
EAST LOTHIAN

Meeting 24 November 2016 at 10:00am in Council Chambers, Town House, 56 High Street, Haddington, East Lothian

Licensing (Scotland) Act 2005

Premises Licence Review(s)

Premises	Applicant	Date Received	Comments
3 PANS CONVENIENCE STORE 5 HAWTHORN ROAD PRESTONPANS EH32 9QW	EAST LOTHIAN LICENSING BOARD C/O 1 GEORGE SQUARE CASTLE BRAE DUNFERMLINE KY11 8QF	30 September 2016	

Our Reference: MF/MJW/EN/L/Provisional

Date: 24th March 2016

Young & Partners LLP
1 George Square
Castle Brae
Dunfermline
KY11 8QF

Dear Sirs

**LICENSING (SCOTLAND)ACT 2005
PROVISIONAL PREMISE LICENCE APPLICATION
PANS CONVENIENCE STORE, HAWTHORN ROAD, PRESTONPANS**

East Lothian Licensing Board at its meeting held on 24th March 2016, agreed to grant the provisional licence for the above premises with the undertaking that the following condition would be adhered to:-

“A Personal Licence holder must be on the premises at all times during licensing core hours”

The police and Licensing Standard Officer agreed to monitor the premises and a report will be heard at the September 2016 Board Meeting, and the board will make the decision whether or not to lift the above condition.

Your client also took the undertaking that Mr Ali Raza will not be employed at the premises.

Please find enclosed a copy of the provisional premise licence.

Yours faithfully

Morag Ferguson
Depute Clerk to the Licensing Board

Enc.

**Direct Dial : 01620 827867(Maree Winter)
E-mail : licensing@eastlothian.gov.uk**

Your ref: Debbie Elworthy
Our ref: JGC/AF/AF/NADE1/1

10 October 2016

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

Also by email to: licensing@eastlothian.gov.uk

Dear Sir

Licensing (Scotland) Act 2005
Abdul Nadeem, Pans Convenience Store, Prestonpans
Review Hearing 27 October 2016

We refer to your letter of 30 September 2016 being notification of the above review hearing.

On the basis that our client wishes us to attend the hearing on his behalf to speak to the application if required, and we are unable to do so on that date, we would be grateful if the matter could be adjourned to the November meeting of the licensing board.

We look forward to hearing from you on this matter as soon as possible.

Yours faithfully


John Cassells
Director

Email: jgc@businesslaw.co.uk
DD: 01383 745791

East Lothian Council
Licensing
11 OCT 2016
Received

EAST LoTHIAN COUNCIL

LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

Rudi Fruzynski,
Licensing Standards Officer

Kirstie MacNeill
Clerk to the Licensing Board

Date: 11 October 2016

Subject: LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE MONITORING REPORT –
THE PANS CONVENIENCE STORE, 5 HAWTHORN ROAD, PRESTONPANS, EAST
LoTHAIN

Licensing Standards Officer's monitoring report, taking in the period 24th March to 30th September 2016 respectively.

Submitted for the information and consideration of the Licensing Board.

R. Fruzynski
Licensing Standards Officer

Licensing Standards Officer's Report

On Thursday 24th March 2016, a hearing was held by the Licensing Board to consider the Provisional Premises Licence application in respect of the Pans Convenience Store, 5 Hawthorn Road, Prestonpans. Board members heard that the shop had previously held a licence, but this had been surrendered. During the course of the licence, problems had been identified relating to Staff Training Records, failed test purchases, alcohol display areas and sales promotions. The decision of the Board was that the licence was granted on the condition that a Personal Licence holder was required to be on duty at all times the shop was open for business. It was asked that the Premises Licence be reviewed in six months time relating to the foregoing requirement.

LSO Visits

Throughout the monitoring period the LSO has frequently visited the premises and liaised with the Premises Licence Holder, Mr Abdul Kareem Nadeem. At the time of these visits it was noted that Mr Nadeem was generally not on the premises and came along after being called by a shop assistant. However, it was always the case that at least one of the shop's four Personal Licence Holders was on duty and in charge of alcohol sales.

Checks of the Staff Training records, staff daily briefing records, alcohol displays, price promotions, and mandatory signage were all found to be in order. The practice of relying on the in-store CCTV camera, located above the service counter, to record sales refusals was not considered appropriate since recordings are recycled after one month. It was therefore agreed that a paper record would be more useful in the event that a review of the Premises Licence be required and the due diligence of all the shop's licensing procedures would require to be examined over a period. Mr Nadeem concurred with this observation and a manual sales refusals record supplied by the LSO is now in place and available at all times for inspection.

Police report

A separate police report will be submitted by the Police Licensing Officer.

LSO Comments and Conclusions

The store has four Personal Licence Holders and at least one of them is on duty during off-sales hours. This is good practice and it is encouraged that it be voluntarily continued in this very busy shop.

The store is now well run and all the compliance measures recommended by Mr Nadeem's licensing agent have been implemented to good effect.

R. Fruzynski
Licensing Standards Officer



**POLICE
SCOTLAND**

Keeping people safe

Date: 21st October 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

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Textphone: +44 (0)131 311 3944

Email: LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk
Web: www.scotland.police.uk

Dear Madam

**LICENSING (SCOTLAND) ACT 2005
PREMISES LICENCE – 6 MONTHLY REPORT
PANS CONVENIENCE STORE, 5 HAWTHORN ROAD, PRESTONPANS**

With reference to the above, a provisional premises licence was granted by the East Lothian Licensing Board on 24th March 2016 with a condition attached that there should be **a personal licence holder on the premises at all times during licensing core hours**. This licence was then confirmed on 31st March 2016 and finally granted on 6th April 2016.

The Police Licensing Officer has visited the premises on three occasions. During these visits the premises were being operated in accordance with the conditions of their licence, namely a personal licence holder was present at the time of the visit, during core hours.

Since the granting of this licence there have been no calls to the premises other than to report a break in to the premises overnight on the 10th May 2016.

This report is submitted for your attention and information.

Yours faithfully

PC Heather Bowsher
Divisional Licensing Officer
Haddington Police Station
01620 826 147