



**East Lothian  
Council**



**MINUTES OF THE MEETING OF THE  
EAST LOTHIAN LOCAL LICENSING FORUM**

**1 December 2015**

**COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Forum Members Present:**

George Hood (Chair)  
Christine O'Brien (Secretary)  
Elizabeth Oldcorn (NHS Lothian)  
David Dickson (PLH)  
Rudi Fruzynski (LSO)  
PC Heather Bowsher (Police Scotland)  
Gary Naysmith (RASP)  
Kirsten Baird (PLH)  
Bernard Harkins (M & I Community Council)

**Council Officials Present:**

Jim Goodfellow (Chair of Licencing Board)

**Minute Secretary:**

Christine O'Brien

**Visitors Present:**

Lorraine Lynch (RASP)

**Apologies:**

Ricky Ross (RASP)  
Kirstie MacNeill

**1. Minutes of the previous Meeting held on 1<sup>st</sup> September 2015**

The Minutes were agreed as a true record after amendments  
Elisabeth Oldcorn & Kirsten Baird were present.

**2. Licensing Standards Officer Report**

Rudi Fruzynski reported: **Licensing Board September 15**

LIDL Newhailes Store - applied for variation to increase display space.

**Decision** – Granted

LIDL Prestonpans Store – applied for extra display space for seasonal and themed weeks.

**Decision** – Granted

Linton Hotel, East Linton – under new management, variation of Licence, rename premises and increase hours and small outside drinking area.

**Decision** – Granted

Café Borsa, Musselburgh – review of premises licence.

**Decision** – suspension of premises licence for 1 month.

North Berwick Diner – variation of premises licence

**Decision** – Granted

Elphinstone Arms – agreed to continue the matter for 6 months subject to the condition that the premises would not reopen without the prior consent of the licencing board.

**Licensing Board October 15**

Extension of Festive hours – automatic from the 11<sup>th</sup> December 15 until 4<sup>th</sup> January 2016 an extension of the terminal hour until 2am.

Joe's Kitchen, Haddington – (used to be pheasant Hotel), Application of provisional premises licence.

**Decision** – Agreed to grant the provisional premises licence/

Chief Constable report 1<sup>st</sup> April – 14 to 31<sup>st</sup> March 2015

**Decision** – East Lothian licencing board noted the report.

Request for review for premises licence – unpaid fees

Where the annual fee remains unpaid which is a mandatory condition attached to those premises licence.

**Decision** – EL licencing board agreed to hold a review hearing in respect of the premises licence listed in Appendix 1 on the bases that the annual fee for 2015/16 have not been paid and this constitutes a breach of mandatory condition No 10 and ground for review hearing and the boards initiative in terms of section 37 of the licencing (Scotland) at 2015.

### **Licensing Board November 2015**

**Dunbar Golf Club** - Variation to premises licence

**Decision** - ELL Board – agreed to grant variations to the premises licence subject to the price of off sales of alcohol being the same as the on sale price and terminal hour of 22 hrs for the outside/drinking area.

**Old Club House Gullane** - premises licence

**Decision** – Grant

**Premises Licence Review.** – 6 Fees Outstanding

- (1) Ormiston Post office - EL licence board agreed to revoke premises licence
- (2) Madison – Agreed – to take No action
- (3) North Berwick Masonic Social Club – ELL Board agreed to issue a written warning to premises licence holder

**East Lothian Licencing Forum Working Group - Views on Alcohol Deliveries**

**Decision** – ELL Board agreed to note the contents of the report and take the view of the working group into account when the statement of licence policy is reviewed.

**In reporting period:**

9 Complaints  
3 Transfer of licence  
5 Extension of Licence  
3 Premises review  
2 Major Variations  
12 minor variations

1 Confirmation of Licence  
0 Provision Licence or full premises Licence

Rudy passed on Kirstie McNeill thanks for the contribution to the Forum Working Group on Alcohol Deliveries.

### **3. Police Report**

PC Bowsher noted concerns of the large scale of theft in alcohol and meat in stores in the Lothians particularly the Co-op being badly hit, security is poor and thieves are able to walk out unchallenged.

Sportsman's Bar, Musselburgh – New Tenant taken over.

Black Bull, Haddinton – New Tenants taken over.

Elphinstone Arms - Stills remains problematic.

1 Premises being monitored.

Joint visits are being carried out in licenced premises by the LSO & PC Bowsher this being possible due to extra staffing; these visits have resulted in a number of successful resolutions.

Licensing Police carrying out Test Purchasing in Scottish Borders.

### **4. RASP**

Ricky Ross reported due to the decline in Pub watch members attending the regular meetings an E.G.M was called.

PC Heather Bowsher & Inspector Harberrer attended to offer their support and reiterate the importance of Pub Watch.

The meeting was attended by 27 establishments.

In Reporting Period:

1 Appeal  
0 Removal for ban list  
0 New cases for Bans  
0 Interim Bans

Dates were agreed for meeting being held during 2016.

## **5. A.O.B.**

Dates & Venues where agreed for the forth coming year.

Jim Goodfellow discussed an incident which occurred at an establishment in North Berwick due to the violent nature of the incident it was decided to reconstitute the Pub Watch in the area and if required RASP would help with the set up if required.

David Dickson discussed having the Forum at different Venues was the key for new member to attend.

George Hood discussed the working group's response to the Gambling Act consultation that was submitted by 24<sup>th</sup> November 2015.

**Date of Next Meeting- 1 March 2016**