUNN  
LICENSING TRAINING  
14.04.2026

**Highfield Qualifications**

Certifies that

*Jack M Rigby*

has successfully passed an assessment in

**Scottish Certificate for Personal Licence Holders at  
SCQF Level 6**

Qualification number R654 04

Date of award 23 April 2026

Certificate number PLH8829625

LICENSING TRAINING SERVICES LTD

Course Director

Training Organisation



Jason Sprenger - Chief Executive  
Highfield Qualifications



This qualification has been SCQF credit rated by Qualifications Scotland Accreditation.

06/05/2026

Your Ref: EL2475

Our Ref: 1011224

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  
PERSONAL LICENCE  
JACK MAXWELL RIGBY, [REDACTED]**

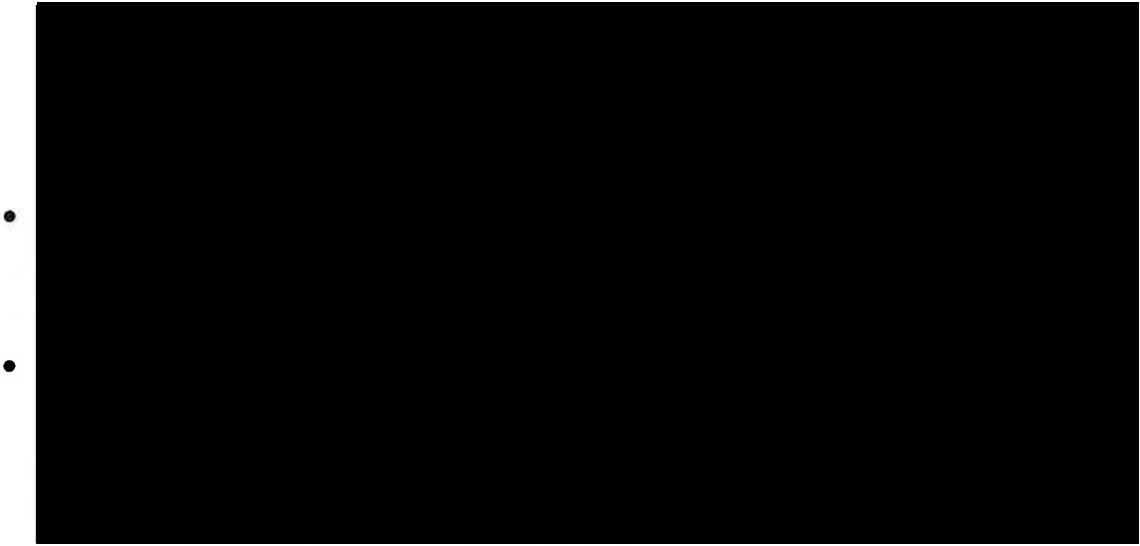
I refer to the above application and in terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005, I have to advise you that, based upon the information provided to Police Scotland, the applicant has been convicted of the following relevant offence.

Date	Court	Crime/Offence	Disposal
[REDACTED]			

The details of this offence are as follows:

- [REDACTED]
- [REDACTED]

OFFICIAL



The applicant disclosed this conviction on his application form. Other than this conviction, the applicant has had no other dealings with police.

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

Yours faithfully



Gregg Banks  
Divisional Commander

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

**Herkes, Gillian**

---

**From:** Licensing Standards Officer  
**Sent:** 29 April 2026 15:15  
**To:** Licensing  
**Subject:** RE: EL2475

Hi,

No LSO comment. I note the conviction however police discretion as to report on application

Thanks,

Karen

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

Email: [LSO@eastlothian.gov.uk](mailto:LSO@eastlothian.gov.uk)  
Website: [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

Tel: 01620 827827 (switch board)

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

*Please note the LSO is not permitted to provide legal advice and can only assist you with guidance as to what is required under licensing legislation . It is recommended that you consult with a licensing agent or solicitor if you require legal advice on matters.*

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**From:** Licensing <[licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)>  
**Sent:** 29 April 2026 10:59  
**To:** Lothian Scot Borders Licensing East Mid Lothian  
<[lothianscotborderlicensingeastmid@scotland.police.uk](mailto:lothianscotborderlicensingeastmid@scotland.police.uk)>; Licensing Standards Officer  
<[lso@eastlothian.gov.uk](mailto:lso@eastlothian.gov.uk)>  
**Subject:** EL2475

Hi

Personal licence application for Jack Rigby EL2475 for report.

Gillian Herkes  
Licensing Officer  
Democratic & Licensing Services  
John Muir House  
Haddington  
East Lothian Council

EL2463

44799



Pdca/L50  
25/3/26

SCHEDULE 2

APPLICATION FOR A PERSONAL LICENCE

FIRST APPLICATION / ~~RENEWAL APPLICATION~~ (delete as appropriate)

3

Before completing this form please read the guidance notes.

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1. YOUR PERSONAL DETAILS

If relevant please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary. Read note 1

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) \_\_\_\_\_

Surname Gargaro

Forenames Richard

Date and place of birth [REDACTED]

National Insurance No. [REDACTED]

Address where ordinarily resident to be used for correspondence purposes

[REDACTED]

Post town [REDACTED] Post code [REDACTED]

East Lothian Council  
Licensing

www.eastlothian.gov.uk

24 MAR 2026



Licensing Board \_\_\_\_\_ Licence number \_\_\_\_\_

Date of issue \_\_\_\_\_ Date of expiry \_\_\_\_\_

Any further details \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

#### 4. RENEWAL ONLY

**This section should be completed only if you are applying for a renewal of your existing licence.** Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below.

##### Details of current personal licence

Licensing Board \_\_\_\_\_ Licence number \_\_\_\_\_

Date of issue \_\_\_\_\_ Date of expiry \_\_\_\_\_

Any further details \_\_\_\_\_

\_\_\_\_\_

If you cannot provide your personal licence, provide a statement explaining why

\_\_\_\_\_

\_\_\_\_\_

**Other personal licence** Note: You may only hold one personal licence at a time

I confirm that I do not hold any other personal licences other than the one submitted for renewal

YES  NO

\_\_\_\_\_

## 5. CHECKLIST

I have (please tick if yes)

- Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a person of standing in the community. Read note 3. YES
- Enclosed a copy of any licensing qualification I hold YES
- Enclosed my current personal licence (renewal only) YES
- Made or enclosed payment of the fee for the application YES

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NAME	DATE	COURT	OFFENCE	SENTENCE
NONE				

**7. Declaration**

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

Signature (read Note 5)



Applicant / ~~Agent~~ (Delete as appropriate)

Date 11<sup>th</sup> MARCH 2020

I understand that East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information I have provided on this form for the prevention and detection of fraud. East Lothian Council may also share this information with other bodies responsible for auditing or administering public funds for these purposes.



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RICHARD GARGARO

JILL DUNN  
LICENSING TRAINING  
11.03.2026

## **Highfield Qualifications**

Certifies that

*Richard Gargaro*

has successfully passed an assessment in

**Scottish Certificate for Personal Licence Holders at  
SCQF Level 6**

Qualification number R654 04

Date of award 24 March 2026

Certificate number PLH8829607

LICENSING TRAINING SERVICES LTD

Course Director

Training Organisation



Jason Sprenger - Chief Executive  
Highfield Qualifications



scottish credit and  
qualifications framework



This qualification has been SCQF credit rated by Qualifications Scotland Accreditation.

13/05/2026

Your Ref: EL2463

Our Ref: 1002368

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  
PERSONAL LICENCE  
RICHARD GARGARO, [REDACTED]**

I refer to the above application.

In terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I give notice that, based upon the information provided and as far as the Chief Constable is aware, the applicant has a pending case for the following offences

Date	Court	Crime/Offence	Disposal
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**OFFICIAL**

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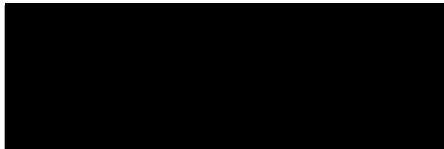
I am unable to confirm the existence of any foreign offence in respect of the applicant.

In terms of Section 73(5) of the 2005 Act the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application:-

Police are of the opinion that this licence should not be granted in light of this pending case, and would recommend any decision in respect of this application be continued until the criminal case has run its course.

The Chief Constable accordingly makes a recommendation to that effect in terms of section 73(4) of the 2005 Act.

Yours faithfully



Gregg Banks  
Divisional Commander

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

## Herkes, Gillian

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**From:** Licensing Standards Officer  
**Sent:** 01 April 2026 13:02  
**To:** Licensing  
**Subject:** RE: EL2463 Personal Licence Application Richard Gargaro

Hi,

No LSO comment.

Thanks,

Karen

### **Licensing Standards Officer**

Trading Standards  
Protective Services  
Communities & Partnerships

Email: [LSO@eastlothian.gov.uk](mailto:LSO@eastlothian.gov.uk)  
Website: [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

Tel: 01620 827827 (switch board)

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

*Please note the LSO is not permitted to provide legal advice and can only assist you with guidance as to what is required under licensing legislation . It is recommended that you consult with a licensing agent or solicitor if you require legal advice on matters.*

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**From:** Licensing <[licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)>  
**Sent:** 25 March 2026 11:47  
**To:** Lothian and Borders Police ([lothianscotborderslicensingeastmid@scotland.pnn.police.uk](mailto:lothianscotborderslicensingeastmid@scotland.pnn.police.uk))  
<[lothianscotborderslicensingeastmid@scotland.pnn.police.uk](mailto:lothianscotborderslicensingeastmid@scotland.pnn.police.uk)>; Licensing Standards Officer  
<[lso@eastlothian.gov.uk](mailto:lso@eastlothian.gov.uk)>  
**Subject:** EL2463 Personal Licence Application Richard Gargaro

Good Morning, please find attached personal licence application for Richard Gargaro for report.

Kind Regards

Arlene

| Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664  
| E. [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)

# EAST LoTHIAN COUNCIL

## Licensing Standards

From: Licensing Standards Officer

To: C. Grilli  
Clerk to the Licensing Board

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Date: 28<sup>th</sup> April 2026

Subject: LICENSING (SCOTLAND) ACT 2005

**4**

PREMISES LICENCE REVIEW APPLICATION

PREMISES LICENCE NO EL0140, CARA DAVIES

THE BEAR & BULL, 72 HIGH STREET, DUNBAR, EAST LoTHIAN, EH42 1JH

I make application in terms of Section 36(1) and 36(4) on the grounds specified in Section 36(3)(a), 36(3)(b) and 36(3)(za) of the Licensing (Scotland) Act 2005 to the East Lothian Licensing Board to review the Premises Licence in respect of the above premises.

I have prepared this report outlining information relevant to the review for the consideration of Licensing Board Members.

Licensing Standards Officer

## Premises Licence Review Application

Premises Licence No. EL0140

Premises Licence Holder – Cara Davies  
The Bear & Bull, 72 High Street, Dunbar, East Lothian

### Premises Background

On 20<sup>th</sup> September 2019, premises licence number EL0140 – The Bear & Bull was transferred to Cara Davies.

On 11<sup>th</sup> October 2022, Sharon Johnston was appointed premises manager.

### Timeline of Events

#### **30<sup>th</sup> January 2026 – Complaint - Irresponsible drinks promotion and price variation Breach of premises licence condition 8(e) and 7**

A complaint was submitted to the Licensing department with a screenshot of a social media post (see appendix 1). The post advertised “50% off all drinks when you buy a breakfast, lunch or dinner, cocktails, mocktails, wines, beers, spirits, pints, coffee, every single liquid item we have in stock is 50% off”, “note re the promotion a food item must be purchased to avail 50% discount on your drinks bill. Can be used for dine-in or take away”

I contacted the premises licence holder Cara Davies and premises manager Sharon Johnston by email and explained that this was a breach of several premises licence conditions as follows:

*Condition 7 - Where the price at which any alcohol sold on the premises for consumption on the premises is varied—*

*(a) the variation (referred to in this paragraph as “the earlier price variation”) may be brought into effect only at the beginning of a period of licensed hours, and*

*(b) no further variation of the price at which that or any other alcohol is sold on the premises for consumption on the premises may be brought into effect before the expiry of the period of 72 hours beginning with the coming into effect of the earlier price variation.*

The price variation was advertised only on the condition if food was bought, this resulted in all products being sold at two different prices and was not dependant on a category of person such as a loyalty scheme or discount for students. The price variation was advertised for only one day and so breached the 72-hour period that is required. Guidance was sent to Ms Davies and Ms Johnston by email in relation to the price variation and drinks promotions conditions. It was only Ms Davies that replied. Guidance was also given to ensure that minimum unit pricing was not breached. Ms Davies as premises licence holder, was guided to remove the promotion completely, however, I understand that the promotion was changed to 50% off all drinks from Friday – Sunday.

In addition, I believe the promotion breached condition 8(e) as an irresponsible drinks promotion and was inconsistent with the licensing objective of protecting and promoting public health:

*8(1) An irresponsible drinks promotion must not be carried on in or in connection with the premises.  
(2) Subject to sub-paragraph (3), a drinks promotion is irresponsible if it—*

*(e) - encourages, or seeks to encourage, a person to buy or consume a larger measure of alcohol than the person had otherwise intended to buy or consume,*

The post was enthusiastic, with sections highlighted with emojis of stars, and infers a one-off special event with a large discount on alcohol, even if this was altered to be compliant with the price variation condition. By applying such a large discount on all alcohol this would encourage some patrons to buy and consume larger measures of alcohol than they would of at full price. The promotion seems inconsistent with the licensing objective of protecting and improving public health. The wording of the post also infers that alcohol is available during breakfast service, whilst I don't think this was the intention as the premises is licensed from 11am onwards, the wording has been unclear and there is no clarification of the hour's alcohol will be discounted.

Ms Davies was guided to seek legal advice and consider all promotions and price changes carefully before advertising. I did not receive any correspondence from Ms Johnston.

#### **15th March 2026 – Complaint - Irresponsible drinks promotion Breach of premises licence condition 8(h)**

A complaint was submitted to the Licensing department with a screenshot of a social media post (see appendix 2). The post advertised a treasure hunt around Dunbar for vouchers to be redeemed at the premises. Included were vouchers for “fizz (over 18 only)”. It was established from the comments this was for glasses of prosecco. This was a breach of premises licence condition 8(h):

*8(1) An irresponsible drinks promotion must not be carried on in or in connection with the premises.  
(2) Subject to sub-paragraph (3), a drinks promotion is irresponsible if it—*

*(h) offers alcohol as a reward or prize, unless the alcohol is in a sealed container and consumed off the premises.*

The alcohol was a prize for taking part and finding the voucher during the scavenger hunt. The voucher was to be redeemed for prosecco to be consumed on the premises.

As this was the second breach of condition 8 (irresponsible drinks promotions) I issued a Section 14 compliance notice (appendix 3) on Wednesday 18<sup>th</sup> March 2026. The notice details the breach of the condition and what remedial action is required:

**The premises manager and all staff authorised to sell or serve alcohol are to be trained specifically in relation to the mandatory licence conditions relating to irresponsible promotions and pricing of alcohol. A record of that training is to be created and kept by the premises licence holder on the premises to be viewed by the LSO or police. In addition, there should be on the premises an alcohol management plan that specifically details its approach to irresponsible promotions and price changes.**

The notice was sent by email to Ms Davies and Ms Johnstone, detailing the actions to be taken to remedy the situation, to be completed by 20<sup>th</sup> April 2026.

Following receipt of the email and notice I spoke with Ms Davies on the phone. We discussed the breach and promotion it related to. Ms Davies informed me that she had not posted the promotion and that it had been a caterer working at the premises that had ran the event and scavenger hunt. I informed her that she was responsible as it related to her premises where the alcohol was given. I expressed my concerns that she was unaware of the promotion. I explained that the notice is a compliance notice issued to try and get things back on track and should be complied with. We discussed doing supplementary training with staff on irresponsible promotions/price changes and I asked she let me know once it was done. I asked that Jamie from Back Yard Slice will be provided with the mandatory 2 hours staff training by a personal licence holder as well as the additional training on promotions. I explained a short alcohol management plan for promotions is to be completed. It should detail that promotions need to be checked against the premises licence conditions and authorised by the premises manager. I guided Ms Davies that if she was unsure about anything to contact myself or the licensing team. Ms Davies agreed with this course of action, and I sent a follow up email detailing the content of the conversation. At no time during this conversation did Ms Davies tell me that Ms Johnston the premises manager had left, despite being aware that she had been sent previous emails and the notice, asking that promotions were authorised by the premises manager. This was an active attempt to obstruct me in my role and failure to be truthful.

#### **23<sup>rd</sup> March 2026 – Email from Sharon Johnstone**

In reply to the section 14 notice, I received an email from Sharon Johnstone who is detailed as premises manager on the premises licence. The email stated that she resigned from her position at the premises on 16<sup>th</sup> August 2024 (19 months previously). She took up employment elsewhere following her departure. She informed me that she had recently worked 4 shifts between January and March at The Bear and Bull and linked premises, but it was not in the role of premises manager.

I spoke with Ms Johnstone on the phone and clarified the situation. She stated that she had spoken to Ms Davies about the email with the section 14 notice and was told by Ms Davies that she would sort things and to ignore it.

#### **26<sup>th</sup> March 2026 – Complaint – Irresponsible Drinks Promotion**

A complaint was submitted to the Licensing Department with a screenshot of a social media post (see appendix 4). The post advertised karaoke on Friday nights at the premises with wording “Think cocktails, karaoke/open mic & maybe even a glitter ball! Weekend long drinks promotions & just great vibes”. The post also advertised “will be a drink on the house for every singer tomorrow night”

The offer of the drink for singers was another breach of condition 8(h) as again alcohol was being given as a prize or reward and was not within a sealed container to be consumed off the premises. This is the same condition that was breached on 15<sup>th</sup> March which Ms Davies had previously been issued with a section 14 compliance notice and guidance on.

#### **30<sup>th</sup> March 2026 – Premises Inspection by LSO accompanied by Trading Standards Officer, breach of premises licence conditions 4, 6, 8(h), 9A, 11, failure to display notice (section 110), failure to display and produce premises licence (section 52)**

Around 1300 hours, an unannounced inspection was carried out at the premises. At the time Ms Davies was working alone. On speaking with her I informed her that I was aware that Ms Johnston

had left her position as premises manager in 2024. Ms Davies initially disputed this, claiming that she was back working at the premises. I made it clear that I had spoken with Ms Johnstone and she had stated that she left the premises for other employment in 2024. I informed Ms Davies that selling alcohol without a premises manager was a breach of mandatory premises licence condition 4 and that she should cease the sale of alcohol immediately. There were a few customers having a meal and so she closed the premises once they were finished.

I asked Ms Davies to produce the premises licence, operating plan and layout plan as well as staff training records. She was unable to do so but advised that the documents were at her other licensed premises across the road and that a staff member would bring them. None of the required signage was displayed in the premises, there was no children access/terms sign, and no challenge 25 signs, no section 110 sign, and the summary of premises licence was not displayed.

The member of staff returned but could not produce the premises licence, summary of premises licence, operating plan or the full layout plan including the outside area. I was shown 22 training records, however these were not the required format and wording and a version had just been made up. They had been signed by a personal licence holder who is the premises manager at the linked premises. I was shown the training material which seemed insufficient and missed out topics that should be included, such as definition of alcohol, functions of an LSO, premises licence conditions, special provisions for clubs, offences under the act, test purchasing and sensible drinking limits. This was a breach of mandatory premises licence 6. Guidance was given for all staff to receive the correct 2 hours mandatory training by a personal licence holder, and I recommended that a better resource was used to do this.

There was no training record for Ms Davies who was working on the premises and as such this was a further breach of mandatory premises licence condition 6.

No age verification policy was in place, and Ms Davies was provided with a template to complete with staff. This was a breach of mandatory premises licence condition 9A.

I discussed the karaoke promotion of a drink for every singer with Ms Davies. I outlined that this was another breach of condition 8(h). I informed her that I had real concerns that she was not understanding licensing requirements and that she should seek legal advice immediately from a suitably qualified solicitor. Ms Davies admitted her knowledge on licensing was poor and that she found organising and prioritising things hard. She showed me a certificate on her phone that she had completed the personal licence holder course but had not yet got around to applying for her personal licence.

I explained to Ms Davies that there should be no further sales of alcohol until a new premises manager was appointed and staff training had been completed. She proposed appointing Katrina Crosby who works at the premises and has a personal licence. I advised she meet with her to discuss this and thereafter I would like a phone conversation with Ms Crosby to ensure she understood her responsibilities in the role.

Ms Davies at this point was informed that it was my intention to submit a premises licence review application to the Licensing Board under section 36 detailing my findings at the visit and the repeat breaches of the premises licence conditions, failure to uphold the licensing objective and if she was a fit and proper person to hold a premises licence. I advised her to seek legal advice.

Following the inspection Ms Davies was sent an inspection report with actions to complete, and Police Licensing Officer PC Upton was informed of the offences found at the inspection.

I received email correspondence from Ms Davies that Ms Crosby was happy to take on the role of premises manager. I spoke with Ms Crosby on the phone, and she outlined that she had experience working in licensed premises. I explained her responsibilities, and she assured me she was capable of fulfilling the requirements of the role.

On 1<sup>st</sup> April 2026, Ms Crombie was appointed premises manager by way of minor variation, and the premises was able to sell alcohol again.

### **20<sup>th</sup> April 2026 – Pre-arranged follow up inspection – accompanied by additional LSO**

At 0915 am I attended an arranged inspection with Ms Davies and Ms Crosby. The previous issues with documentation had been rectified, the premises licence, operating plan and layout plan were available. Training books and correct training records were shown for 4 staff including Ms Davies. The additional training on irresponsible drinks promotions for staff and a record of this had not been completed. There was no alcohol management plan detailing the approach on how to deal with drinks promotions. Therefore, the section 14 notice had not been complied with.

Ms Davies was again notified that a premises licence review application would now be submitted to the Licensing Board. I highlighted that the problems all seem to have occurred due to the absence of a premises manager to manage the premises and make sure that all the required training was completed. I detailed it had been a significant period that the premises had sold alcohol without a premises manager and that breaches of the premises licence conditions is a criminal offence. Ms Davies commented that she didn't tell me that the premises manager had left as she was trying to buy herself some time before I realised. She admitted that she knew it would have been a simple application and that she didn't realise the severity of the failure.

### **Summary**

The circumstances above show that the premises licence holder has failed in her responsibilities. Her actions have shown a disregard for licensing law and the licensing objectives. There was an attempt to obstruct a Licensing Standards Officer by not disclosing during conversations and emails that the premises manager had left over 18 months prior.

This review application is presented to you, following breaches of conditions on the premises licence, the failure to take the remedial action detailed on a notice issued, as well as grounds relevant to the licensing objectives in particular preventing crime and disorder, protecting and improving public health and protecting children and young persons from harm. As a result, consideration should be made if the premises licence holder is a fit and proper person to hold a premises licence as per Section 36 below.

*36 (3) The grounds for review referred to in subsection (1) are—*

*(za) that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a premises licence,*

*(a) that one or more of the conditions to which the premises licence is subject has been breached, or  
(b) any other ground relevant to one or more of the licensing objectives.*

In total 7 premises licence conditions have been breached and irresponsible drinks promotions continued even after guidance was given, a section 14 notice was issued, and Ms Davies was guided to seek legal advice.

Most of the failings could have been avoided by appointing a suitable premises manager who holds a personal licence to manage the premises in August 2024. This shows how crucial this requirement is to uphold the licensing objectives and remain compliant with the premises licence conditions.

Improvements have been made and were seen at the follow up visit on 20th April, however, there has still been failure to comply with the section 14 notice issued. Mismanagement of this premises has occurred for some time. I understand that Ms Davies has sought legal advice, to now assist her.

I ask the board, to consider all the information given, in their deliberations and decision on this matter.

Licensing Standards Officer

## Appendix 1



The Bear & Bull

55m • 🌐



✨ This Friday 30 Jan get 50% off all drinks when you buy a breakfast, lunch or dinner item ✨

✨ Cocktails, Mocktails, Wines, Beers, Spirits, Pints, Coffees, every single liquid item we have in stock is 50% off.

✨ Why!? Because it's the end of January & it's miserable so come join us for our one. For our ONE NIGHT ONLY JANUARY SALE!

✨ And if you order PIZZA 🍕 before 5pm on Friday or Saturday you will get a portion of free fries too!

✨ Jamie's Backyard Slice is with us 4-8.30 Friday and Saturday.

☂️ We are open Friday to Monday during this lovely winter season. Back open to 7 days in the spring summer ☀️

✨ Note re the promotion. A food item must be purchased to avail 50% discount on your drinks bill.

✨ Can be used for dine in or take away.

📩 DM to book

And on Sunday we have Spartan Greek Street Food with us from 11-3 😊 ✨



## Appendix 2



**DUNBAR EVENTS**

Jamie's Backyard Slice · 4m · 🌐



**Jamie's Backyard Slice is in Dunbar.** · Follow

10h · 🌐



**TREASURE HUNT IS LIVE!**



There are 13 to find today. All around the town centre and harbour plus a few in The Bear and Bull. Prizes include:



pizzas



fries

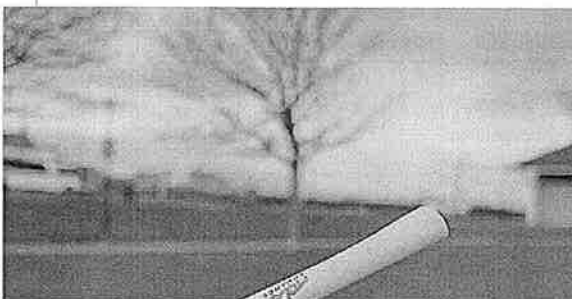
fizz (over 18s only!)

PLUS there is a £25 voucher for a JBS pizza night @thebearandbullcafeandbar

When you find one open it up to see what you have won, and let us know in the comments where you found it!

Today it's all in aid of @mariecurieuk so please pop in to @thebearandbullcafeandbar to grab a coffee, cake or just donate. Everything we make between 9-12 this morning will go to the charity.

Thanks everyone!



## Appendix 3



### LICENSING (SCOTLAND) ACT 2005 COMPLIANCE NOTICE UNDER SECTION 14

Notice is hereby given in terms of Section 14 (2)(a)(i) of the above Act and is issued by Karen Harting a Licensing Standards Officer for East Lothian.

This notice requires action to be taken by the Licence Holder to remedy the breaches of the licensing conditions to which the Premises Licence is subject outlined below. Failure to do so to the satisfaction of the Licensing Standards Officer within the time allowed for compliance (if any) will result in an application to East Lothian Licensing Board for a review of the Premises Licence.

Premises Licence Holder & Licence No:	EL0404
Premises Name and Address:	The Bear and Bull, 72 High Street, Dunbar
Date & Time Notice Issued:	18 <sup>th</sup> March 2026, 11:30am
Premises Manager Details:	Sharon Elizabeth Johnston
Manner of service:	By Post and E-mail

#### Details of Breach of Condition and Remedy

*Licensing Standards Officer should detail the condition(s) breached and describe the remedial action required to be taken in order to comply with this notice.\**

#### Condition(s)

8(1) An irresponsible drinks promotion must not be carried on in or in connection with the premises.

(2) Subject to sub-paragraph (3), a drinks promotion is irresponsible if it—

(h) offers alcohol as a reward or prize, unless the alcohol is in a sealed container and consumed off the premises.

#### Breach

On Sunday 15<sup>th</sup> March a scavenger hunt was advertised and conducted from the premises alongside Jamie's Backyard Slice – copy of social media post attached. The scavenger hunt included vouchers that were hidden around Dunbar town. Some vouchers were for the supply of alcohol (glass(es) of prosecco) to be consumed at the premises as a prize. This is a breach of the above mandatory premises licence condition.

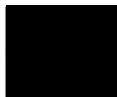
Previously on 29<sup>th</sup> January 2026 promotion that breached condition 7 (pricing of alcohol) was also identified and stopped.

#### Remedy

The premises manager and all staff authorised to sell or serve alcohol are to be trained specifically in relation to the mandatory licence conditions relating to irresponsible promotions and pricing of alcohol. A record of that training is to be created and kept by the premises licence holder on the premises to be viewed by the LSO or police. In addition, there should be on the premises an alcohol management plan that specifically details its approach to irresponsible promotions and price changes.

\* If you are uncertain about what action you need to take in relation to this notice you should seek legal advice from a qualified solicitor.

Evidence of the above training and the alcohol management plan should be sent to the LSO by Friday 17<sup>th</sup> April 2026.

REQUIREMENT TO COMPLY	
With Immediate Effect:	NO
(or) Comply By:	Date: 20 <sup>th</sup> April 2026
Licensing Standards Officer (Print Name & Signature)	Where served personally or left at premises Notice Received by (Print Name & Signature)
 ..... Karen Harling Telephone : 01620 827478	Name..... Signature.....


### Important Note

If this notice is not complied with within the specified timescale your Premises Licence will be subject of a review application in terms of Section 36 of The Licensing (Scotland) Act, 2005. This will result in a hearing before the Licensing Board to consider what if any steps are necessary to secure compliance with the Licensing (Scotland) Act, 2005.

The range of options open to the Licensing Board include :

- (a) Issuing a written warning
- (b) Making a variation of the licence
- (c) Suspension of the licence for such a period as the Board may determine
- (d) Revoking the licence

## Appendix 4

 The Bear & Bull  
14m · 🌐

👋 It's going to be a new Friday thing 🎤

🗓️ Karaoke every Friday from 9pm 🗓️

🎤 Keira & Cara (me 😊) decided we wanted to setup a Karaoke every Friday night at The Bear & Bull just for the fun of it and if any of you want to join us, you know where to find us!

👋 As soon as Jamie's Backyard Slice is done feeding everyone we will be ready to sing the night away.

🎉 Think cocktails, karaoke / Open mic & maybe even a glitter ball! Weekend long drinks promotions & just great vibes.

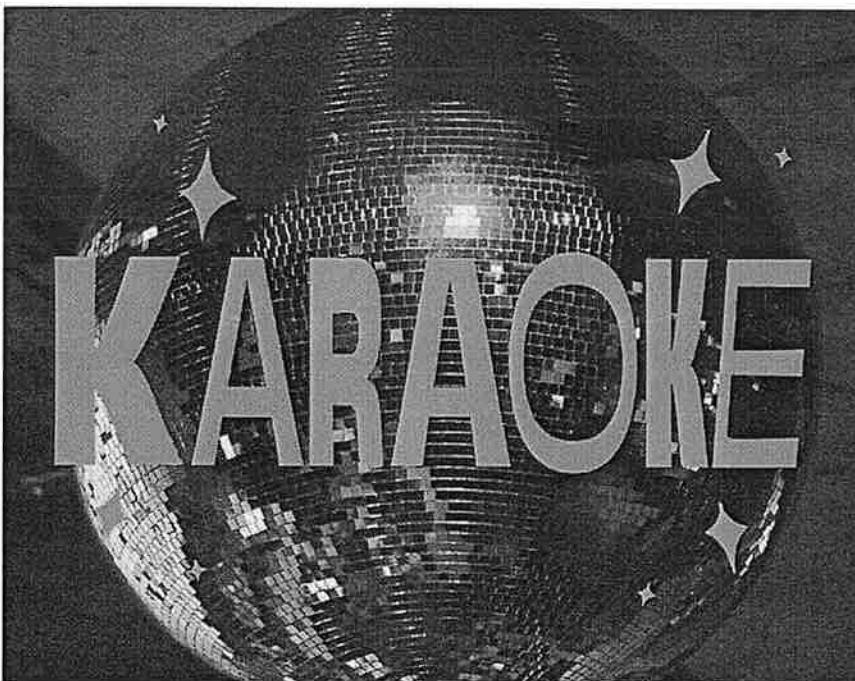
Last orders for pizza is 8.30 so why not join us for dinner, stay for the bants, sing songs & be merry 🎤 🍷.

🍹 Will be a drink on the house for every singer tomorrow night.

📅 As always bookings recommended especially for dinner.

Lots of Karaoke love from your new Karaoke Queenzzzz!!

Keira & Cara 🤳 🤳



12/05/2026

Your Ref: EL104

Our Ref: 28309

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,

**LICENCE NO: EL104**  
**PREMISES: BEAR AND BULL**  
**72 HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1JH.**  
**PREMISES LICENCE HOLDER: CARA JED DAVIES**

Regarding the LSO's application for the premises licence for The Bear and Bull, 72 High Street, Dunbar to be reviewed, I report as follows:

There have been 3 incidents to the premises since June 2022:

**PS-20220625-4274** – report of a fight ongoing, police attended immediately, nothing ongoing on police arrival.

**PS-20240518-4709** – report of excessive noise, police attended and asked the DJ to turn the music down, which they did.

**PS-20260131-0774** – vandalism reported by the premises, did not occur during open hours.

The LSO received complaints on 30<sup>th</sup> January 2026, 15<sup>th</sup> March 2026 and 26<sup>th</sup> March 2026 about three separate irresponsible drinks promotions.

The PLH, Cara Davies was contacted by the LSO in respect of the first irresponsible promotion, The LSO provided guidance and advised the PLH to remove the drinks promotion, this was not done, instead the promotion was extended to three days.

## OFFICIAL

In respect of the second irresponsible promotion, the PLH told the LSO that she was not aware of this post, further guidance was provided by the LSO and the PLH was issued with a section 14 compliance notice. The notice required the PLH, DPM and staff to undertake training specifically about irresponsible drinks promotions and an alcohol management plan was to be drawn up and kept on the premises.

The third irresponsible drinks promotion was posted on facebook while the s14 compliance notice was still in place, indicating the PLH has either disregarded or not understood the notice.

The LSO's interactions with the PLH and subsequent enquiries established there has been no DPM in place at the premises since 2024. This is an offence in terms of section 1 and schedule 3, paragraph 4 of the Licensing (Scotland) Act 2005.

The LSO first began communicating with the PLH in January 2026 by e-mail, copying in the DPM that was no longer in place. The PLH has not told the LSO that there was no DPM in place at any time throughout these communications.

The LSO carried out an inspection at the premise on 30<sup>th</sup> March 2026 and notified the PLH that the LSO was aware no DPM had been in place since 2024, the PLH claimed that DPM (Ms Johnstone) was still in place. The LSO had already confirmed with the DPM that they had left and did not intend to return. The PLH was instructed to cease alcohol sales at this time.

During the same inspection none of the required documentation was available and none of the correct signage was on display, training records were not up to standard.

There were no training records for the PLH who was working at the time and no age verification policy in place.

On 1<sup>st</sup> April 2026 a new DPM was appointed, and alcohol sales commenced at the premises.

On 20<sup>th</sup> April 2026 the LSO carried out a follow-up inspection. Documentation and training records were in order. However there was no record of the additional training stipulated in the section 14 notice on irresponsible drinks promotions, nor was an alcohol management plan in place.

The LSO's report outlines that despite being notified repeatedly that their actions were not compliant with the Licensing (Scotland) Act 2005, and despite guidance provided by the LSO, the PLH has continued to allow irresponsible drinks promotions to take place and has not complied with the section 14 notice.

PC Upton has spoken with the PLH and she does not dispute the fact that the premises has been without a DPM since 2024.

**OFFICIAL**

To establish whether there has been an attempt to obstruct the LSO would require further investigation.

However, I am of the opinion that the LSO's application, which I am in full support of, furnishes the board with enough information to determine what action to take in respect of the Premises Licence.

A criminal investigation at this time would not be in the public interest, and is not required to establish the facts. Furthermore any prosecution could take up to a year or more to run its course, which could significantly delay any suitable action being taken by the board in respect of this premises.

Yours faithfully



Gregg Banks  
Divisional Commander

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

**O'Reilly, Arlene**

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**From:** Robertson, Scott  
**Sent:** 13 May 2026 09:49  
**To:** Licensing  
**Subject:** Premises Licence Review Application - EL0140 Bear and Bull, 72 High Street, Dunbar

Hello,

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

Regards  
Scott

Scott Robertson | 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](http://www.eastlothian.gov.uk)

**Verbal abuse and threatening behaviour is never acceptable. #zerotolerance**

**We're living through stressful times right now, and everyone's feeling it.**

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

**Please, be nice.**



**BE NICE**  
RESPECT US AS WE RESPECT YOU



East Lothian Council