

MINUTES OF THE MEETING OF EAST LOTHIAN LICENSING BOARD

**THURSDAY 25 SEPTEMBER 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Board Members Present:

Councillor J Goodfellow (Chair)
Councillor S Akhtar
Councillor S Currie
Councillor D Grant
Councillor W Innes
Councillor F McAllister
Councillor T Trotter

Clerk of the Licensing Board:

Mrs K MacNeill (Clerk of the Licensing Board)

Attending:

Mr R Fruzynski, Licensing Standards Officer (LSO)
Ms C Molloy, Senior Solicitor
Insp A Harborow, Police Scotland
PC H Bowsher, Police Scotland

Committee Clerk:

Ms J Totney, Team Manager - Democratic Services

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – 28 August 2014

The minutes of the Licensing Board meeting of 28 August 2014 were agreed to be a true record.

2. VARIATIONS OF PREMISES LICENCE

(i) Golf Inn and Restaurant – Main Street, Gullane

No one was present to represent the applicant.

The Clerk informed the Board that the application seeks to include seasonal variations, conference facilities, restaurant facilities, televised sport and outdoor drinking facilities (all amended to show used outwith licensed hours from 7am

onwards but no alcohol will be served unless there is a granted application for extension of hours), to provide activities such as pool and darts outwith core hours, increase total capacity from 100 to 378 (bar: 70, dining room: 50, garden room: 40, beer garden: 50, function room: 120, bedrooms: 28, main road section: 20), to include outdoor drinking area – beer garden to the rear of the premises and tables and chair to the front of the property.

She added that there are no objections, that the application triggers the overprovision policy and that the Council's planning department have indicated that they have no record of planning permission for the beer garden.

Insp Harborow advised that Police Scotland request a terminal hour of 22.00hrs for outdoor drinking.

The LSO stated that the increase in capacity is appropriate for premises of this size.

Councillor Goodfellow commented that the premises are well run.

Decision

East Lothian Licensing Board agreed to grant the variation of premises licence subject to a terminal hour of 22.00 hrs for outdoor drinking.

(ii) Umberto's, 119-121 High Street, Dunbar

Ms B Cockburn, Premises Manager and applicant, was present.

The Clerk informed the Board that the application seeks to vary core hours on a Sunday to be 11am to midnight (previously 12.30pm – 2.30pm and 6.30pm – 11pm), to extend core hours to midnight on Thursday, Friday and Saturday (previously 11pm), to add seasonal variations to take advantage of the festive period etc, to include off-sales Monday to Sunday 10am – 10pm, to add recorded and live music and to include televised sports. She further advised that concerns had been raised by the Community Council and that the application triggers the overprovision policy.

Ms Cockburn advised the Board that the TV would only be used for news programmes and sporting highlights and that the sound would be muted.

Insp Harborow confirmed he had nothing to add to the report which is included in the Board papers. The LSO reported that this is a well run establishment and he fully supported the application.

Councillor Goodfellow noted the comments from the Community Council.

Decision

East Lothian Licensing Board agreed to grant the variation of the premises licence.

3. REQUEST TO HOLD A REVIEW OF PREMISES LICENCE

(i) Martin McColl Ltd – 160 High Street, Musselburgh and 55 Delta Drive, Musselburgh

The Clerk advised that Martin McColl Ltd had notified the Licensing Office that they had been the subject of criminal convictions in West Suffolk. As a result, the Board requires to determine if a review hearing is required.

Insp Harborow advised that the offences related to the sale of alcohol to persons under the age of 18. The LSO confirmed that there have been no such allegations or complaints regarding Martin McColl in Musselburgh.

Councillor Currie wondered if the offences were indicative of a training issue at a national level, but commented that given the East Lothian perspective which the LSO had provided, he was content to note the offences.

Councillor Innes indicated that if the company was operating correctly in East Lothian he would be happy to note the offences and take note further action.

Decision

East Lothian Licensing Board agreed to note the offences and take no further action.