



## MINUTES OF THE MEETING OF EAST LOTHIAN LICENSING BOARD

# 1

THURSDAY 24 MAY 2018  
COUNCIL CHAMBERS, TOWN HOUSE, HADDINGTON

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**Board Members Present:**

Councillor F Dugdale (Convener)  
Councillor L Bruce  
Councillor J Henderson  
Councillor J Goodfellow  
Councillor J McMillan

**Clerk of the Licensing Board:**

Mrs K MacNeill, Service Manager, Licensing, Administration and Democratic Services

**Attending:**

Mr C Grilli, Service Manager – Legal and Procurement  
Ms M Winter, Licensing Officer  
Ms C Shiel, Licensing Officer  
Insp A Harborow, Police Scotland  
PC H Bowsher, Police Scotland

**Committee Clerk:**

Ms J Totney, Team Manager – Democratic and Licensing

**Apologies:**

Councillor C McGinn

**Declarations of Interest:**

None

**1 MINUTES FOR APPROVAL – 26 April 2018**

The minutes of the East Lothian Licensing Board meeting of 26 April were approved as a true record.

## **2 PROVISIONAL PREMISES LICENCE Winton Brewery Ltd, 48 Limekilns, Pencaitland**

The Clerk advised that the application is in respect of internet sales; that there are no public objections; and that the Licensing Standards Officer (LSO) has proposed some conditions, should the licence be granted.

Mr S Holligan, co-owner, was present to represent the applicant. He explained that the premises are used solely for the storage of a small amount of beer for internet sales, and answered questions from Board members about the premises and the business. In particular, he pointed out that there is age verification/Challenge 25 in relation to alcohol deliveries and that he personally makes these deliveries. He indicated that in time there might be third party deliveries.

Insp Harborow referred to the Police Scotland letter dated 17 April 2018 and confirmed that there are no objections from Police Scotland. He added that he is in agreement with the conditions suggested by the LSO.

The LSO referred to his report dated 4 May 2018 and advised members that he had visited the property. Supporting the application, he added that the applicant has agreed to his proposed conditions.

### **Decision**

East Lothian Licensing Board unanimously agreed to grant the provisional licence subject to the following conditions:

- i. The internet sales system must verify by declaration that the purchaser is 18 years of age or older before accepting any order.
- ii. The Licence Holder to ensure that delivery staff are trained to the standard prescribed in the Licensing (Training and Staff) Regulations 2007 and the requirements of the Licensing (Scotland) Act 2005, section 119, in respect of delivery of alcohol from vehicles.
- iii. No alcohol to be left at any address where there is no person to receive it.

## **3 PREMISES LICENCE REVIEW 3a Macmerry Miners Welfare Society & Social Club, 13c Main Road, Macmerry**

The Clerk advised that the review hearing is in response to a request from Police Scotland. She reminded members that the premise licence had been reviewed by the Board at their meeting in February 2018, at which time additional conditions were placed on the licence.

Mr J Fortune, Chairman, and Ms J Young, Vice-Chairman, were present to represent Macmerry Miners Welfare Society & Social Club (the club).

Insp Harborow read from the Police Scotland letter dated 17 April 2018. He highlighted the additional conditions that were added to the licence on 22 February 2018, which had not been adhered to. He detailed the concerning circumstances of 24 March 2018 that had resulted in the request for today's review.

The LSO referred to his brief report of 3 May 2018 and reported that there had been no contact between him and the club since the February Board meeting. However, subsequent to producing his report, there had been a positive meeting on 15 May with the new designated premises manager. He reported that although CCTV and staff training records are now in place, there are no drugs use or dispersal policies on file.

Mr Fortune provided background information on the rescheduled 18<sup>th</sup>/21<sup>st</sup> birthday function of 24 March and took full responsibility for the lack of re-notification, to Police Scotland, and the lack of SIA door stewards. He advised members about the remedial steps that had been put in place since 24 March and confirmed that the policies have not yet been written.

In response to a question from Councillor Henderson, PC Bowsher stated that the club had failed to notify her about a few 18<sup>th</sup>/21<sup>st</sup> birthday functions.

The Clerk clarified to Councillor McMillan that while a personal licence holder must be present on the premises at these 18<sup>th</sup>/21<sup>st</sup> birthday functions, there is no requirement for that person to be the designated premises manager.

PC Bowsher commented on the general lack of a personal licence holder being present when she has visited the premises. She acknowledged that there had been no 18<sup>th</sup>/21<sup>st</sup> birthday functions since the new designated premises manager had been recently appointed.

The LSO advised that the new designated premises manager lives locally and is taking a pro-active role in the day-to-day running of the club.

Answering a point raised by Councillor Bruce, Mr Fortune confirmed that further supplies of wristbands were due to be delivered and that a 'stamp' system had been introduced for those attending 18<sup>th</sup> and 21<sup>st</sup> birthday parties.

The Board adjourned to debate the matter in private.

On reconvening, Councillor Dugdale, Convener of East Lothian Licensing Board, advised that all the contributions had been carefully considered. She stated that the Board appreciated the efforts that were being made to promote the licencing objectives. However, the Board had unanimously agreed that a written warning be placed on the premises licence. She encouraged the club to seek the support of Police Scotland and the LSO in implementing and maintaining the conditions that were recently placed on the premises licence. Insp Harborow indicated that he would be happy to support the club in these matters.

The Clerk advised that the written warning would be issued to the club and would remain on the premises licence. She advised that if there is a further review of the premises licence, the Board would take the written warning into account.

### **Decision**

East Lothian Licensing Board unanimously agreed to place a written warning on the premises licence.

#### **PREMISES LICENCE REVIEW**

**3b The Masons Arms, 8 High Street, Belhaven, Dunbar**

#### **4 PERSONAL LICENCE REVIEW**

**Christopher Darling**

The Clerk advised that items 3b and 4 would be taken together.

Mr C Darling was present.

Insp Harborow read from the Police Scotland letter of 18 April 2018 and highlighted the incident and serious offences on 31 March 2018 that had resulted in the premises

licence review request. He reported that he understood that the lease of the premises to Mr Darling had been terminated by the company who own the Masons Arms, and asked the Board to consider revoking the premises licence. He stressed his concerns about the outdated conditions that were on the premises licence and the fact that the operating plan is not being adhered to. However, he suggested that the premises owners may wish to attend a future Board meeting to represent themselves.

Responding to Councillor Goodfellow, Insp Harborow advised that the matters in relation to the offences are still pending with the Procurator Fiscal as there is still significant forensic work to be done; and answered questions on drugs related matters contained in the Police Scotland report.

PC Bowsher confirmed that she is aware that the premises are closed until further notice.

Mr Darling explained to Councillor Henderson that there is residential flat above the premises which has been vacant since 2015; that the flat is primarily used for storage; and that the flat had been used briefly by one of the premises' staff. He answered questions from Insp Harborow about the residential address and telephone number he had given to the CID.

The LSO referred to his report of 3 May 2018. He explained that historically he had a good working relationship with Mr Darling and that he had lengthy discussions with Mr Darling earlier in the year regarding the need to bring the premises licence up to date by way of major variations. He added that he considered some of Mr Darling's management skills to be questionable, and reported that Mr Darling had been late in paying the annual premises licence fee on four occasions. The LSO informed members that when he visited the premises on 1 May 2018, Mr Darling had been very rude and unhelpful; accusing the LSO of lying to him. The LSO added that Mr Darling's tenancy had been cancelled on 15 May and that the premises are not currently operating, although it is the owner's intention to re-open, dependant on the Board's determination today.

Insp Harborow referred to the further report from Police Scotland dated 21 April 2018 and asked for the Board to revoke Mr Darling's personal licence.

Mr Darling acknowledged that he had been rude to the LSO and apologised for his behaviour; however, he denied that he called the LSO a liar. He advised members that he had decided to withdraw his lease from the premises and had left on his own terms. He pointed out to the Board that he had been at the premises for five years during which time there had been no previous incidents. He admitted all of the details as reported by Police Scotland; acknowledged his bad judgement on 31 March 2018; and accepted the seriousness of the incident on that occasion. Although he had made his decision to leave the premises, he urged the Board to permit him to keep his personal licence.

The Board adjourned in private to debate the matter.

On reconvening, the Convener advised that items 3b and 4 had been considered together, and that all contributions had been taken into account. She advised that it had been agreed to continue the review of the premises licence until the next Board meeting, on the expectation that the premises owner would attend. With regard to Mr Darling's personal licence, she stated that the events of 31 March 2018 breached the licensing objectives of preventing crime and disorder, securing public safety, and protecting children from harm. As a result, the Board did not feel that Mr Darling was a fit and proper person to hold a personal licence.

**Decision**

East Lothian Licensing Board unanimously agreed to revoke Mr Darling's personal licence.

**CONSULTATION ON GAMBLING ACT**

The Clerk introduced an additional item. She advised that an email had been received from the Gambling Commission regarding an update on the consultation on the Gambling Act. She provided members with information on the key changes, most notably that the maximum stake for fixed odds gaming machines would be reduced from £100 to £2, and that there would be increased player protections. She undertook to keep members advised with implementation dates for the changes.

**Decision**

East Lothian Licensing Board note the verbal update.

Signed .....

Councillor Fiona Dugdale  
Convener of East Lothian Licensing Board



**EAST LOTHIAN**

**Meeting 28 June 2018 at 10:00am in Council Chambers, Town House, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

Variation (Major)(s)	Premises	Applicant	Date Received	Comments
1	NEW PHEASANT (FORMERLY JO'S KITCHEN) 73 MARKET STREET HADDINGTON EAST LOTHIAN EH41 3JJ	JOANNA MARGO LAWRENCE C/O TLT LLP - EDINBURGH HOBART HOUSE 80 HANOVER STREET EDINBURGH EH2 1EL	18 April 2018	Vary operating plan to Bar meals not to be provided outwith core hours. Addition of films, gaming (gaming machine), Indoor/outdoor sports by way of darts and pool. Televised sport will sometimes be shown from 9am i.e. Golf Open. Increase capacity from 50 to 100 persons. Change name to New Pheasant.

EAST LOTHIAN LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005, SECTION 29  
APPLICATION FOR VARIATION OTHER THAN MINOR VARIATION

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

SECTION 1: TYPE OF VARIATION

This application for Variation other than a Minor Variation of Premises Licence is made under Section 29(5) of the Licensing (Scotland) Act 2005 in order to vary-  
(Tick all relevant boxes)

- Any of the Conditions to which the Premises Licence is subject
- Any of the information contained within the Operating Plan
- The Layout Plan
- Any other information contained or referred to in the licence (including any addition, deletion or other modification).

(Provide Details) Change to Name of Premises

.....

SECTION 2: PREMISES LICENCE DETAILS

2(a) Licence Number of Premises

ELO 332

2(b) Name and Address of Premises

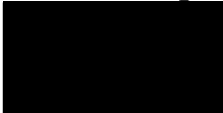
Jo's Kitchen (To be known as The New Pheasant)  
73 Market Street  
Haddington  
East Lothian

Post Code EH41 3JJ

Phone No. c/o TLT 0333 006 1405

2(c) Full Name and Address of Current Licence Holder

Joanna Margo Lawrence



Post Code

Phone No.



**SECTION 3: NATURE OF VARIATION**

Complete the relevant section(s) regarding the variations sought:-

**3(a) Variation to the Conditions to which the Premises Licence is subject**

Provide details of the Condition(s) to be varied and the variation being sought

N/A

**3(b) Variation to the information contained within the Operating Plan of the Premises Licence**

Provide a copy of the proposed operating plan and highlight below the proposed changes. (See Note 1)

Amendment to activities as follows:

- Bar meals not to be provided outwith core hours
- Films to be provided
- Gaming by way of a gaming machine to be provided
- Indoor/Outdoor sports to be provided by way of darts and a pool table
- General tidy up of wording in relation to Seasonal Variations; Children & Young persons and further details regarding column 4

Amend capacity from 50 to 100

Removal of the restaurant facility

**3(c) Variation to the Layout Plan of the Premises Licence**

7 Copies of the proposed Layout Plan **must** accompany this application. (See Note 2)

In addition please provide details below of the proposed change to the layout of the Premises.

Change to layout to incorporate the recent change from Bistro to public house

**3(d) Variation to any other information contained or referred to in the licence**

Provide details below of any other variation sought to the Premises Licence  
(e.g. Alteration to the description of the premises contained within the Premises Licence)

Change to name of premises from Jo's Kitchin to The New Pheasant

Change to description of premises - The premises are located on the ground floor of 73 Market Street, Haddington and is a community public house.

**SECTION 4: LICENCE TO BE AMENDED**

(See note 3 below)

Does the appropriate Premises Licence accompany this application?

YES

NO

If the answer is **NO**, please provide an explanation.

I am unable to produce the Premises Licence because...

- The licence has not yet been issued by the Board
  - The licence has already been returned to the Board in respect of an earlier application for variation or transfer
  - Other (provide details)
- .....

**SECTION 5: FEE PAYABLE**

The fee payable in respect of the application for variation is **£150**

If the application is submitted alongside an application for Transfer of Premises Licence then the combined fee for both applications will be **£170** (see note 4 below)

If submitted with an application for transfer, please specify the order in which the applications are to be considered-

- Application for Transfer of Premises Licence followed by Application for Variation
- Application for Variation followed by Application for Transfer of Premises Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

*If signing on behalf of the applicant please state in what capacity.*

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £ 170 is enclosed.

Signature

ff.....

(See note 5 below)

Date 17/04/2018

Capacity: ~~APPLICANT~~ / AGENT (delete as appropriate)

**If agent, please provide name, address,**

**phone number and (if applicable) email address**

Hobart House

3<sup>rd</sup> Floor

80 Hanover Street

Edinburgh

EH2 1EL

Tel: 0333 006 1405

Email-Caroline.Loudon@TLTsolicitors.com

**Note 1:**

Please note that the proposed Operating Plan **must** contain any aspects of the current Operating Plan that are to be preserved should the variation be granted. (e.g. If the current Operating Plan allows a premises to have 'live performances' but this is not requested on the proposed Operating Plan then the Licensing Board would view such an omission as a request to have 'live performances' deleted from the Operating Plan of the Premises.)

**Note 2:**

Please refer to Paragraph 5 of the Premises Licence (Scotland) Regulations 2007 regarding the format of Layout Plans.

**Note 3:**

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the variation. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of variation.

Please note also that once the variation is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the variation.

**Note 4:**

This refers to an application to Transfer the Premises Licence made under either Section 33(1) or Section 34(1) of the Licensing (Scotland) Act 2005

**Note 5:**

**Data Protection Act 1998**

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

**Contact Us:**

**East Lothian Licensing Board**

Licensing Office

John Muir House

Haddington, East Lothian

EH41 3HA

**Phone:** 01620 827217 / 827867 / 820114

**Fax:** 01620 827253

**Email:** [licensing@eastlothian.gov.uk](mailto:licensing@eastlothian.gov.uk)

**FOR OFFICE USE ONLY**

<i>Received &amp; Receipt No.</i>	<i>System Updated</i>	<i>Licence Issued</i>

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

*STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH*

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	NO
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	NO
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES
<i>*Delete as appropriate</i>	

### Question 2

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES*

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00am	11.00pm
<i>Tuesday</i>	11.00am	11.00pm
<i>Wednesday</i>	11.00am	11.00pm
<i>Thursday</i>	11.00am	01.00am
<i>Friday</i>	11.00am	01.00am
<i>Saturday</i>	11.00am	01.00am
<i>Sunday</i>	11.00am	Midnight

**Question 3**

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES*

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00am	10.00pm
<i>Tuesday</i>	11.00am	10.00pm
<i>Wednesday</i>	11.00am	10.00pm
<i>Thursday</i>	11.00am	10.00pm
<i>Friday</i>	11.00am	10.00pm
<i>Saturday</i>	11.00am	10.00pm
<i>Sunday</i>	11.00am	10.00pm

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<b>YES</b>
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*\*If YES – provide details*

We would like to take advantage of any seasonal variations that the Board may grant from time to time.

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

<b>COL. 1</b> <i>5(a)</i> <i>Activity</i>	<b>COL. 2</b> <i>Please confirm</i> <i>YES/NO</i>	<b>COL. 3</b> <i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<b>COL. 4</b> <i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	NO	NO	NO
<i>Bar meals</i>	YES	YES	NO
<b>5(b) Activity</b> <i>Social functions</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays, retirements</i> <i>etc.</i>	YES	YES	YES
<i>Club or other group</i> <i>meetings etc.</i>	YES	YES	YES
<b>5(c)</b> <i>Activity</i> <i>Entertainment</i> <i>including:</i>	<i>Please confirm</i> <i>YES/NO</i>	<i>To be provided</i> <i>during core licensed</i> <i>hours – please</i> <i>confirm</i> <i>YES/NO</i>	<i>Where activities are</i> <i>also to be provided</i> <i>outwith core licensed</i> <i>hours please confirm</i> <i>YES/NO</i>
<i>Recorded music – see</i> <i>5(g)</i>	YES	YES	YES
<i>Live performances –</i> <i>see 5(g)</i>	YES	YES	NO
<i>Dance facilities</i>	YES	YES	NO

<i>Theatre</i>	NO	NO	NO
<i>Films</i>	YES	YES	NO
<i>Gaming</i>	YES	YES	NO
<i>Indoor/outdoor sports</i>	YES	YES	NO
<i>Televised sport</i>	YES	YES	YES
<b>5(d) Activity</b>	<b><i>Please confirm YES/NO</i></b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Outdoor drinking facilities</i>	YES	YES	NO
<b>5(e) Activity</b>	<b><i>Please confirm YES/NO</i></b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
<i>Adult entertainment</i>	NO	NO	NO

*Where you have answered YES in respect of any entry in column 4 above, please provide further details below.*

We intend to offer coffee, cake and breakfasts from 9am. We may offer cooked food earlier than 11am.

Early morning funerals and other private functions will be catered for on occasions.

Clubs and groups will be able to hold meetings in our premises from 9am.

Recorded music will be played from 9am.

Televised sport will sometimes be shown from 9am (Local events i.e. golf open)

*5(f) any other activities*

*If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.*

Charity nights; Quiz nights; community nights; sporting events; fundraising events; darts matches; pool competitions; race nights or similar events of this nature may take place on the premises during core licensed hours.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

**Question 6 (On-sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES
*Delete as appropriate		

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children and Young Persons will be allowed on the premises until 10.00pm or until the end of a private function.  
 Children must be accompanied by a supervising adult.

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Children 0-15 years  
 Young Persons 16 & 17 years

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

Children until 10.00pm unless attending a private function where they can remain until the terminal hour of the function.  
 Young Persons until 11.00pm unless attending a private function where they can remain until the terminal hour of the function.



6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

All public areas except the bar servery

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

100

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

Personal details

8(a) Name

Joanna Margo Lawrence

8(b) Date of birth

[REDACTED]

8(c) Contact address

[REDACTED]

8(d) Email address

[REDACTED]

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
4 February 2015	East Lothian Licensing Board	EL 1150

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  ..... \* (see note below)

Date 17.04.2018

Capacity ..... ~~APPLICANT~~/AGENT (delete as appropriate).

Telephone number and email address of signatory: Tel: 0333 006 1405

Email: [Caroline.loudon@TLTsolicitors.com](mailto:Caroline.loudon@TLTsolicitors.com)

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

Date 15<sup>th</sup> May 2018



**POLICE  
SCOTLAND**

Keeping people safe

Your Ref: EL332

Our Ref: J/LIC/3705/HB

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

Iain Livingstone QPM  
Deputy Chief Constable Designate

Local Area Commander  
The Lothians and Scottish Borders Division  
Haddington Police Station  
39-41 Court Street  
Haddington  
EH41 3AE

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
JO'S KITCHEN  
73, MARKET STREET, HADDINGTON, EAST LOTHIAN, EH413JJ.  
JOANNA MARGO LAWRENCE, [REDACTED]**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a change to the Operating Plan, Layout Plan, name of the premises and description of the premises.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

Whilst I appreciate that the premises already currently holds a liquor licence consideration should be given by the Board when dealing with this variation, with regards to the change of 'operation' from a 'Restaurant' to a 'Community Public House'.

I note that the applicant is requesting outdoor drinking facilities, I would request that due to the very close proximity of residential properties that the outside area is not used beyond 2000 hours.

Children and Young Persons

Bearing in mind the premises are offering 'bar meals' I would request that:

### Terms

Children and Young Persons (0-17 years) must be accompanied at all times by a responsible parent or guardian whilst within the premises.

### Times

Children (0-15 years) must vacate the premises by 2000 hours unless they are in the company of persons who are consuming a meal or consuming a meal themselves. They may remain until the end of that meal.

Young Persons (16-17 years) must vacate the premises by 2200 hours.

The only exception to this would be if Children and Young Persons were attending a private function then they could stay for the duration of that private function.

If the variation, or an amended version is approved, I request that the Licensing Board considers that conditions be imposed in respect of:

- CCTV to be installed and maintained covering both inside and outside the premises.
- The outside licensed area is not used beyond 2000 hours.

This representation is submitted for your attention in considering this application.

Yours faithfully



Iain Livingstone QPM  
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

# EAST LoTHIAN COUNCIL

## LICENSING, ADMINISTRATION AND DEMOCRATIC SERVICES

**From: R. Fruzynski**  
Licensing Standards Officer

**To: K. MacNeill**  
Clerk to the Licensing Board

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Date: 18 May 2018

**Subject: LICENSING SCOTLAND ACT 2005**  
**PREMISES LICENCE VARIATION (MAJOR) APPLICATION**

**The New Pheasant, 73 Market Street, Haddington, East Lothian EH41 3JJ**

I can confirm that I have liaised with Mr Michael Peters, the prospective new leaseholder of the premises at the above address, in relation to this variation.

As a bit of background, Mr Peters took over the Gardeners Arms, Market Street, Haddington in 2011. At the time of commencement of his lease, the pub had just undergone a review following a number of problems experienced by the previous management. Since taking over, Mr Peters has turned the premises around and I can confirm that there have been no complaints received by Licensing Standards regarding the operation of the Premises Licence.

In recent times, the Anti-Social Behaviour Team has received a substantial complaint made by a resident in the area complaining about late evening noise associated with persons congregating in Market Street and using nearby Cross Lane as a thoroughfare from High Street. This problem cannot be directly attributed to licensed premises in Market Street. It is more likely to be related to the make-up of the area as a whole, being a focal point for persons seeking the services of many different types of business that are open in the evenings, particularly at weekends.

I support the application.

R. Fruzynski  
Licensing Standards Officer



10 May 2018

Your ref: KMacN/mjw/EN/L/L1

Dear Madam


I would like the undernoted comments to be taken into consideration when determining the application.


Already a Pubic House on the corner of this building – do we need another so close?

As you drive into Haddington town center there are 3 pubic houses with “to let” signs displayed outside – do we need another public house?

This part of Market Street is already a place for people gathering after public houses have closed. The noise generated from another 80-100 people leaving another public house in the area under the influence of alcohol will become intolerable for those of us who are trying to-sleep.

Outside seating area far too small accommodate 4 tables and 16 seats. Maybe a site visit would be appropriate.

 we will never be able to have our bedroom window open due to passive smoke as there will be people outside smoking/drinking from 9am until closing – 1am at the weekend.

 We had accepted an offer for it but the buyer decided to withdraw his offer because of the proposed change of use restaurant to public house as "due to proposed pub underneath doesn't feel comfortable with the situation having two young daughters in that environment"

 We would not have purchased it had we known this might happen.

The noise generated from up to 100 people drinking/partying/playing music directly under our home 7 days a week from 9 – 1am Thursday to Saturday would become totally intolerable.

We know in the past there was a public house on the ground floor but that was when it was part of a hotel not with residential properties above.

We trust the above comments will be taken into account when considering this application.

Yours faithfully



East Lothian Council  
Licensing  
25 MAY 2018  
Received

Ms Kirstie MacNeill  
Clerk to the Licensing Board  
John Muir House  
Haddington  
EH41 3HA

24 May 2018

Licensing (Scotland) Act 2005 – Application for variation (major) – premises  
New Pheasant (Formerly Jo's Kitchen), 73 Market Street, Haddington, East  
Lothian, EH41 3JJ – Type on and off sales.

Dear Sir/Madam

Many thanks for providing us, the signatories of this letter, an opportunity to provide comments to the application as outlined above. While of course we wish Haddington to have a flourishing town centre where people come to enjoy themselves and support the local economy, we would object to a variation of operating plan at 73 Market Street – in particular the increase in capacity from 50 to 100. The proposed name change to the New Pheasant is merely an irritation for those who are aware what night time disturbance was like in the time of the 'old' Pheasant Hotel.

As you will be aware, 73 Market Street is only two doors away from the Gardener's Arms, a public house, currently with outdoor seating until 21:00. This location, like 73 Market Street is essentially on a little square with stone houses on three sides, which do little to absorb noise pollution. The outdoor seating at the Gardener's Arms is already causing significant amount of noise, even when only a small number of people are seated there. This is primarily due to a lack of care by inebriated customers, often cackling and swearing with little consideration for those who live around them. Although seats are taken away at 21:00, customers will continually throughout the evening come outside for smoking and particularly on the warmer nights this leads to extended periods of noise. At closing time this noise will significantly increase for half an hour, interspersed with regular aggression, until everyone at least disappears either at 00:30 or 1:30, dependent on the day of the week.

As you may also be aware, before Jo's Kitchen entered the premises of 73 Market Street, and before the building was renovated, it housed the Pheasant Hotel. At that time, the little square outside would regularly be completely filled with customers causing disturbance. At the time this caused significant distress to those living in the surrounding flats and houses, leading to complaints. Clearly this is not a situation that we as local residents would be happy to return to. In fact, the East Lothian Licensing Board focused strongly on the needs of the local residents when it allowed an alcohol licence for 73 Market Street to Jo Lawrence who reportedly in the East Lothian Courier (9 Nov 2015) was installing extra

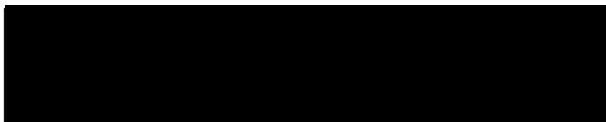
layers of soundproofing for upstairs neighbours and offered to provide free soft drinks to designated drivers in her family restaurant, and presented the restaurant as 'all about the food; drunkenness will not be tolerated'. A public house is generally not all about the food and definitely much about the alcohol. Having two public houses situated beside one another is likely to be causing more than double the disturbance currently experienced, in particular if the capacity of the premises of 73 Market Street are doubled.

It may be worth pointing out too that a few of us have no option to move our bedrooms to the backs of our houses where we live with our children. Especially on warm days, crude language causes embarrassment to our children when their bedroom windows are open. Even those who are not living in the direct surroundings of 73 Market Street, the disturbance of inebriated customers walking down Market Street towards Hardgate and between Market Street and the High Street can cause upset with plants being pulled out of plant pots and urinating in the darker alley ways. While this causes more annoyance rather than fear, there is only a very limited police presence generally available in Haddington at night which does little to help matters.

There are a fair number of public houses in Haddington, with three currently out for rent. This begs the question whether another public house with a capacity of 100 people is really required. Finally, the papers very recently have been full of articles providing evidence of the much larger consumption of alcohol in Scotland in comparison to the rest of the UK with its associated negative effects on health and wellbeing not just on those who drink but also those around them. We wonder whether allowing another pub to open flies right into the face of any considered public health strategy.

We would welcome your consideration of these comments and urge you not to agree the variation as sought.

Kind regards





**EAST LOTHIAN**

**Meeting 28 June 2018 at 10:00am in Council Chambers, Town House, Haddington, East Lothian**

**Licensing (Scotland) Act 2005**

**Premises Licence Review(s)**

<b>Premises</b>	<b>Applicant</b>	<b>Date Received</b>	<b>Comments</b>
2 MASON'S ARMS 8 HIGH STREET BELHAVEN DUNBAR EAST LOTHIAN EH42 1NP	POLICE SCOTLAND	18 April 2018	

Date 18<sup>th</sup> April 2018

Your Ref: EL286

Our Ref: IK/APP/318034



**POLICE  
SCOTLAND**

Keeping people safe

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

Iain Livingstone QPM  
Deputy Chief Constable Designate

Local Area Commander  
The Lothians and Scottish Borders Division  
Haddington Police Station  
39-41 Court Street  
Haddington  
EH41 3AE

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005 - SECTION 36**

**PREMISES LICENCE REVIEW APPLICATION**

**LICENCE NO: EL286**

**PREMISES: Masons Arms**

**8 High Street, Dunbar, East Lothian, EH42 1NP.**

**PREMISES LICENCE HOLDER: Christopher Darling**

In terms of section 36(1) of the Licensing (Scotland) Act 2005 I hereby make application to the East Lothian Licensing Board for a review of the premises licence in respect of the premises known as Masons Arms 8 High Street, Dunbar, East Lothian, EH42 1NP.

This application for review is made in terms of Section 36(3)(b) on grounds relevant to one or more of the licensing objectives as articulated at Section 4(1) of the 2005 Act, namely:

- Preventing crime and disorder
- Securing public safety
- Protecting and improving public health
- Protecting children and young persons from harm

In support of this application, and in terms of section 36(5)(b) the following information is provided for your consideration:-

The premises is a small pub situated between terraced houses/flats on Belhaven High Street, Dunbar. It has a capacity of 66 with an external beer garden to the

rear. The Premises Licence Holder and Designated Premises Manager is Christopher Darling. Mr Darling has been the licence holder since February 2014.

The premises currently benefits from the following licensed hours:

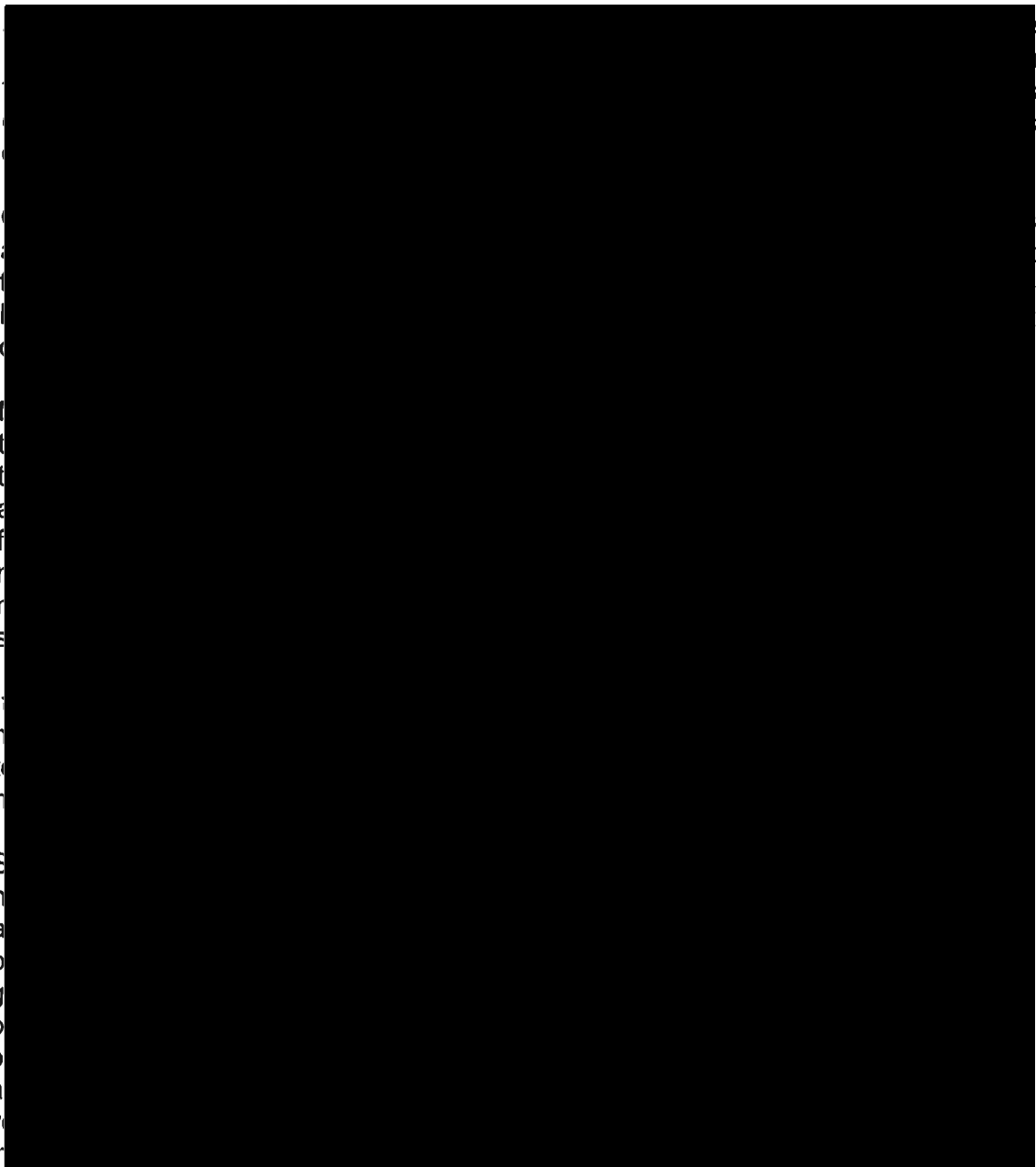
Monday – Thursday 1200-1400 and 1700-2300

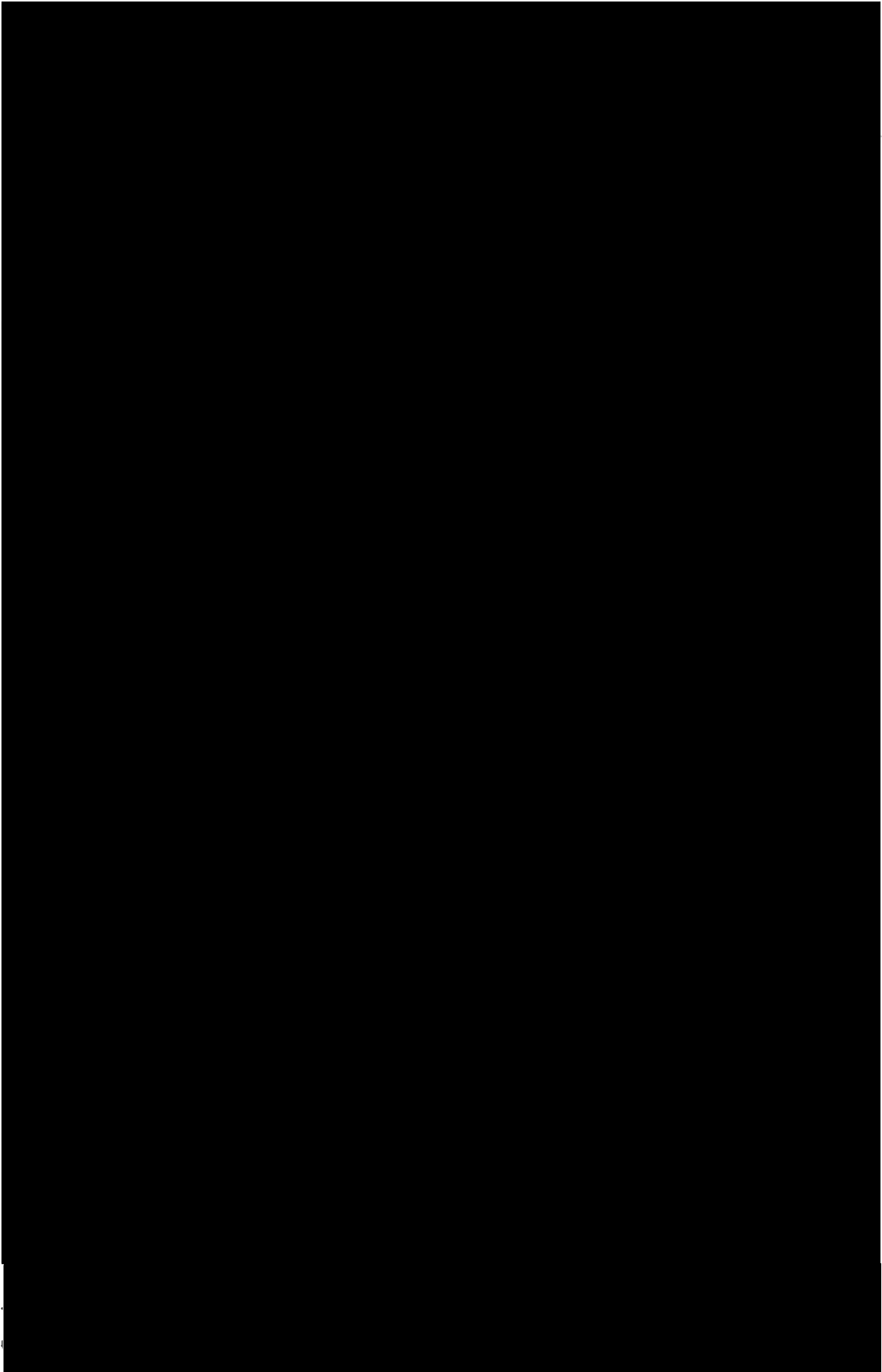
Friday – Saturday 1200-0000

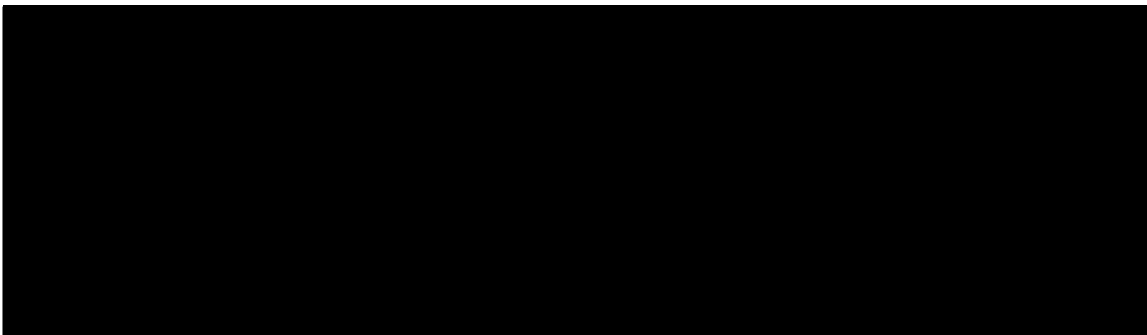
Sunday 1230-2300

At 0650 hours on Saturday 31<sup>st</sup> March 2018, a call was received by Police Scotland [REDACTED]

[REDACTED] the address was given as the Masons Arms, 8 High Street, Belhaven, Dunbar.







I request that the Licensing Board considers the aforementioned grounds for review and takes such steps as it considers necessary or appropriate for the purposes of the Licensing Objectives under the terms of Section 39 of the Act.

Yours faithfully

Iain Livingstone QPM  
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

# EAST LoTHIAN COUNCIL

Licensing, Administration and Democratic Services

From: Rudi Fruzynski,  
Licensing Standards Officer

To: K. MacNeill  
Clerk to the Licensing Board

---

Date: 3 May 2018

**Subject: LICENSING (SCOTLAND) ACT 2005 - PREMISES LICENCE REVIEW**

**THE MASONS ARMS, 8 HIGH STREET, BELHAVEN, DUNBAR,  
EAST LoTHIAN EH42 1NP**

On Thursday 26<sup>th</sup> April 2018, I received intimation in terms of Section 38(3)(b) of the licensing (Scotland) Act 2005 of the intention of the Licensing Board to review the Premises Licence in respect of the above premises.

In terms of Section 38(4) of the Act, I have prepared this report outlining information relevant to the review for the consideration of Licensing Board Members.

R. Fruzynski  
Licensing Standards Officer

## Contents

Licensing Standards Officers Report - pages 3 & 4

Appendix 1 Extract of Premises Licence Operating Plan - pages 5 & 6

Appendix 2 LSO Premises Visit Reports - pages 7 & 8

## Licensing Standards Officer's Report

Mr Christopher Darling has been the Designated Premises Manager of the Masons Arms since February 2014.

The current licensed hours of the premises are as follows:

### Licensed hours

#### ON SALES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	12:00 - 14:00	17:00 - 23:00
<i>Tuesday</i>	12:00 - 14:00	17:00 - 23:00
<i>Wednesday</i>	12:00 - 14:00	17:00 - 23:00
<i>Thursday</i>	12:00 - 14:00	17:00 - 23:00
<i>Friday</i>	12:00	24:00
<i>Saturday</i>	12:00	24:00
<i>Sunday</i>	12:30	23:00

There is no off sales facility attached to the licence.

The Licensing Standards Officer has visited the premises on a regular basis and liaised with Mr Darling keeping him up to date with licensing news, trends and changes in legislation. During a number of visits, guidance was provided that the premises had no approved facilities for gaming, indoor /outdoor sports or televised sports and that a major variation should be applied for in respect of the use of the pool table located in the disused dining room, and darts and televised sport facilities in the bar. An extract of the currently approved activities, as shown in Section 5 of the Premises Licence Operating Plan is shown at appendix 1 of this report. Copies of two visit reports to the premises, where this guidance and advice was recorded, are additionally shown in appendix 2.

Despite verbal reminders that a major variation should be applied for nothing has been received by the Licensing Office.

Mr Darling is a pleasant person to deal with, but his organisational skills are questionable. Every year since his uptake of the tenancy of the Masons Arms reminder letters from the Licensing Office providing full details of the mandatory requirement to pay the Premises Licence Annual Fee by 1st October each year been met by late payment. This required follow up letters, emails and additional visits by the LSO before payments were finally received. A variety of reasons were given for late payment including Mr Darling having been busy decorating his



house and that he does not normally open his mail that is left to his accountant to sort out. Since 2014 the annual fee has always been paid late, as follows:

2014 fee paid 08/10/2014

2015 fee paid 19/10/2015

2016 fee paid 21/11/2016

2017 fee paid 20/11/2018

This information is submitted for the information of Licensing Board members to assist in the determination of this review raised by Police Scotland.

R. Fruzynski

Licensing Standards Officer

**Question 5 (Extract of Premises Licence Operating Plan)**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

<b>5(a) Activity</b>	<i>Please confirm YES/NO</i>	To be provided during core licensed hours – please confirm  <i>YES/NO</i>	Where activities are also to be provided <u>outwith</u> core licensed hours please confirm  <i>YES/NO</i>
<i>Accommodation</i>	NO	N/A	N/A
<i>Conference facilities</i>	NO	NO	NO
<i>Restaurant facilities</i>	YES	YES	NO
<i>Bar meals</i>	YES	YES	NO
<b>5(b) Activity Social functions including:</b>	<i>Please confirm YES/NO</i>	To be provided during core licensed hours – please confirm  <i>YES/NO</i>	Where activities are also to be provided <u>outwith</u> core licensed hours please confirm  <i>YES/NO</i>
<i>Receptions including (Weddings, funerals, birthdays, retirements etc)</i>	YES	YES	NO
<i>Club or other group meetings etc</i>	YES	YES	NO
<b>5(c) Activity – Entertainment including:</b>	<i>Please confirm YES/NO</i>	To be provided during core licensed hours – please confirm  <i>YES/NO</i>	Where activities are also to be provided <u>outwith</u> core licensed hours please confirm  <i>YES/NO</i>
<i>Music – see 5(g)</i>	NO	NO	NO
<i>Live performances – see 5(g)</i>	NO	NO	NO
<i>Dance facilities – see 5(g)</i>	NO	NO	NO
<i>Theatre</i>	NO	NO	NO
<i>Films</i>	NO	NO	NO
<i>Gaming</i>	NO	NO	NO
<i>Indoor/outdoor sports</i>	NO	NO	NO
<i>Televised sport</i>	NO	NO	NO
<b>5(d)</b>	<i>Please confirm</i>	To be provided during core	Where activities are also to be provided

<i>Activity</i>	<i>YES/NO</i>	<i>licensed hours – please confirm YES/NO</i>	<i>outwith core licensed hours please confirm YES/NO</i>
<i>Outdoor drinking facilities</i>	<b>YES</b>	<b>YES</b>	<b>NO</b>
<i>5(e) Activity</i>	<i>Please confirm YES/NO</i>	<i>To be provided during core licensed hours – please confirm YES/NO</i>	<i>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</i>
<i>Adult entertainment – see 5(g)</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

**EXISTING WALLED BEER GARDEN WITH LIMIT ON EVENING USE. APPROX. 20 SEATING CAPACITY.**

*5(f) any other activities*

*If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.*

**NONE**

## LSO Visit Reports

(1) Details | (2) Addresses | (3) Complainer | (4) Documents

Reference Number	0078/2014	
Licence Number	EL286	
Category	Premises Licence	
Personal Licence	- None	▼ ▶
Premises	Masons Arms	▼ ▶
<b>Visit Details</b>		
Priority Level		
Type	Premises Licence Variation Enquiry	
Officer	Rudi Fruzynski	
Accompanying		
Date	14/02/2014	Time
Visit Description	Met with Chris Darling, DPM. He requested guidance on how to apply for varied chore hours: changes to add gaming, televised sport, etc to the existing licence. Went over the major application process with him and left him an application form and blank operating plan for his information and use.	
<b>Action Taken</b>		
Action	Guidance Given	
Action Date		
Action Details		
Notes	Checked to see if the new authenticated Premises Licence had been sent out to Chris Darling after the Transfer of Licence and change of DPM had been approved last week. It appears that these documents went to the Clerk of the Board for signing, early this week, and they were posted out mid week. This information was intimated by email to Chris Darling by way of email.	

(1) Details | (2) Addresses | (3) Complainer | (4) Documents

Reference Number	1133		
Licence Number	EL286		
Category	Premises Licence		
Personal Licence	- None		
Premises	Masons Arms		
<b>Visit Details</b>			
Priority Level	Amber		
Type	Routine Check		
Officer	Rudi Fruzynski		
Accompanying	Police Licensing Officer		
Date	10/02/2016	Time	
Visit Description	Met with Chris Darling. Five patrons in at time of visit. Chris requested guidance on running a beer festival at the pub. Issues discussed.		
<b>Action Taken</b>			
Action	Guidance Provided		
Action Date			
Action Details	<input checked="" type="checkbox"/> Recommended a major variation to include mid afternoon hours, which are currently not part of the licence, include indoor sports, which is no in the operating plan, but a pool table is located in the diningroom which is used by patrons and the pub pool team and to add in televised sports.		
Notes	Follow up email sent 11/02/2016 stating the above.		



LICENSING (SCOTLAND) ACT 2005, SECTION 33(1)

3b

APPLICATION FOR TRANSFER OF PREMISES LICENCE

This application should only be completed by the Licence Holder of the appropriate Premises Licence or their Agent.

Please complete all sections of the application form.

SECTION 1: PREMISES LICENCE DETAILS

1(a) Licence Number of Premises

EL286

1(b) Name and Address of Premises

Masons Arms  
8 High Street,  
Belhaven,  
Dunbar,

Post Code

EH42 1NP

Phone No.

N/A

1(c) Full Name and Address of Current Licence Holder

Christopher Darling  
Address Unknown

Post Code

Phone No.

SECTION 2: TRANSFEREE INFORMATION

Where the transferee is an individual complete part 2(a) only

2(a) Full Name, Home Address, Date and Place of Birth of Transferee if Individual

--

<b>Date of Birth</b>		<b>Place of Birth</b>	
<b>Post Code</b>		<b>Phone No.</b>	

Where the transferee is a **partnership, company or club/other body** please complete part **2(b), 2(c) or 2(d)** respectively. If the transferee is a **partnership, company or club/other body** then part **2(e)** must also be completed

**2(b) Full Name and Address of Transferee if Partnership**

--	--	--	--

<b>Post Code</b>		<b>Phone No.</b>	
------------------	--	------------------	--

**2(c) Full Name, Address of Registered Office and Company Registration Number of Transferee if Company**

Scotcan Catering Ltd 1 The Cottages, West Barns, Dunbar			
--	--	--	--

<b>Company Registration Number</b>	SC395168		
------------------------------------	----------	--	--

<b>Post Code</b>	EH42 1UQ	<b>Phone No.</b>	07855 863366
------------------	----------	------------------	--------------

**2(d) Full Name and Address of Transferee if Club or Other Body**

--	--	--	--

<b>Post Code</b>		<b>Phone No.</b>	
------------------	--	------------------	--

**2(e)** Where transferee is a **partnership, company or club/other body** please provide the names, home addresses, dates and places of birth of all connected persons as defined by Section 147(3) of the Licensing (Scotland) Act 2005

**CONTINUE ON A SEPARATE PAGE IF NECESSARY**



Mr James R Hughes - Director



Date of Birth	[REDACTED]	Place of Birth	[REDACTED]
Post Code	[REDACTED]	Phone No.	[REDACTED]

Mrs Sarah S Hughes - Director



Date of Birth	[REDACTED]	Place of Birth	[REDACTED]
Post Code	[REDACTED]	Phone No.	[REDACTED]

**Section 3 – DETAILS OF CONVICTIONS FOR RELEVANT OR FOREIGN OFFENCES**

In respect of the proposed transferee or any connected person please provide details below of any convictions for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974.

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

Use separate sheet if necessary

**SECTION 4 - LICENCE TO BE AMENDED**

(See note 1 below)

Does the appropriate Premises Licence accompany this application?

NO

If the answer is NO, please provide an explanation.

I am unable to produce the Premises Licence because...

The licence has not yet been issued by the Board

The licence has already been returned to the Board in respect of an earlier application for variation or transfer

Other (provide details)      See attached letter

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

***If signing on behalf of the applicant please state in what capacity.***

I confirm that (a) the contents of this Application are true to the best of my knowledge and belief; and (b) the appropriate fee of £37.50 is enclosed. (See note 2 below)

Signature



..... (See note 3 below)

Date

6/6/2018

Capacity: APPLICANT / ~~AGENT~~ (delete as appropriate)

**If agent, please provide name, address, phone number and (if applicable) email address**

**Note 1:**

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the transfer. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forward to the Licensing Authority within 14 days in order to complete the process of transfer.

Please note also that once the transfer is completed, any certified copies of the appropriate Premises Licence must also be updated to reflect the details of the transfer.

**Note 2:**

If this application is submitted together with an application for variation then it will be subject to a combined fee. Please contact the East Lothian Licensing Board directly to clarify the exact fee.

**Note 3:**

**Data Protection Act 1998**

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

**Contact Us:**

Date 12<sup>th</sup> June 2018

Your Ref: EL286

Our Ref: J/LIC/3705/HB



**POLICE  
SCOTLAND**

Keeping people safe

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

Iain Livingstone QPM  
Deputy Chief Constable Designate

Local Area Commander  
The Lothians and Scottish Borders Division  
Haddington Police Station  
39-41 Court Street  
Haddington  
EH41 3AE

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE TRANSFER  
OF A PREMISES LICENCE ON APPLICATION OF PERSON OTHER THAN  
LICENCE HOLDER  
MASONS ARMS, 8 HIGH STREET, DUNBAR, EAST LOTHIAN, EH42 1NP.  
CHRISTOPHER DARLING  
APPLICANT – SCOTCAN CATERING LTD, 1 THE COTTAGES, WEST BARNES,  
DUNBAR**

I refer to the above application and in terms of Section 33(6)(a)(i) & (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Iain Livingstone QPM  
Deputy Chief Constable Designate

For enquiries please contact the Licensing Department on 01620 826147

## Winter, Maree

---

**From:** Fruzynski, Rudi  
**Sent:** 07 June 2018 09:12  
**To:** Winter, Maree  
**Subject:** RE: transfer of mason arms application.pdf

I have no objection to this transfer.

Rudi Fruzynski  
Licensing Standards Officer  
Accredited Paralegal  
East Lothian Council



01620827363

---

**From:** Winter, Maree  
**Sent:** 06 June 2018 11:43  
**To:** LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk; Fruzynski, Rudi <rfruzynski@eastlothian.gov.uk>  
**Subject:** transfer of mason arms application.pdf

Hi

Please find attached the transfer and supporting docs for the Mason Arms, Belhaven.

Kind regards  
Maree.

ScotCan Catering Ltd  
1 The Cottages  
West Barns  
Dunbar  
EH42 1UQ

5th June 2018

East Lothian Council Licensing Board  
John Muir House,  
Haddington  
EH41 3HA

**Premise license Transfer - Mason's Arms Dunbar**

Dear Maree,

I have enclosed the form you kindly sent me to transfer the premises license for the Masons Arms into my company name. We would appoint a Designated Premises Manager once the premises is ready to be reopened following refurbishment.

**Section 4**

I answered 'NO' to the question.

I have been unable to enclose the premises license as this is in the possession of Christopher Darling who has since left the premises and also had his personal license revoked at last months meeting.

I would like to represent the Premises in person at the next license meeting on the 28th June 2018 in which the review of the premises license has been continued. Brian Porteous the owner of the premises is not back from holiday and has given his approval for me to represent as the proposed future lease holder. If this is allowed can you forward me details of timings etc?

Kind Regards,

  
James Hughes  
Director  
ScotCan Catering Ltd  
07855 863366

# **East Lothian Licensing Board**

**28 June 2018**

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**Pages 46 and 47 have been deliberately omitted  
from the public document pack**