

EAST LOTHIAN

Meeting 25 August 2016 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian

Licensing (Scotland) Act 2005

Personal Licence Review(s)

Licence Holder

Applicant

Date Received

Comments

8 RYAN BAYNHAM

POLICE SCOTLAND

13 April 2016

9 MARTIN GACH

POLICE SCOTLAND

9 August 2016



**POLICE
SCOTLAND**

Keeping people safe

Date: 13th April 2016

Your Ref:

Our Ref: J/LIC/3705/HB

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

The Lothians and Scottish Borders Division
Dalkeith Police Station
Newbattle Road
Dalkeith
EH22 3AX

Telephone Licensing Dept – 01620 826 147

Email: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk

Web: www.scotland.police.uk

Dear Madam

**LICENSING (SCOTLAND) ACT 2005 - SECTION 84A
PERSONAL LICENCE REVIEW APPLICATION
PERSONAL LICENCE HOLDER – RYAN BAYNHAM**

I refer to the above and in terms of Section 84A (1) of the Licensing (Scotland) Act 2005 (as amended by the Criminal Justice and Licensing (Scotland) Act 2010), the Chief Constable would like to bring to the Licensing Boards attention a recent incident involving the personal licence holder Mr Ryan Baynham, [REDACTED]

The Chief Constable feels that Mr Baynham has acted in a manner, which is inconsistent with the licensing objectives namely:

- Preventing crime and disorder

The details of this incident are narrated in the appendix to this letter for the Boards consideration and attention.

Ryan Baynham was granted his personal licence by the East Lothian Licensing Board on 31st October 2011, Licence number EL778.

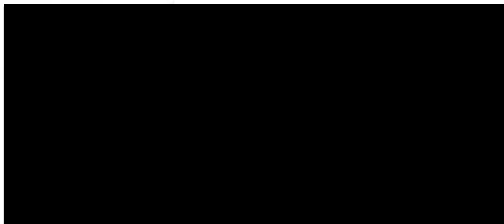
Mr Baynham is currently the designated premises manager of the Mercat Hotel, 73-74 Market Street, Haddington. This is a family run business and has been for several years.

As the Board will appreciate being a designated premises manger, is a position of responsibility and respect. Mr Baynham's conduct during this incident is extremely concerning and unacceptable, considering the persons and premises involved, are located in the same town (Haddington) as Mr Baynham operates his own premises.

This Chief Constables view is that the Board should consider all the options open to them under Section 84(7) of the Act.

In signing this report, I confirm that this Personal Licence Review Application is made under the authority of the Chief Constable of Police Service of Scotland.

Signed:

A large black rectangular redaction box covering the signature of Philip Gormley.

Philip Gormley QPM
Chief Constable

Date: 13/04/2016

For enquires please contact the Licensing dept on 01620 826 147

EAST LOTHIAN COUNCIL

LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

**From: Rudi Fruzynski,
Licensing Standards Officer**

**To: Kirstie MacNeill
Clerk to the Licensing Board**

Date: 16 May 2016

**Subject: LICENSING (SCOTLAND) ACT 2005
PERSONAL LICENCE REVIEW – APRIL 2016
RYAN BAYNHAM, PERSONAL LICENCE No EL778**

I cannot comment on the circumstances leading up to this review, as reported by the police, however, Mr Baynham is the Designated Premises Manager of the Mercat Hotel, Haddington and I can inform the Board that there have been no issues concerning the operation of the premises since commencement of the new licensing regime in 2009. This is a reflection on Mr Baynham's operation of the premises as manager and Personal Licence Holder.

Mr Baynham frequently communicates with the Licensing Standards Officer seeking advice on licensing procedures and sales promotions and has demonstrated a desire to operate his premises in a proper manner.

From a Licensing Standards perspective, I have experienced no problem with Mr Baynham as a Landlord or Personal Licence Holder.

R. Fruzynski
Licensing Standards Officer