



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

**WEDNESDAY 18 FEBRUARY 2026
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING SYSTEM**

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Forum Members Present:

Mr S Baxter
Ms K Harling
PC M Upton
Mr J Thayers (R)
Ms K Burke (R)
Mr A Podder (R)
(R) = remote participant

Licensing Board Members Present:

Councillor Gilbert (R)
Councillor Dugdale

Council Officials Present:

Ms S Fitzpatrick, Team Leader – Licensing and Landlord Registration
Ms B Crichton, Committees Officer (Clerk)

Visitors Present:

None

Apologies:

Mr G Blaikie

Declarations of Interest:

None

1. APPOINTMENT OF A CONVENER

Stuart Baxter nominated Karen Harling as Convener of the Licensing Forum, and this was seconded by John Thayers.

With no other nominations, Ms Harling was appointed as Convener, and took up her role at this stage of the meeting.

2. MINUTES FOR APPROVAL – JOINT MEETING OF EAST Lothian LICENSING FORUM AND LICENSING BOARD, 19 NOVEMBER 2025 AND MATTERS ARISING

The minute was agreed as an accurate recording of the meeting.

Under matters arising, Sheila Fitzpatrick discussed memberships with Forum members, and asked Mr Baxter and Kat Burke to complete membership renewal forms prior to their membership expiry in March.

Mr Baxter explained that this was his last day at work before his retirement from East Lothian Council, and was undecided as to whether he would continue as a Forum member. He would discuss with the Convener following the meeting.

Membership forms should to be submitted to sfitzpatrick@eastlothian.gov.uk.

3. NHS REPORT

Ms Burke explained that she had no further update to provide following the that which was given in November around the changes to NHS representations to licensing applications. She advised that there was potential for the NHS to use the data it previously used to make representations to the Licensing Board to provide context to the Licensing Forum's discussions.

The Convener asked that this data be provided in electronic format, and suggested it could be distributed to Forum members. She also suggested that this data would be of particular use in the period running up to the review of the Board's Statement of Licensing Policy. She hoped it would be helpful to Board members to build a working picture of the area.

4. POLICE REPORT

Mikey Upton spoke to the police report. He advised of his areas of focus, which included discussions around the FIFA World Cup and a civic licensing issue. He advised that there had been four incidents of antisocial behaviour in pubs this quarter, but he had no concerns following these incidents; premises staff had responded appropriately, and the incidents had been recorded correctly by Police Scotland. He advised that shoplifting was the main issue coming to Police Scotland's attention. He pointed out that shoplifting did not cast a premises in a bad light, but continued to be an issue.

PC Upton responded a question on trends in thefts of alcohol. He advised that the majority of reports of thefts of alcohol came from large supermarkets, but noted that this was likely to be

because of their policies. He felt that thefts of alcohol would continue, and that the security systems in large supermarkets were as sophisticated as they could be. He explained that premises who reported thefts of alcohol regularly engaged well with Police Scotland, and commented that it was inadvisable for shop staff to put themselves in harm's way. He felt that the problem related to a broader socioeconomic issue than Police Scotland could prevent through giving advice.

Mr Baxter discussed that staff at a Port Seton premises had been told not to approach or confront assailants, but that alcohol of any value was now kept behind a glass screen. He expected this measure would make a difference.

The Convener reported that cages attached to alcohol in supermarkets had turned out not to be much of a deterrent, as thieves could still take the products out of the shop and cut through cages with wire cutters.

5. LICENSING STANDARDS OFFICER'S (LSO'S) REPORT

The Convener spoke to the LSO's report, and explained the outcomes from the November 2025 to January 2026 East Lothian Licensing Board meetings in detail.

She drew attention to circumstances around a premises licence review for the Anchor Bar in Musselburgh. The premises licence review application had been made by Police Scotland following various assaults linked to the premises, with one incident involving a 17-year-old male. The LSO had noted some minor issues signage and the need to implement an age verification policy when she had visited. She also reported that the representing solicitor highlighted concerns that Police Scotland had failed to follow proper process, and had not engaged with the premises as part of the formal intervention. She reported that staff disputed charges brought against them and maintained they had followed correct procedure. She advised that the Board issued a formal written warning to the premises licence holder.

The LSO also reported that she had raised concern that Day Today in Haddington would not have its accessible display of alcohol within one single area, which would constitute a breach of mandatory conditions. The Board agreed that the capacity would be determined under delegated powers in conjunction with the LSO. The Convener also discussed features of beer caves, and that some shops could prevent access to them from the till. She also highlighted that a premises in Dunbar used AI through its CCTV system to flag to staff if someone tried to conceal anything.

She advised that another premises, Broxmouth Court, had now confirmed its provisional licence, making three premises having confirmed across the reporting period. There were now 17 premises holding provisional licences, with work ongoing so that they could move on to confirming their licence.

The Convener raised concern about the Forum's dwindling representation, and thought a recruitment drive should be undertaken. She felt that representatives from the trade were needed in particular, and she was also concerned that membership was very close to the minimum number of five. She would continue to encourage trade representatives to sign up to the Forum when undertaking visits. She also asked the Forum to encourage further members to come forward, and suggested that information could be sent out through the Council's social media channels.

Mr Thayers said he would send information out through MELDAP's services in the hope of reaching staff or service users who may have an interest in joining the Forum.

The Convener suggested that a template to encourage people to join could be sent. This would contact relevant East Lothian Council contact details, as the Council appointed Forum members.

6. LSO'S REPORT ON OPENING FOR FIFA WORLD CUP 2026

The Convener provided an update on premises opening for the FIFA World Cup 2026. She discussed decisions made by other Licensing Boards, including Aberdeen and Glasgow. She highlighted Aberdeen's decision to allow a general extension to 3am, and an extension to 30 minutes past the end of games that finished later than 3am. She advised the general extension had not specified that premises had to have televised sport on operating plans, thus allowing any premises to show the games.

The Convener reported that LSO circles had discussed whether conditions could be applied to general extensions, and explained that the legal view within East Lothian was that conditions could not be applied to general extensions. She reported that Glasgow had added a condition to its general extension that a premises must have a plan for its staff to get home safely, and had also asked that toughened glass be used should a premises trade after 1am. She advised that several options would be given to the Licensing Board at its meeting on 26 February. She also advised of consultation undertaken with Police Scotland, and reported that the consultation with the trade had received around 30 responses. She reported that most premises that responded wanted to screen the games, and were quite open to ticketing. She advised that there was less uptake for the 2am game against Haiti, but there was still demand to show it.

In response to a question, Ms Fitzpatrick advised that a general extension would only apply to games being televised, so would not apply to a game which was that was postponed or cancelled.

The Convener pointed out that Aberdeen had granted a blanket extension for the entire period of the World Cup; she did not expect this to be proposed to the East Lothian Licensing Board, although Board members could consider any options they felt would fit in East Lothian.

Ms Fitzpatrick advised that the dedicated World Cup page on the East Lothian Council website would be updated following the Board's decision.

Councillor Dugdale asked about consideration of young people in the determinations of other Boards. The Convener responded that other Boards had not made specific mention of young people, but advised that cut-off times for access to premises by children and young people would still apply. She added that the showing of a football game would not be considered a pre-arranged function for premises which had special provision for children and young people being allowed to stay until the end of a function. She agreed that the Board should provide this clarity in any determination.

Mr Thayers thought that messaging about safer alcohol use should be released around the World Cup, particularly when transport could be an issue with later premises openings, and when people may increase their alcohol consumption during this period.

The Convener advised she had created a condensed guidance document for premises over the World Cup covering: their duty of care to patrons; how to deal with intoxicated persons; age verification; and managing premises. This would also be uploaded to the World Cup page

on the Council's website. The draft note had been shared with the Licensing Team, Police Scotland, and would be shared with Mr Thayers.

In response to a question, Ms Burke advised that she was not aware of NHS Lothian preparing specific messaging around health behaviour associated with the World Cup, but she would check with colleagues. The Convener asked Ms Burke to send on any links or guidance she became aware of.

7. APPROVAL OF SCHEME OF ADMINISTRATION REVIEW

The changes made to the Scheme of Administration Review at the previous meeting had been summarised in the report.

There were no questions or comments on the draft document. The Licensing Forum approved the Scheme of Administration after this was proposed by Mr Baxter and seconded by Mr Thayers.

Decision

The Licensing Forum approved the Scheme of Administration.

8. BOARD MEMBERS' REQUEST FOR FEEDBACK

The Forum discussed various topics on which members of the East Lothian Licensing Board had requested feedback.

Opening of licensed premises across festive period

The Convener asked the Forum to provide feedback on how the general extension to 2am for five days across the festive period had worked.

Arindam Podder, who ran the QMU Students' Union, explained that the premises was closed during most festival periods, as there were no classes or students on campus.

PC Upton commented that no incidents involving police would have been assisted by earlier closing times.

The Convener, in her role as LSO, commented that it varied between premises as to whether the general extension was used, and this also depended on the day on which Hogmanay fell. She advised that no additional extended hours applications had been received around the festive period over the past two years, which pointed to the general extension being sufficient for premises.

In response to a question from Councillor Gilbert, Ms Fitzpatrick explained that fees for occasional licences were set by the Scottish Government, and she had not heard of any progress or discussions on reviewing the fee. She thought that their current focus was on the Civic Government (Scotland) Act.

Opening of licensed premises for the NFL Super Bowl

The Convener explained that the Licensing Board currently accepted extended hours applications for the showing of this event. Only Musselburgh Rugby Club had screened the event in 2026. She raised the issue in legislation that stated that extended hours applications should be made for an event of local or national significance, or a special event on the premises; she pointed out that there was a feeling that the NFL Super Bowl could not necessarily be considered an event of either local or national significance.

Mr Thayers considered that American football did not feature within the context of local or national interest. He felt that there was a risk that it would be difficult to defend the position against extended hours applications for other events, such as T20 or the winter Olympics, if exceptions were made for NFL.

The Convener noted that, ordinarily, extended hours applications were made for weddings being held on a Sunday, and noted that Board policy limited such applications to eight in a year before a major variation change would have to be sought. She advised that applications had been made for commencement at 10am to screen British Lions games, but noted that this was for a national team.

Mr Baxter raised that there were passionate supporters of American football locally, and people had to watch the game late at night due to the time difference. He noted that the Super Bowl was only once night a year, had only been shown at one premises, and felt that it would be overkill to refuse this option to supporters of American football. He did acknowledge Mr Thayers' points about setting a precedent, and agreed this may have to be revisited in the future should applications for other sports start to increase, but felt there was no major issue at the moment.

The Convener explained that the Statement of Licensing Policy was explicit in that it would accept applications for this specific event. She pointed out that the policy would be reviewed again in 2028.

Ms Burke raised concern about the issue of precedence associated with such events, and urged caution in this space. She pointed to strong evidence held by the NHS that people bought and drank more when more alcohol was available, which resulted in an increase in harms to health. She urged that the Board be thoughtful and cautious about creating precedent, due to the licensing objective of protecting and improving public health in cases where local or national significance was not clear cut.

In response, the Convener discussed guidance around alcohol availability becoming problematic if availability extended beyond 14 hours in a 24-hour period. She discussed conditions that were recommended to be added to extension applications for the Super Bowl, which included last orders being called at a certain time and 'drinks stacking' not being permitted at this time. She reported that premises had agreed to adhere to these conditions, and she acknowledged the points made about precedence.

Antisocial behaviour issues

PC Upton reported that few calls were received about antisocial behaviour associated with licensed premises, and that, in his experience, premises staff and Police Scotland dealt with any issues appropriately. He reported that he had been involved with a premises in North

Berwick following complaints made after it had first opened, however, no further complaints had been received in the last six-to-eight weeks.

The Convener advised that she and PC Upton visited premises which had problems with antisocial behaviour, and she also attended a regular meeting about antisocial behaviour. She advised that police placed premises with issues around antisocial behaviour onto a weekend plan so that further checks could be carried out. She commented that most premises managed well, and were receptive to guidance from the police and LSO. She noted that premises were sometimes unaware that residents had issues, and there was an element of mediation and opening up communication in her role. She was aware that there were significant hotspots of antisocial behaviour around the county, but advised that there was no direct link to any licensed premises.

The current business climate

Mr Podder gave feedback of his experience at the QMU Students' Union. He reported that few people were consuming alcohol, and thought that this might be due to the financial climate. He noted that people consumed a lot more alcohol pre-COVID. He reported that people still gathered and socialised after 7pm, but many people drank water, soft drinks, or non-alcoholic beer, which he acknowledged as being positive in some ways. He thought that many businesses were struggling due to the general decrease in alcohol intake. He pointed out that younger people often socialised at home. He advised that there was always a good turnout to special events, such as karaoke, poetry, and games nights. He had noticed a significant decrease in alcohol consumption very recently, even noting a clear decrease now compared to just September or October 2025; he estimated this decrease in alcohol consumption around 50%.

The Convener gave feedback on her engagement with the trade, which was similar to Mr Podder's experience. She thought that the current financial climate meant that many people could not afford to go out more than one night per week, and for this reason, people often tied their night out to an event. As such, premises were trying to provide music and events, but this was expensive for premises. She reported that some premises were doing very well, while others were struggling. She noted that many places had core regulars, while the location of other premises meant they attracted more tourists. She explained that many premises reported a shift towards people drinking more at home, which could lead to those people consuming more.

Mr Thayers discussed evidence of changing patterns of alcohol use, particularly among young people; since COVID, young people were drinking less and on fewer occasions. He also discussed changes in how people viewed alcohol in a broader health context, and increased consumption of low- or zero-alcohol beers. He advised that contact services, where people could access information around use of alcohol or drugs for themselves or a family member, always saw the greatest number of referrals for alcohol use. He also noted that the largest increase in referrals came in January and February. He also observed that alcohol tended to have a greater impact on families than other substances. He summarised that, while levels of harm were still high, there were changing patterns of behaviour and consumption, particularly among younger people under 25.

Mr Podder added that, while alcohol consumption had decreased, QMU's bars, cafes, and restaurants had seen huge increases in food sales, and were very busy for his reason. Takings in food sales had increased, and alcohol had decreased, but overall, business was still progressing, and premises were still busy.

9. ANY OTHER BUSINESS

The Convener thanked Mr Baxter on his last day of work with East Lothian Council, and congratulated him on his retirement.

The Convener also advised that the next Forum meeting would be undertaken as an online-only meeting, and feedback would be gathered from members following this.

Mr Thayers advised that our largest third-sector provider for alcohol and drugs treatment, MELD, which had been operating for 31 years, would cease to provide services from 31 March 2025. He advised that MELD currently provided the greatest level of support for people wishing to address their alcohol needs, and a process was underway to recontract this service. It was hoped that this would be in place by early April, but the gap was likely to put additional pressure on other services for those seeking to address their alcohol use.

Councillor Dugdale expressed concern for those currently receiving support from MELD, and acknowledged the difficulties caused to service users in a period of transition. She wished everyone well in finding a replacement for an important service.

FUTURE MEETING DATES

Future meeting invites will be sent out electronically.

- Wednesday 20 May 2026, 10am
- Wednesday 19 August 2026, 10am
- Wednesday 18 November 2026, 10am (joint meeting with Licensing Board)
- Wednesday 20 February 2027, 10am
- Wednesday 16 June 2027, 10am

LSO – Licensing Forum Notes

February 2026 – April 2026

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Board Meetings

As Licensing Standards Officer, I have been involved in the following applications etc. as presented at the Licensing Board:

○ February Licensing Board 2026

- **Premises Licence Application – Brunton Theatre Trust, Corn Exchange, Haddington**
Full premises licence for the Brunton Theatre after relocating to Haddington Corn Exchange. Welcomed and granted by the Board.
- **Major Variation – Premier Dunbar**
Application to increase the capacity of the off sales on the premises for a reconfiguration of alcohol. The need for an increase was questioned by the Board. The application was granted.
- **Major Variation – Premier Tranent**
Application to increase off sales capacity following compliance check where premises were trading over capacity in the beer cave. Granted by the Board.
- **Major Variation – The Leddie, Aberlady**
Application to amend on sales commencement to 9am daily, amend off sales to commence at 11am, add bar meals outwith core hours and gaming within core hours, add additional activities such as markets and alter the terms, ages and parts for children and young person access. The application was mainly to tidy up the premises licence to allow intended operations. The Licensing Board considered the request for on sales to start at 9am carefully. The application was granted with two recommended conditions by the LSO that alcohol served between 0900-1100 is to be accompanied by a substantial meal and that it is served by the glass, not bottle with a limit of two drinks per person.
- **Occasional Licence Applications – 103-105 High Street, Musselburgh**
Application for several occasional licences for a new shop recently granted a provisional premises licence. Granted by the Board.
- **Occasional Licence Applications – the Mart Farm Shop, East Linton**
12-month review of occasional licence use whilst awaiting confirmation of a provisional premises licence. The applicant was asked for an update on progress to confirm the provision licence and cited problems with obtaining an architect. Applications granted by the Board.
- **World Cup – Extended Hours**
The Board members considered a paper from the Clerk to the Licensing Board on possible options for extended hours during the FIFA World Cup 2026. The Board elected to grant a general extension for on sales premises that have televised sport on the operating plan, allowing premises to show the home nations game and trade until 30 mins after the termination of the game. The

Board asked that a notification form is completed and sent to the Licensing Team. The LSO detailed that guidance would be given to premises in advance of the event.

○ **March Licensing Board 2026**

- **Provisional Premises Licence Application – Dunbar Golf Club**

Application for a new clubhouse for Dunbar Golf Club following relocation and surrender of the previous premises. Provisional premises licence application mirrored previous premises licence. Granted by the Board.

- **Occasional Licence Applications – Temporary Clubhouse Dunbar Golf Club**

Application for several occasional licences for a temporary clubhouse whilst the new clubhouse is constructed and ready to use. Granted by the Board.

- **Occasional Licence Applications – Premier, Gifford**

Application for several occasional licences for a shop. The LSO reported several compliance issues such as staff giving false names, obstructing the compliance visit, unable to speak English, no age verification policy, and the establishing that the occasional licence holder does not work at the shop. Staff were unable to describe any training they had received for the safe sale of alcohol. The applicant appeared at the Licensing Board meeting where he was questioned by Board members. He admitted that he did not work at the shop as he stayed in Fife. He showed little knowledge of licensing legislation. The Licensing Board voted 3 vs 2 to grant the occasional licences.

- **Major Variation – Renaissance Golf Club**

Application to amend on sales commencement time to 9am, add additional activities within and outwith core hours, amend working to tidy up the licence, update capacity breakdown, provide a complete and full set of layout plans and add a halfway house. The Board approved of all the changes however debated the use of the halfway house at length. The applicant wished to operate an honesty bar at the halfway house allowing members to access alcohol themselves from a fridge. This was opposed by the LSO citing reasons that age verification could not be completed, intoxication could not be assessed, and the licensing objective could not be upheld. The Board granted the variation with three recommended conditions from the LSO only allowing alcohol to be sold at the halfway house by a personal licence holder or trained staff member. The additional conditions related to the sale of alcohol from 9am where alcohol could only be sold with a substantial meal, by the glass and limited to two drinks per person.

Provisional Licences Outstanding Confirmation

Provisional Grant Date	Premises	Comments re Section 50 Certs.	Confirmed
25/08/2022	The Mart, East Linton	Ongoing work	Expires Aug 2026
30/03/2023	Buck and Birch	Will surrender	Expires Mar 2027
28/09/2023	Carfrae Farm shop	Ongoing work on section 50	Expires Sep 2027
23/11/2023	Garden City, Longniddry	not selling alcohol	Expires Nov 2027
23/11/2023	The Tiffin Box, North Berwick	not selling alcohol	Expires Nov 2027
25/04/2024	One Stop, Tranent	No update	Expires Apr 2028
23/05/2024	Tesco Express, Wallyford	not selling alcohol	Expires May 2028
27/02/2025	Yarrow Cookery School	No update	Expires Feb 2029
22/05/2025	Gilmerton House	No update	Expires May 2029
22/05/2025	Premier Gifford	No update	Expires May 2029
22/05/2025	Margiotta, Longniddry	No update	Expires May 2029
25/09/2025	Herd Café	No update	Expires Sep 2029
25/09/2025	92 North High Street, Musselburgh	No update	Expires Sep 2029
31/10/2025	Sweet and Smoky	No update	Expires Oct 2029
27/11/2025	140 High Street, Musselburgh	No update	Expires Nov 2029
27/11/2025	Bella Italia	No update	Expires Nov 2029
26/03/2026	Dunbar Golf Club	Recently granted	Expires Mar 2030
Confirmation	Outstanding	18	

Four premises have confirmed their provisional premises licence to operate on a full premises licence.

Marketing the Forum

The LSO has been promoting the forum whilst on visits. Social media campaign to attract trade members to be launch over the summer.

FIFA World Cup – Update

A dedicated webpage has been created by the Licensing Team which is regularly updated with information and guidance.

The LSO held an engagement event inviting all premises in East Lothian that are eligible to show the games. The event was attended by 20 people representing different premises across East Lothian.

Karen Harling

Licensing Standards Officer LSO@eastlothian.gov.uk