

EAST LOTHIAN

Meeting 28 November 2019 at 10:00am in Council Chambers, Town House, Haddington

Licensing (Scotland) Act 2005

Occasional(s)

Premises

Applicant

Date Received

Comments

b(1)
4 BREWERY LANE
BELHAVEN
DUNBAR
EAST LOTHIAN
EH42 1PD

ROSS JAMES HARDIE

1 November 2019

Start date of event:
05/12/2019

End Date of Event: 08/12/2019
Operate A "speak Easy" Style
Bar Leading Up To A Full
Alcohol Premises Licence.
Expected Number Of Persons
Attending 70 Per Day Over The
Period Of Friday To Sunday. No
More Than 10 On The Thursday
Preceding.
Children and young persons
will not be permitted entry to
the function.

OCC592/19
Adv 8/11

E.L.C.
Customer Services
- 1 NOV 2019
RECEIVED

Occasional Licence and Supplementary Information Form EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	EL1625
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Ms Miss Ms Other (please state)			
Surname	HARDIE		
Forenames	ROSS JAMES		
DATE OF BIRTH	Day	Month	Year
	[REDACTED]		
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
[REDACTED]			
Post town	[REDACTED]	Post code	[REDACTED]
TELEPHONE NUMBERS			

Daytime	[REDACTED]
Evening	
Mobile	

FAX NUMBER

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

[REDACTED]

3. THE PREMISES

Description of premises 2 STOREY OFFICE/COMMERCIAL PROPERTY, DETACHED, WITH 4 ROOMS AND 2 x WC

Description of activities to be carried on in the premises – (including number of persons expected to attend)

OPERATE A 'SPEAKERS' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE

EXPECTED NUMBER OF PERSONS ATTENDING: 70 PER DAY OVER THE PERIOD OF FRIDAY TO SUNDAY, AND NO MORE THAN 10 ON THE THURSDAY PRECEDING.

Full postal address of premises which this application refers to

4 BREUGRY LANE
 BELHAVEN
 DUNBAR
 EH42 1PD

4. DURATION OF LICENCE

From: 05/12/2019

To: 08/12/2019


5. Is alcohol to be sold on & off the premises YES/NO* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-* delete as appropriate

Times for sale of alcohol for consumption on premises	Times for sale of alcohol for consumption off premises
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12 noon - 01:00	
Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises 1 HOUR PRIOR TO SERVING FOR SET-UP	

6. CHILDREN (see note 2)	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? YES/NO (if answered yes the remainder of this section must be completed)	
Ages of children or young persons permitted entry	Times at which children or young persons permitted entry
Parts of premises to which children or young persons permitted entry	

7. CHECKLIST	
I have - Please tick for yes	
• Made or enclosed payment of the fee for the application	✓

8. Signature and declaration by applicant (see note 3)	
DECLARATION	
The contents of this Application are true to the best of my knowledge and belief.	
SIGNATURE 	DATE 31/10/19

NOTES

1. Section 56 of the Licensing (Scotland) Act provides that only: -

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

PLEASE SUBMIT THIS SHEET WITH YOUR OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

<p>1. Event</p> <p>(a) Please detail the type of event (e.g. birthday party, anniversary celebration, ceilidh, etc.)</p> <p>(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)</p>	<p>(a) OPERATE A 'SPEAKERS' STYLE BAR LEADING UP TO A FULL ALCOHOL PREMISES LICENCE</p> <p>(b) RECORDED MUSIC</p>
<p>2. Attendance</p> <p>(a) Approximately how many people are expected to attend?</p> <p>(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)</p> <p>(c) In the main, what age group will form the majority of those attending? Tick one box.</p> <p>(d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)</p>	<p>CIRCA 70 EACH DAY DURING EVENT.</p> <p>CAPACITY OF VENUE</p> <p><input type="checkbox"/> Under 18</p> <p><input type="checkbox"/> 18 - 30</p> <p><input checked="" type="checkbox"/> 30 - 50</p> <p><input type="checkbox"/> over 50</p> <p>NOT TICKETED, ACCESS AT THE DOOR SUBJECT TO CAPACITY</p>

<p>3. <u>Stewarding</u></p> <p>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</p>	
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at <u>Security Industry Authority</u>.</p> <p>(a) Please state the number, if any, of stewards to be employed at the event.</p> <p>(b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.</p>	<p>(a) STEWARDS NOT REQUIRED</p> <p>(b)</p>
<p>4. <u>Layout Plans</u></p> <p>Please indicate if -</p> <p>(a) there is a plan attached to a Public Entertainment Licence issued for the premises; or</p> <p>(b) the premises relate to a members club which has been issued with a premises licence; or</p> <p>(c) if neither of the above, please attach a detailed layout plan of the venue with the application</p>	<p>(a)</p> <p>(b)</p> <p>(c) ATTACHED</p>
<p>5. <u>Applications Lodged by Voluntary Organisations or Members Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December</p>	<p>N/A</p>

6. Will alternatives to glass receptacles be provided?	NO
7. To what standard those serving alcohol be trained? Please provide details of any training certificate held	AS A MINIMUM, TO CITI & GUILD'S WORKBOOK FOR STAFF OF LICENSED PREMISES, TO COMPLY WITH THE 2 HOURS MINIMUM TRAINING REQUIRED BY THE LICENSING (SCOTLAND) ACT 2005

LICENSING OBJECTIVES **

All holders of occasional licences must demonstrate how they will promote the 5 Licensing Objectives. Please provide practical examples of what you plan to do to comply with each objective.

8. How will you prevent Crime and Disorder at the event?	<ul style="list-style-type: none"> - AWARENESS OF INTOXICATION LEVELS AND REFUSAL TO SERVE INTOXICATED PERSONS - DISPLAY OF UNDRIBS NOTICE AND CHALLENGE IT AT R.O.S. AND ENTRANCE - REGULAR 'SWEEPS' OF ALL AREAS INC W.C.S. - PRICE OF ALCOHOL ABOVE MANDATORY LEVELS. - DENYING ACCESS TO ANYONE INTOXICATED
9. How will you secure Public Safety at the event?	<ul style="list-style-type: none"> - ENGAGE WITH FIRE BRIGADE RE CAPACITY AND FIRE & SAFETY COMPLIANCE. - ENSURE NOISE LEVELS ARE AT OR BELOW NUISANCE LEVELS - NOTICE IN W.C.S RE TAXIS WITH TAXI NUMBERS AND/OR CARDS - ADEQUATE ILLUMINATION - FIRE EXITS UNBLOCKED, EMERGENCY LIGHTING OPERATIONAL AND FIRE DOORS LEGALLY MARKED - FULL RISK ASSESSMENT
10. How will you prevent Public Nuisance at the event?	<ul style="list-style-type: none"> - SIGNAGE AT EXIT RE CONSIDERATE TO NEIGHBOURS - NOISE AT OR BELOW NUISANCE LEVELS


<p>11. How will you promote and protect Public Health at the Event?</p>	<p>RESPONSIBLE DRINKING SIGNAGE</p> <ul style="list-style-type: none"> - PROMOTE LOW ALCOHOL & ALCOHOL FREE DRINKS - DISPLAY OF UNITS OF ALCOHOL SIGNAGE - POSSIBLE SIGNAGE IN LLS RE EFFECTS OF ALCOHOL AND EXCESSIVE DRINKING - ENSURE STAFF ARE FULLY AWARE OF HOW TO SPOT INTOXICATION AND TO REFUSE TO SERVE SOMEONE OBVIOUSLY INTOXICATED.
<p>12. How will you protect Children from Harm at the Event?</p>	<p>N/A</p>

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

IT IS AN OFFENCE TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(Criminal Law (Consolidation)(Scotland) Act 1995 Section 44(2)(b))

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

Signature		Date	31/10/19
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DOWN STAIRS
ROOM 1

CUPBOARD

8711

730

STANDING
AREA

2370

STAIRS TO
FIRST FLOOR

300 x 500 STAIRS

PROPOSED
BAR AREA

WC
WASH HAND BASIN

700

WC
BOWL

1561

144

2110

160

1291

30

1521

2545

165

914

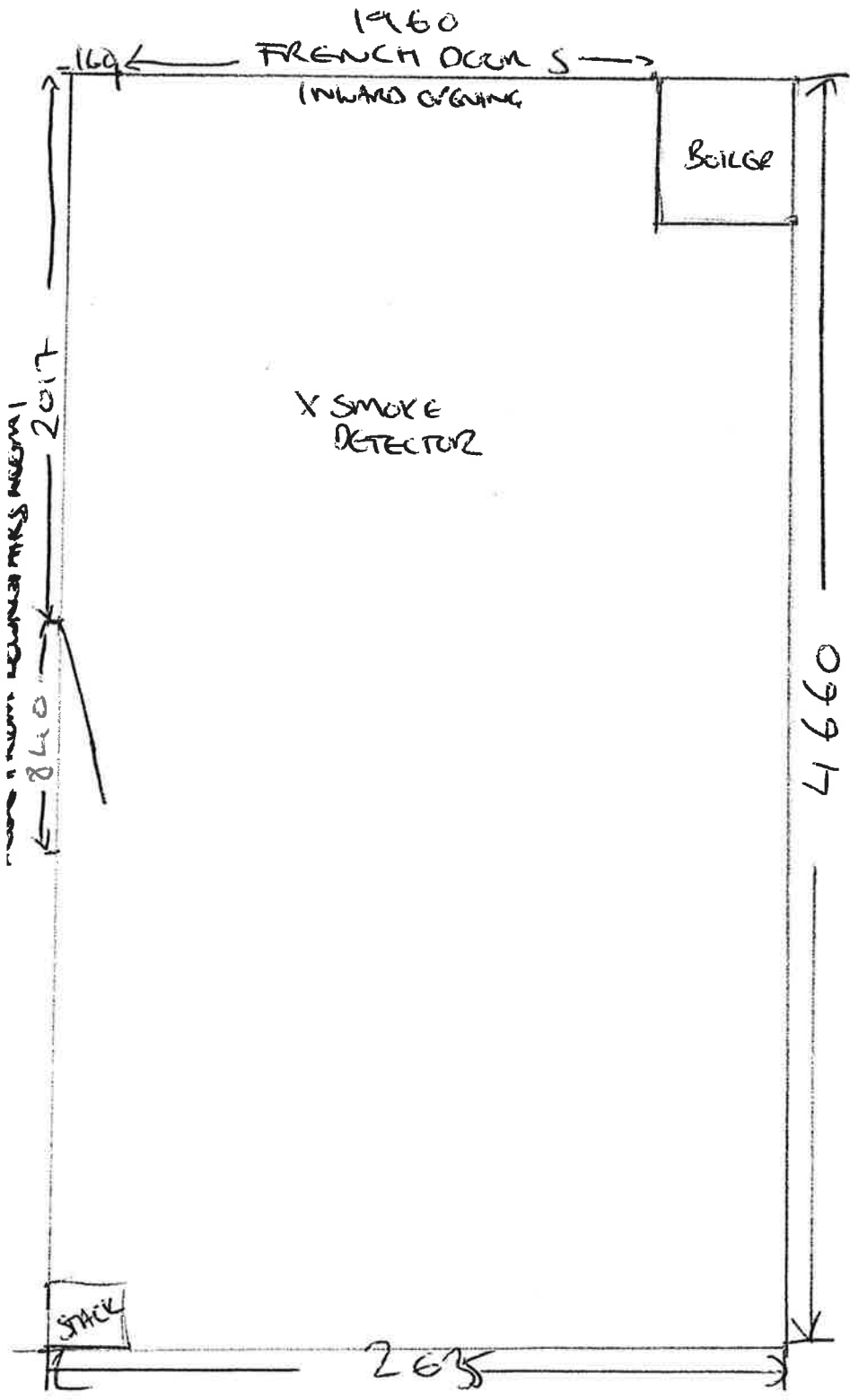
832

1250
(FRENCH DOOR
(OUTWARD OPENING))

1490

FRONT
DOOR

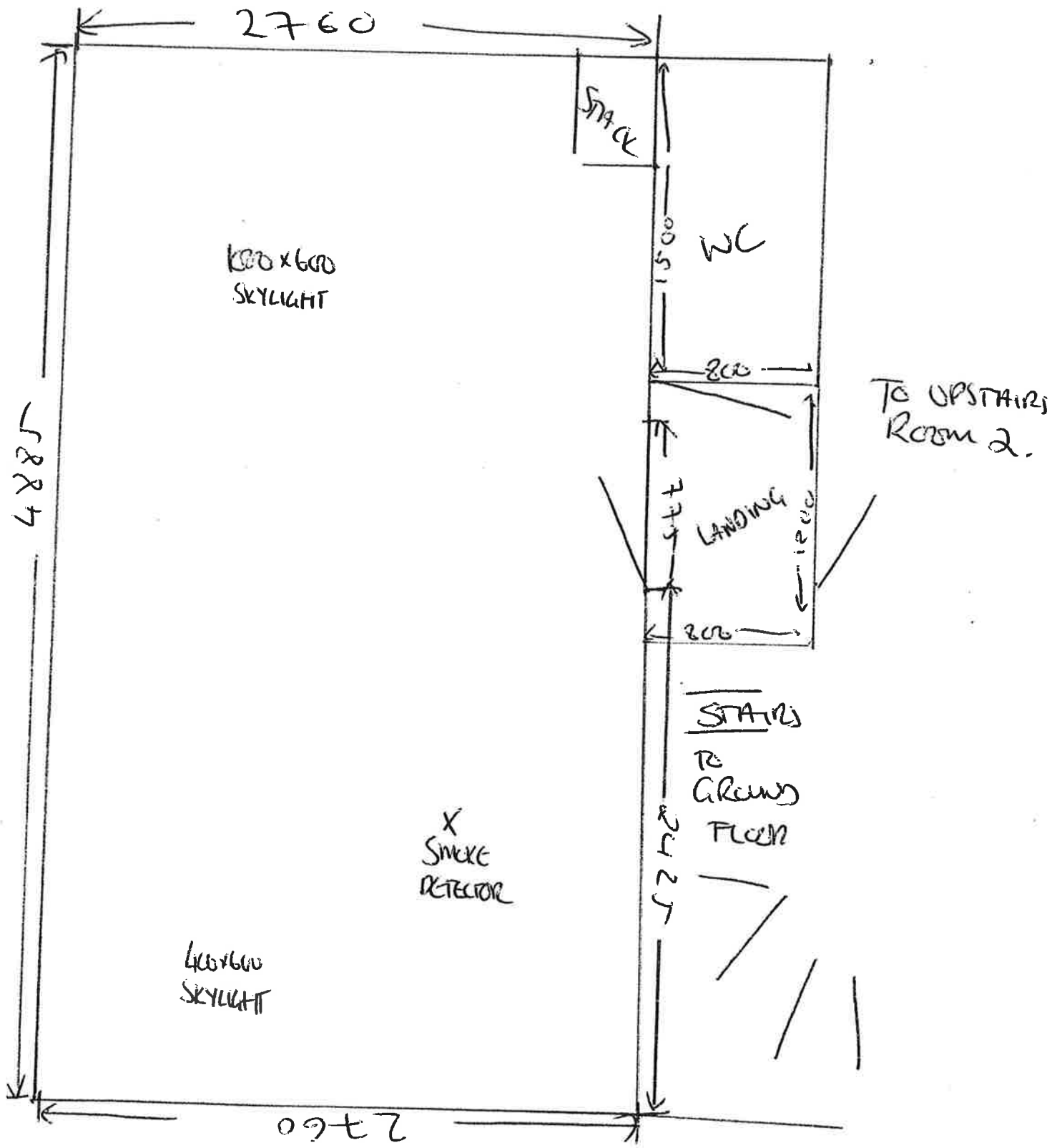
DOWN STAIRS ROOM 2



PROPOST:

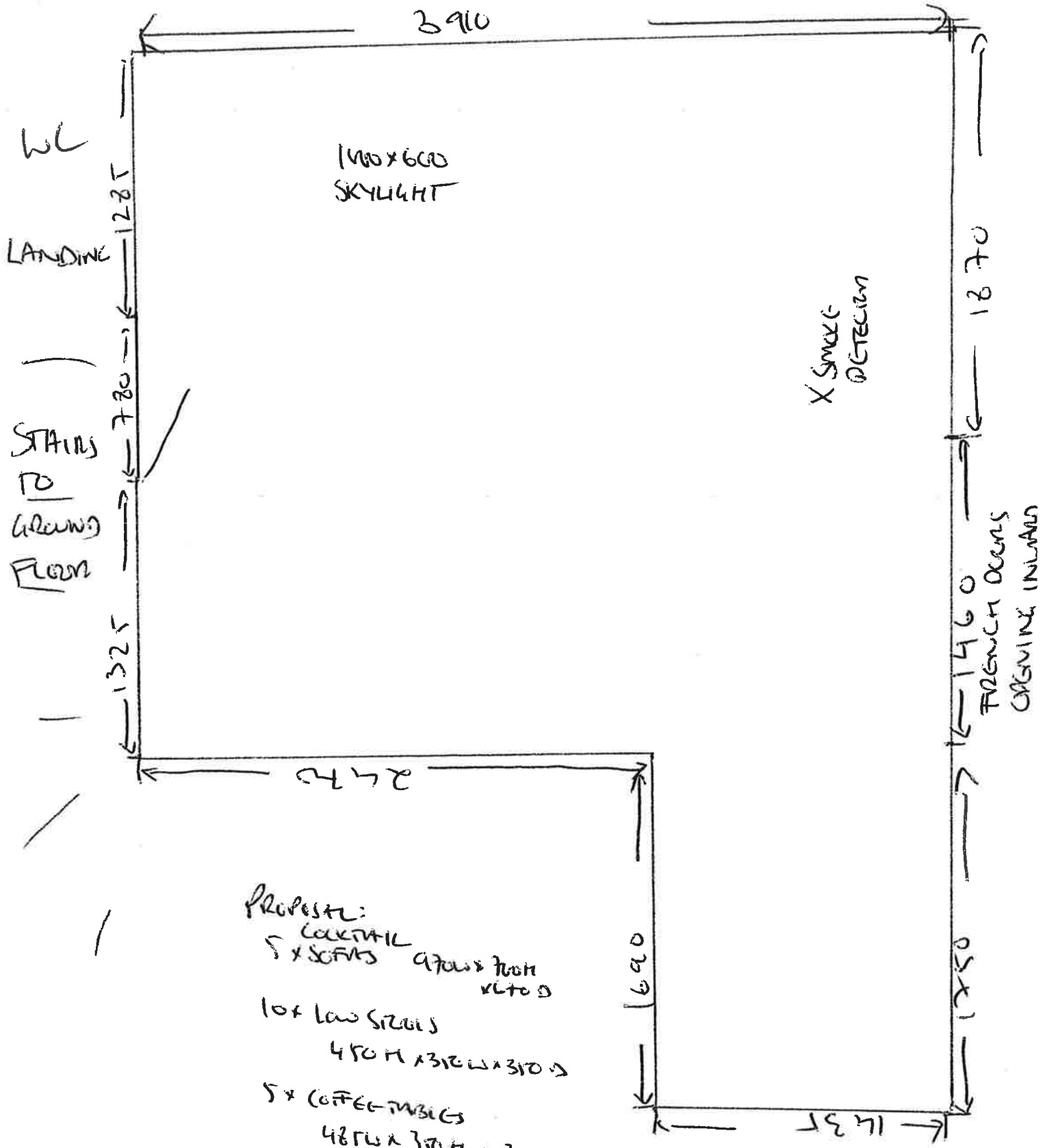
- 4 X COCKTAIL SOFAS
970W x 720H x 670D
- 4 X CHAIRS
510W x 720H x 570D
- 3 X COFFEE TABLES
625W x 370H x 240L

UPSTAIRS Room 1



- PROPOSAL:
- 2 * COCKTAIL SEAT 970W x 700H x 670 D
 - 8 * BAR SEAT 710H x 470W x 470 D
 - 2 * COFFEE TABLE 485W x 310H x 240L

OPTIMIZED ROOM L



Proposed:

- COCKTAIL
- 5 x SOFAS 970W x 700H x 670D
- 10 x LOW SEATERS
- 450H x 312W x 370D
- 5 x COFFEE TABLES
- 487W x 370H x 240L

FRENCH OAKS
ORIGIN IN ITALY

Herkes, Gillian

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 November 2019 13:52
To: Herkes, Gillian
Cc: Fruzynski, Rudi
Subject: RE: Attached Image OCC592/19 [OFFICIAL]

OFFICIAL

Gillian

no issues other than I would request that the Sunday (8th Dec) terminal hour be reduced to midnight as per board policy hours

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk

Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk

Website / Làrach-lìn: www.scotland.police.uk

Twitter: @policescotland

Facebook: www.facebook.com/policescotland

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]
Sent: 01 November 2019 12:07
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: FW: Attached Image OCC592/19

Hi

Occasional licence from Ross Hardie for Speak Easy Bar at 4 Brewery Lane, Dunbar for report

Gillian

From: "Herkes, Gillian" <gherkes@eastlothian.gov.uk>
Sent: 01 November 2019 11:58
To: Herkes, Gillian <gherkes@eastlothian.gov.uk>
Subject: Attached Image

Herkes, Gillian

From: Licensing
Sent: 07 November 2019 14:04
To: Herkes, Gillian
Subject: FW: Attached Image [OFFICIAL]
Attachments: LILAC_QXM04806_2253_001.pdf

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 07 November 2019 13:55
To: Licensing <licensing@eastlothian.gov.uk>
Subject: FW: Attached Image [OFFICIAL]

OFFICIAL

Gillian

same again for this one please, Sunday finish at midnight

cheers

PC 3705J Heather Bowsher
Divisional Licensing Officer

Divisional Coordination Unit, J Division
Police Scotland
Haddington Police Station
39-41 Court Street
Haddington
EH41 3AE

Tel / Fòn: 01620 826 147

Email/Post-d: heather.bowsher@scotland.pnn.police.uk

Team Email / Post-d na Sgioba: LothianScotBordersLicensingEastMid@scotland.pnn.police.uk

Website / Làrach-lìn: www.scotland.police.uk

Twitter: @policescotland

Facebook: www.facebook.com/policescotland

From: Herkes, Gillian [mailto:gherkes@eastlothian.gov.uk]
Sent: 07 November 2019 10:52
To: Lothian Scot Borders Licensing East Mid Lothian; Fruzynski, Rudi; Environmental Health/Trading Standards; Grant, Shona
Subject: FW: Attached Image

OCC593/19

Occasional from Ross Hardie for 30th November to 1st December, 2019 for report.

EAST LoTHIAN COUNCIL

PEOPLE AND GOVERNANCE

From: Rudi Fruzynski
Licensing Standards Officer

To: K. MacNeill
Clerk to the Licensing Board

Date: 19 Nov. 2019

Subject: LICENSING SCOTLAND ACT 2005
OCCASIONAL LICENCE APPLICATIONS 592 & 592/19

The Cat's Pyjamas, 4 Brewery Lane, Belhaven, Dunbar, East Lothian EH42 1PD

I refer to the above subject and can confirm that the applicant has fully liaised with the LSO in relation to this application.

The above premises are located in a side street, off the main A1087, Belhaven High Street, Dunbar and are situated at the junction of Brewery Lane with South Street.

The ground floor comprises a small hallway with recessed area, which will be the location for the small bar servery. There is also 2 toilets in one corner of the hall. Off this area are 2 sitting rooms where patrons can sit and watch a film and have a drink.

Upstairs comprises a toilet and two sitting rooms where customers can sit and enjoy their drinks.

The premises are compact and the capacity is likely to accommodate up to 40 persons at a time.

It is proposed that background jazz style music will be provided, which will be loud enough to create a cool relaxing atmosphere, but not be such that it would be an intrusive nuisance to nearby properties.

Mr Ross has been provided with the necessary signage for the sale and supply of alcohol to the public. He has also been given guidance on prevention of noise nuisance, supervision of smokers and introduction of a dispersal plan.

Mr Ross is a Personal Licence holder and is fully aware of obligations of the Challenge 25 policy.

I have included pictures of the exterior of the premises and a location plan with this report for the information of Board members.

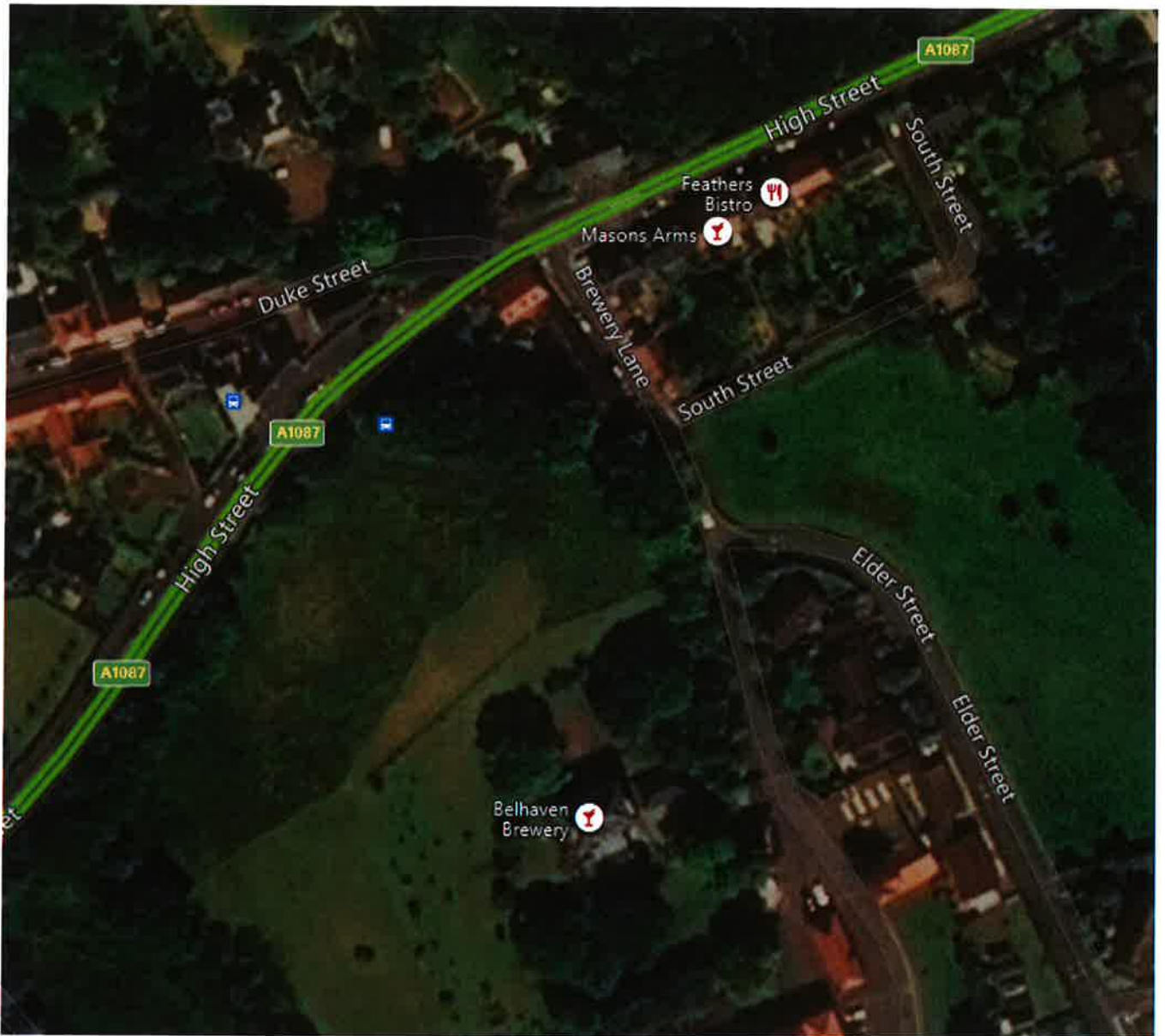
An alcohol licence can be granted to the applicant, but he must comply with any other conditions and requirements in respect of other legislation.

Parking in the area is at a premium, as it is for the nearby pub. Many customers of licensed premises get dropped off, use the bus or walk due to the stringent restrictions on drink and driving.

The applicant has indicated that if the initial trial period of the Cat's Pyjamas is successful he will apply for a full Premises Licence, in compliance with the Board's policy. Should the temporary Occasional Licences be granted, this will allow the Board and local residents an opportunity to see how the premises will operate before committing to a permanent licence.

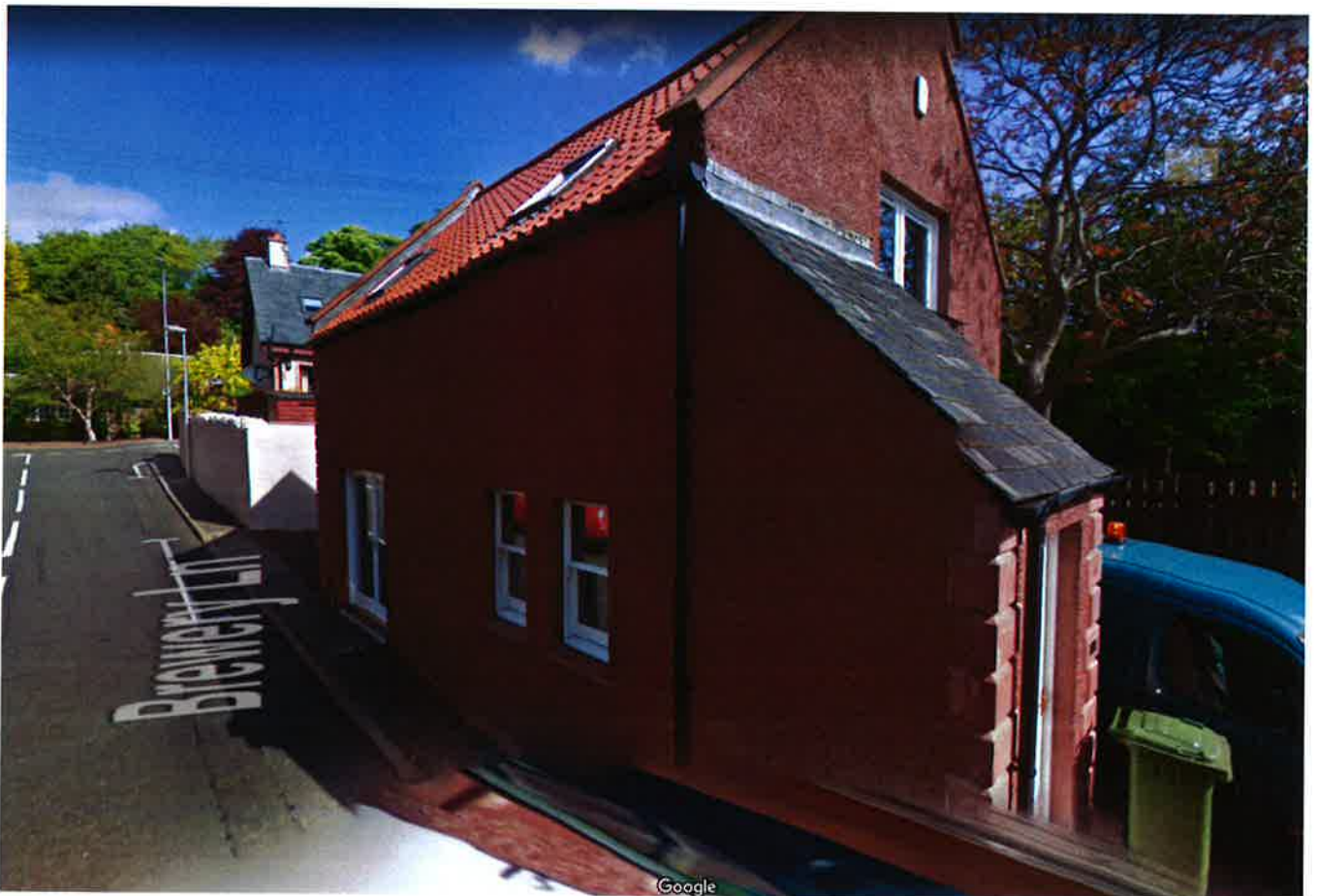
R. Fruzynski
Licensing Standards Officer

Location Plan of Cat's Pyjamas





The above picture is of the front entrance to the Cat's Pyjamas at the junction of Brewery Lane with South Street.



Side view of the Cat's Pyjamas.

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to Applications lodged on 8 November in respect of 4 Brewery Lane, Belhaven
Date: 12 November 2019 21:17:57

Dear Sir / Madam

Please note my objection to the above noted application based on the following;

I am a resident of Elder Street (which extends on from Brewery Lane) and often have issues turning into Brewery Lane to access my property and have considerable concerns regarding the potential impact on traffic safety and parking of this application.

Mr James Hardie is applying for a license permitting throughput of between seventy and one hundred people each day which suggests that it is not targeting local patrons only. Hence there will be a need for them to be transported to and from the premises. As noted above the junction between the A1087 and Brewery Lane, with its substandard vertical geometry, obstructed visibility and proximate parking, is not suitable for any increased traffic. It is also notable, that during the working day the brewery traffic includes significant large vehicles which already often find this junction awkward. On this basis, I do not believe that this application is in line with the planning objectives of securing public safety or prevention of public nuisance.

It is not clear from the application, what hours the premises would operate, however by its nature it would appear that it is likely to be open late into the evening and on closing could generate considerable noise which would have a clear detrimental impact on the neighbourhood. Whilst this is well managed locally in the existing public bar, an additional outlet introduces an unacceptable additional potential nuisance.

Finally, it does not appear that adequate consideration has been made to the specific property access. With no formal frontage or footpath this venue is not, in my opinion, suitable to this type of usage. Could the council please assure me that they have inspected the venue and its access prior to making a finding on this application.

I look forward to your response in relation to my objection and trust that the council will ensure the application is thoroughly reviewed prior to any licence being granted.

Yours faithfully,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: OBJECTION; The Cat's Pajamas, 4 Brewery Lane, Dunbar
Date: 12 November 2019 21:46:52

As the residents of [REDACTED] we write to object strongly to the above proposal.

Our grounds for objection are as follows:

1. Noise pollution - This is a quiet area. Occasionally the local pub (Brig and Barrel) has a function when noise becomes an issue, keeping our household awake at night. Equally The Brewery have had functions which caused some complaint from our street due to noise after hours. These after-hours nighttime social noises are not welcome on an occasional basis let alone 4 times a week. We strongly object to this bar on the grounds increase in nighttime noise, disturbing the peace of this quiet area. Not just on an occasional basis, but proposed several times a week. This IS NOT WANTED in any form.
2. Parking availability - Where are the visitors to this venue meant to park? There are no spare parking bays along these streets. Pressure on the existing ones would cause significant issues to residents and their visitors.
3. Increased traffic on an already dangerous junction (Brewery Lane and A1087) - Pulling out from Brewery Lane onto the A1087 is dangerous. The visibility is poor. My son has had 2 incidents recently coming down from Dunbar and turning into Brewery Lane whilst cycling. Once he was thrown off his bike by a bus that was way too close to him and didn't slow down. Another time by a driver who nearly drove into him coming out from Brewery lane because they didn't see him coming down the hill due to the cars parked blocking visibility. These are just 2 recent incidents but I have witnessed many in the 12 years I have lived in this part of Dunbar. Increasing the traffic on this junction just seems foolhardy and a likely big accident waiting to happen.

This club would be unwelcome on all these grounds and we strongly object to any proposal for any increase in nighttime social venues in this district.

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Re: 4, Brewery Lane, Dunbar, EH42 1PD
Date: 13 November 2019 12:47:53

Dear Sir/ Madam

Re: Licensing Application for 'Speakeasy' bar on Brewery Lane, Belhaven

Further to my email earlier today I would like to attach photographs which I have taken in the last few minutes which show just how dangerous this location is and why it would not be suitable for licenced premises. The photo shows a very long, double trailer, arctic which is trying to turn down Brewery Lane to make a delivery to the Belhaven Brewery. In the few minutes that the truck was parked here, there were three very near misses as traffic (including a school bus) tried to overtake this blind.

You will appreciate that having people coming out of the proposed premises (without a pavement) when trucks this size routinely (often several per day) try to navigate down Brewery Lane is a recipe for real danger.

Please append this to my earlier objection.

[REDACTED]

The Clerk to the Licensing Board

Dear Sir/Madam,

I would like to object to the Occasional License sought by Mr Ross Hardie for a 'Speak Easy' style bar in the small office building at 4, Brewery Lane, Belhaven.

[REDACTED] I am very concerned about the increase in noise from customers attending this bar, particularly if the applicant intends to open until late. I note his intention to provide entertainment for up to 100 customers, which is a large number for such small premises. Presumably many of these customers would congregate outside, as the building is so small.

I would also like to draw your attention to the potential for endangering public safety, in relation to the very narrow road and poor access to the building. The building is directly at the roadside without a proper car park and borders a lane used to access cottages. Brewery Lane itself has seen several accidents and near misses in recent years and is also used by large brewery lorries. Parking is congested in this area, with many drivers stopping and parking on yellow lines. The junction of Brewery Lane and Belhaven High Street is dangerous, with an obstructed view and a tight turn for vehicles exiting Brewery Lane. The pavement is also narrow and uneven and in some places there is no pavement at all. In view of these disadvantages, a venue attracting up to 100 customers is inappropriate at this location and may constitute a danger to drivers, pedestrians and the neighbours.

I hope you will take these points in consideration,

Yours faithfully,
[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Occasional licence application OBJECTION
Date: 13 November 2019 11:16:19

Reference

Occasional Licence Application 4 Brewery Lane Belhaven Start date 5.12.19

and

Occasional Licence Application 4 Brewery Lane Belhaven Start date 30.11.19

I consider that both of these applications are inappropriate, it appears that the applicant is using the occasional application as a short cut and trial opening prior to applying for a premises licence and change of use for the premises. I understand that the intention is to open a Speakeasy bar selling alcohol and serving food, the number of potential attendees is noted as being between 70 to 100

Below are my reasons for objecting to this licence.....

The building is within the Conservation area and its current use is as an office, a planning application should be submitted for change of use – Bad Neighbour development

The premises are very small , approx. 90m2 over 2 floors including toilets, kitchen and staircase. Not appropriate for the number of customers. I also suspect that the toilet/wash up/ food prep/ fire prevention is inadequate for this use

The location is very close to houses that will be affected by noise from the premises, additional traffic and by people accessing and leaving the building.

The building is very close to the road and close to the dangerous junction Brewery Lane to Belhaven High Street A1087

There are no parking facilities and the on street parking is already inadequate and under pressure for residents and customers of the recently re-opened Masons Arms (Brig and Barrell)

The location and premises are completely unsuitable for this use and I strongly object to the occasional licence being issued and would urge the licencing board to encourage the applicant to gain the proper consents for this venture.

Please acknowledge receipt of this e mail

Thanks [REDACTED]





schüller.
köchen fürs leben

SPEDITION
106221/72033

309

Spedition

MAN

DT 13650

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to proposed occasional license 4. Brewery Lane
Date: 13 November 2019 17:18:29

Dear the clerk to the licensing board,

I am writing in objection to the occasional license advertised on your website on Friday the 8th of November, and to highlight some of the serious issues the new business opening at number 4 Brewery Lane, "The Cat's Pyjamas", would create.

The first issue, and potentially one of the most serious, is parking. Brewery Lane is a narrow road with extremely limited parking, and as such any custom that this new business attracts will either take away parking opportunities from residents, or cause visitors to park dangerously, and potentially illegally. Not only is this congestion going to be dangerous for other road users but also will cause problems for pedestrians, including children who have to pass through Brewery Lane when walking/ cycling to and from school. Furthermore, the junction into Brewery Lane (the A1087/ Brewery Lane junction) unfortunately is a very difficult one, with a tight corner and restricted views. Making this junction any busier will only make an already dangerous junction more dangerous.

Similarly, more vehicles coming into Brewery Lane because of the proposed business will create issues with the Belhaven Brewery lorries. As I've highlighted above, Brewery Lane is a narrow road, used daily by the brewery lorries. Inviting more vehicles onto this road could be potentially dangerous as the lorries are making deliveries. In addition, the business in question will no doubt have lorries delivering to the establishment which has no suitable access for lorry deliveries meaning that the road will be blocked during these times. How then are residents supposed to access their properties or the brewery lorries make deliveries? This clearly does not comply with the licensing objectives of preventing public nuisance and securing public safety.

Next, I would like to raise some concerns regarding the business proposal itself and its future clients. That a jazz, 'speak easy' style bar will be loud there can be no doubt, however, although the music itself is an issue for residents, the business will create noise from more than just its music. Cars/ taxis either dropping off or collecting visitors will add to the noise by sitting with idling engines. People entering the establishment will simply be noisy and may even create more serious issues. The venue is very small, and if oversubscribed are people going to be queueing outside to enter? This in itself will be noisy, but more importantly it will be highly dangerous. The building exits almost directly onto the road which is an obvious cause for concern if people are trying to get in. Similarly, when leaving the building, customers will be exiting directly onto a road with very little pavement space to wait for a taxi/ car/smoke. There simply isn't a safe place to stand outside 4 Brewery Lane and I have to question what this will mean. It could lead to people loitering outside the homes opposite number 4, hanging around by their cars. This is obviously less than ideal for residents, and people exiting onto the road is worryingly dangerous, particularly after a night of cocktails.

Overall, I am very concerned about this business being granted the advertised licence. If granted, it will create some very serious and dangerous problems in Belhaven, and it fails in many ways to meet the licensing objectives outlined on the East Lothian Council website. As such, I strongly object to the proposed licence being granted for the above mentioned reasons. At this time, I would also like to question and seek reassurance from the council regarding

the buildings change of use. I understand that the building currently has planning as an office space only, and would like to be assured that the correct measures are being taken for the buildings radical change of use.

I look forward to your swift reply.

Best Wishes,

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: Objection to occasional license
Date: 13 November 2019 18:28:09

Dear Sir/Madam

I write to you to raise my objection against the occasional license advertised on the 8th of November at Number 4 Brewery Lane.

As a resident of Brewery Lane which is in very close proximity to the proposed speakeasy style bar, I worry it will create a multitude of issues for not only myself and neighbours but also local businesses too. Another concern is I do not think that the proposed location fully considers the safety of the public nor the bars customers either.

There is no pavement or safe area to get to, or exit the venue. Meaning customers who will be exiting late at night (whilst most likely intoxicated). Will exit straight onto the road creating massive dangers for both drivers and pedestrians. Therefore endangering public safety.

Another issue is the severe lack of parking in this area. Brewery lane is a very narrow road with very limited parking. It is already a very common sight to see cars parked on the double yellow lines. This creates issues for residents and the lorries coming and going from the brewery as well as for other drivers trying to use the road. There is nowhere available for the potential visitors of such an establishment to park and therefore this problem can only be made worse. Thus leading to parking dangerously/illegally. Also during drop offs the unloading of public right in the middle of the road and in unsafe areas again creating dangers.

This goes hand in hand with the worsening of an already dangerous junction between the a1087 and Brewery lane. The restricted views are terrible at this junction and the increase in volume of traffic would create a much higher risk of accidents. Especially if as mentioned people are parking on the double yellows. This also means the lorries and cars need to go in the wrong lane to be able to turn the corner creating further risk.

Next I think that noise pollution is a big problem with the proposed bar. Brewery lane is a quiet residential area and the music from this venue is definitely a concern. So is the noise from its customers, with plans for the venue to be closing as late as 1am. Customers will be exited right into a residential area with the only pavement on the opposite side of the road right alongside peoples houses. The potential for loud customers leaving so late creates big concerns. Alongside this there will be cars and taxis collecting at this times will create both noise and light pollution with engines idling etc.

Also I presume that the area for customers who are smokers will be smoking outside of the front entrance? This creates another opportunity for noise and nuisance for local residents.

Another query I have is regarding the change of use. To my knowledge this building has planning to be an office/garage? Have all things been considered in this venue for it to become a bar? For example safe entry and exits, fire safety?

I look forward to hearing back regarding my objection.

Regards [REDACTED]

From: Licensing
To: Occasional Alcohol License 4 Brewery Lane
Subject: 14 November 2019 07:10:01
Date:

Dear East Lothian Council Licensing Department

We wish to express our objection to the proposed occasional license at 4 Brewery Lane. The grounds for this concern the lack of communication in relation to the proposed 'speak easy'. It would appear that the majority of neighbours who may be affected by this request are unaware of any plans. This is in contrast to social media posts that the proposer is making. Without any reassurances, there is likely to be noise related to the proposal, particularly from people leaving at closing time and from taxi's idling as they wait for people. The road is narrow, as is the pavement for people to leave. Parking is limited and the junction onto the main Belhaven High Street is already hazardous when turning right due to limited view arising from a sharp bend in the road.

As we said, the lack of formal communication to the households that are directly affected by this proposal is of most concern. Without reassurances of measures that would be taken to minimise disruption, it does not give any indication that the proposer has considered the impact on those living around the premises. This does not bode well to the prospect of establishing a positive relationship with the proposer in the longer term.

Regards



Winter, Maree

From: [REDACTED]
Sent: 14 November 2019 17:07
To: Licensing
Cc: [REDACTED]
Subject: Application for a "speak-easy" bar at 4, Brewery Lane, Belhaven, Dunbar , EH42 1PD

I am writing to lodge my objection to the proposed bar at 4, Brewery Lane, Belhaven, Dunbar, EH42 1PD.

My main concerns about the venture arise from the fact that the property [REDACTED]

[REDACTED] My address is [REDACTED]

[REDACTED] and I have lived here for over 40 years.

The main points of my concern are:

1. The building is inappropriate for this use. It is small, built on the footprint of a garage and originally as an office. The application estimates numbers attending: what would happen if all these attended, or numbers were exceeded? Would there be "bouncers"? What guarantees of security to person and property are given?
2. There would be noise from the bar, both inside and out, and especially when smokers go outside. There would also be immensely increased traffic from cars, taxis and groups of people in what is a quiet residential area. This would all take place during anti-social hours, the evenings and weekends.
3. Brewery Lane is a narrow road which is difficult to use at the best of times. There is limited parking available even for residents and no convenient space for drop-offs.
4. The junction of Brewery Lane and the Edinburgh Road/High Street is hazardous, being almost a five-way junction with limited sightlines. Increased traffic and pedestrians would be endangered. When the recent (and successful) Belhaven Brewery festival was on, a single event, there were many near misses I witnessed.
5. There is limited toilet facility within the building and I am concerned that the fence [REDACTED] on South Street would be an opportunity for the relief of inconsiderate customers. I know that this has been the case in other premises in the town.
6. [REDACTED] The Brig and Barrel, has a successful and pleasant business, offering similar, if not more, experiences. It is well-managed and always improving. I do not see the need for another of this kind of business in this area.

I hope I have made myself clear and I look forward to hearing from,

Yours Faithfully,
[REDACTED]

Winter, Maree

From: Ross Hardie [REDACTED]
Sent: 13 November 2019 13:42
To: Winter, Maree
Subject: Re: Occasional licence applications

Hi Maree,

Per the statutory calculations (square meterage/0.5) we can get comfortably more than 100 however with seating at around 60 plus standing space (counters, poseur tables) I would limit numbers to a maximum of 100 as I want to be able to more easily manage safety and, if required, conduct, not to mention I want the ambience to more relaxed and enjoyable rather than busy, and to ensure that our neighbours aren't inconvenienced. With that being said I envisage maybe 70-80 at any one time to be more likely, with 100 on more only on special occasions such as Christmas Eve or Hogmanay. Most realistic is perhaps 100 or so coming and going of an evening.

I don't know if this is useful but the demographic of our amazing engagement is 78% female and 54% 30-50 years, with 50+ being the next highest. I've alison been testing sound and it can barely be heard outside the front door and cannot be heard by neighbours. Again, this ties in with the objective of creating a nice ambience and something which everyone, including our neighbours, can enjoy, in essence building a community of nice, sensible, considerate, sophisticated like-minded people.

If there's anything else I can help with I'll do whatever I can.

Have a lovely day.

Best wishes,

Ross

On Wed, 13 Nov 2019 at 13:26, Winter, Maree <mwinter@eastlothian.gov.uk> wrote:

Hi,

I refer to your applications for a Speak easy type events. Could you please advise what the maximum numbers of persons can be admitted at the one time.

Regards

Maree

Maree Winter

Licensing Officer: Democratic & Licensing Services: East Lothian Council: John Muir House:

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:45
To: Licensing
Subject: Fwd: Licensing board support: The Cat's Pyjamas

Hello,

Please see the email below in relation to the application for an occasional licence for The Cat's Pyjamas at Ocean House, 4 Brewery Lane, Dunbar, EH42 1PD.

More will follow over the coming days.

Best wishes,

Ross Hardie

----- Forwarded message -----

From: Jackie Bryceland [REDACTED]
Date: Fri, 15 Nov 2019 at 13:06
Subject: Licensing board support
To: ross@thecatspyjamasdunbar.com <ross@thecatspyjamasdunbar.com>

Hi Ross,

I've been following the cats pyjamas on social media and read your note last night and I just wanted to drop you a wee email of support!

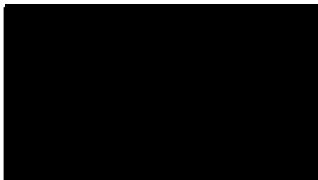
I fit your 30-40 year old female demographic and cannot wait for a decent bar to open in Dunbar! We moved here 6 years ago to raise our young family and love the town but we've been saying for years that the amenities could do with moving with the times in line with the growing and changing demographic.

Recent developments such as the station yard, the rocks & brig and barrel are great but if I have managed to earn a well earned babysitter for the night, I still tend to head up to Edinburgh to go to the very sort of establishment you are talking about opening (Lady Libetine/ Panda and Sons/ the Jazz Bar to name a few). If you were able to replicate the quality music, drinks and atmosphere found in these sorts of venues in Cats Pyjamas I would love to spend and stay local!

With regards to noise concerns - doesn't the Brig and Barrel beer garden back onto the same street? I would have thought that has more of a noise impact than the comings and goings from your bar.

I wish you all the best in your new venture and cannot wait to get the local mums together for a well earned Christmas night out! I really hope the licensing board see sense and support this venture, the town needs more of a draw to keep its newly developing population spending locally.

Kind regard



Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:46
To: Licensing
Subject: Fwd: Licensing Board Support: The Cat's Pyjamas

FYA

Best,

Ross Hardie

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 09:21
Subject: Fwd: Licensing Board Support
To: <ross@thecatspyjamasdunbar.com>

> Morning,

>

> Hope this helps,

>

>

> To Whom it may Concern

>

> [REDACTED] The Cat's Pyjamas (hereinafter known as TCP), Brewery Lane, Dunbar. I write to show our support in the venture of this speakeasy due to open in the coming weeks. I drive past here every day and am well aware of the narrow street, but if the volume of traffic is allowed for the Brewery isn't an issue, then there should be little or no concern for TCP. I fully support the new venture, and I'm confident there will be few disruptions to our day to day living. We have been kept up to date on Social Media of the progress and intentions of the venture and Ross has been very upfront with everyone during the renovation process. We have been assured there will be sufficient bins for littering and smokers and hopefully this will be carefully monitored and enforced on-site during the first few months of opening. He seems to be working well within the community, using other local business and intends to do so in the future. We wish him every luck in TCP, and look forward to seeing all his hard work in the near future.

>

> Yours faithfully

>

[REDACTED]
> Sent from my iPhone

--

ROSS HARDIE
OWNER
THE CAT'S PYJAMAS
07932 732 299

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:47
To: Licensing
Subject: Fwd: Licensing support: The Cat's Pyjamas

FYA

Best,

Ross

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 08:02
Subject: Licensing support
To: <ross@thecatspyjamasdunbar.com>

Hi Ross

I saw your post about your licence on Facebook. I don't think we've met but I just thought I'd send you a wee message to say I'm looking forward to you opening and hope that all goes well with the licensing board. The Cats Pyjamas looks like the kind of venue Dunbar really needs. I rarely go out and am not much of a drinker but when I do go out I usually go into Edinburgh. It will be amazing to have somewhere in walking distance that I actually want to go to. The reason why I'm emailing, and I don't know if it's relevant, is that [REDACTED] West Barns Inn. I had major issues with noise from there when they brought in large functions (especially 18th birthdays) and when people used to sing karaoke with the back doors open. But there was never ever any problem with noise on a normal weekend night. Hope this helps.

Best wishes

[REDACTED]

Sent from my iPhone

--
ROSS HARDIE

OWNER

THE CAT'S PYJAMAS

07932 732 299

WWW.THECATSPYJAMASDUNBAR.COM

FACEBOOK: @THECATSPYJAMASDUNBAR

INSTAGRAM: @THE_CATS_PYJAMAS_DUNBAR

COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 18:48
To: Licensing
Subject: Fwd: Neighbour: The Cat's Pyjamas

FYA

Best,

Ross

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 05:56
Subject: Neighbour
To: <ross@thecatspyjamasdunbar.com>

Good Morning,

I live just along the road from what will be the new speakeasy Cats Pyjamas. I'm at [REDACTED] which is only a short minutes walk.

I'm really looking forward to the bar opening and having something a little special at our end of the town.

Not only that it is amazing to watch the progress on their social media platforms and just how passionate the owners are to ensure not only a great bar experience but how focused they are on

1. Ensuring neighbours are kept informed and up to date on what is happening and in courage people with any concerns they may have to drop them a message or get in touch

2. That they are aware of the area and that there are neighbours near by but are determinate to do all they can to absolutely minimise this so as to not affect 'their' neighbours

3. The absolute determination to bring business and people to our lovely little town (which will only benefit all)

4. It's more opportunity for employment in the town. Another massive plus in my eyes. As Dunbar grows with all the new houses etc it really is important that their are jobs available.

I really am excited to see what this new venture brings and can't wait for doors to be open and have a lovely little bar to go with friends have a good chat and catch up and enjoy what I believe will be with great atmosphere .

--

ROSS HARDIE
OWNER
THE CAT'S PYJAMAS

Winter, Maree

From: Ross Hardie <ross@thecatspyjamasdunbar.com>
Sent: 15 November 2019 20:55
To: Licensing
Subject: Fwd: The cats pyjamas

FYA

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 15 Nov 2019 at 19:53
Subject: The cats pyjamas
To: ross@thecatspyjamasdunbar.com <ross@thecatspyjamasdunbar.com>

Hi Ross,

I believe The Cats Pyjamas is a great new venture for you and I believe that Dunbar needs a place like this!

As you said at the start, this is a speak easy, a place for the people of Dunbar, a place to attract new clients, new and more visitors to Dunbar, to see our amazing town!

I've followed your journey from the start and saw the positives in you and how much you want this. People of Dunbar want this, they wouldn't have pledged if they didn't!

Let The Cats Pyjamas be the talk of the town for all the great reasons it should be!

I hope this email finds you well with enough reason to forward on to the right people to make this happen!

Best regards,

[REDACTED]

Get [Outlook for iOS](#)

--

ROSS HARDIE

OWNER

THE CAT'S PYJAMAS

07932 732 299

WWW.THECATSPYJAMASDUNBAR.COM

FACEBOOK: [@THECATSPYJAMASDUNBAR](#)

INSTAGRAM: [@THE_CATS_PYJAMAS_DUNBAR](#)

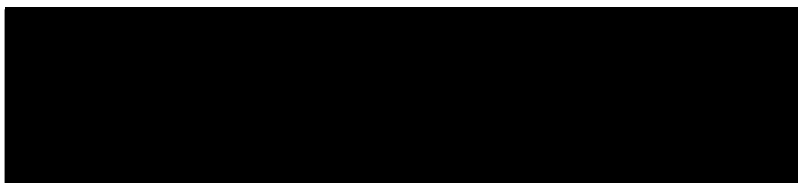
COME INTO THE HOUSE OF THE JAZZ AND THE FUNK



Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 21:16
To: Licensing
Subject: The Cat's Pyjamas

I am writing in connection to the above proposed license request. I write to give my wholehearted support for this establishment. I have lived in the area my whole life, a big chunk in Dunbar and surrounding areas. My husband and I are awaiting our new house being ready in a couple of weeks [REDACTED] from the existing Brig and Barrell and now the hopeful Cat's Pyjamas. We are very excited about this prospect and for years have talked about the lack of decent, welcoming restaurants and bars in Dunbar. Dunbar is absolutely thriving, the population has grown massively. This rise in population desperately needs new social spaces to enjoy and meet with other local people. The train journey is a short one to Edinburgh, let's try and keep this trade in Dunbar by offering the locals what they need and want. I went to school with Ross Hardie. His grit, determination and enthusiasm is inspiring, I cannot think why anyone would want to dampen this.



Sent from my iPhone

Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 23:24
To: Licensing
Cc: ross@thecatspyjamasdunbar.com
Subject: License Application for "The Cats Pyjamas Speakeasy" Brewery Lane, Dunbar EH42 - Ross Hardie

RE: License Application for "The Cats Pyjamas Speakeasy" Brewery Lane, Dunbar EH42 - Ross Hardie

Dear Sir

I am writing to place my support wholeheartedly behind this license application and while doing so think it would be pertinent to raise a number of points regarding this application, points which may not necessarily be part of any legal application but are important general comments nonetheless, and I do hope you will do me the courtesy of making note of them.

Firstly, I would imagine there are indeed many factors taken into account when looking at licensing, one of those must certainly be the character and good standing of the individual applicant themselves.

I've only known Ross Hardie for 2 years since we moved to Dunbar. In that time I have seen how Ross has not only played a central role in creating a genuine and close community in the Newtonlees Housing development (no mean feat) but he is a keystone within it. His passion for community is clear. He is genuinely altruistic in his wishes for people to build friendships and forge a positive outlook in the group, he's well-known and well-liked, and even after only 2 years of living in Dunbar I can trust him far more than many people I knew in the previous estates I have lived in Edinburgh over the past 25 years. If the character of an applicant are even remotely important in this process, then have no doubts that Ross would be a well deserving and successful licensee.

Secondly, experience. Ross does indeed have an extraordinary wealth of experience in the Events Industry, and I'm sure he would gladly share details of that with you if you felt it relevant. Running a new bar venture like this needs a safe and steady pair of hands, resilience and the ability to adapt to any situation, and that is all made easier with his complimentary events industry experience. He also has the passion and experience to turn a currently empty unit into a vibrant and interesting business, surely this approach should be welcomed warmly by ELC?

Thirdly, planning and approach.

Ross is, without a doubt, absolutely meticulous in his planning, and just as importantly he is ever considerate of the people around him, another aspect that I have seen on a personal basis over the past 2 years. I have seen his public posts on the matter of preparing for this application, and it seems he has done his due diligence in liaising with neighbours and surrounding businesses with great care, trying at every possible opportunity to build community and mutually beneficial business arrangements. He seems to have involved the neighbourhood in the process and openly requested feedback on a personal level. Any question he has been asked online he seems to have answered with courtesy, openness and precision. No woolly or empty promises, simple facts and definite action. From discussions regarding many aspects of The Cats Pyjamas it is clear his diligence and experience has absolutely come to the fore in the planning stage of this business. Such attention to detail and forethought will no doubt help make this business the real success it deserves to be.

Fourthly, motives of objectors.

This is the point that I find most incredulous, and while it sounds abhorrent that a co-ordinated attack on this application could be underway, I do have faith that ELC Licensing have seen this before, and will be experienced enough to spot a duplicitous or co-erced objection when they see one. Of course, genuine held concerns should be addressed, but the kind of behind-the-scenes co-ordination of objectors that seems to be going on, is shocking. To the point where potential neighbours seem to have been doorstepped by complainants and have been changing their opinions to become objectors, under duress.

This side of the Dunbar's 'personality' is one of the only negatives we have experienced in our time here. We have fallen in love with Dunbar but the stuck-in-the-mud attitudes and refusal to accept progress (felt personally as an "interloper" in

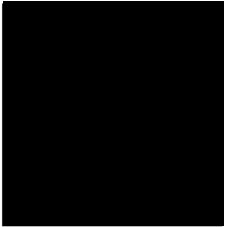
the “new houses”) is disappointing. I’m sure times will change as the town develops and grows, but this kind of old school ‘objections for objections sake’ is a real shame, particularly when I suspect they are ill informed in the first place. The mere fact that his business promises to reinvest 20% of his profits into the local community should be lauded, not blindly objected to. I find this oversight astonishing.

ELC obviously has a duty of care to make decisions based on merit, but also to look at the application from all sides of the argument, as I’m sure there are usually objections to most licensing applications. I sincerely hope that ELC will take good note of Ross’ character, his experience, his diligence and proactive approach to building relationships with customers and neighbours. I also hope it will consider carefully the motives of any objections, and be swift to ignore any co-ordinated effort made to smear the business or character of Mr Hardie.

I’m confident that your experience will guide you through the smoke and mirrors.

If you would like to follow up this email then please don’t hesitate to reply.

Yours faithfully



Ross. Just read your post on Facebook. We live in Belhaven at [REDACTED] [REDACTED] and are very excited about your new venture. It brings something new to Dunbar, and you seem to have thought very carefully about the possible impact on the community. Nothing new can be done without any impact but I believe you have done very well to mitigate this and the benefits to the community, local businesses, employment etc far outweigh any minor challenges. I wish you all the best and look forward to coming once you are open. [REDACTED]

Winter, Maree

From: [REDACTED]
Sent: 15 November 2019 18:11
To: Licensing; Ross Hardie
Subject: Licensing application for The Cats Pyjamas, Dunbar

Good evening,

I am writing in full support for the permanent license application for The Cats Pyjamas, Dunbar. I am a 40 year old lady who has been born and raised in Dunbar and I am very excited to have somewhere upmarket to go in the town.

This is a badly needed establishment within a local, thriving, growing town. Due to the type of establishment being created it will draw a demographic of the over 35 age group which I fall into. There are few nice places in Dunbar that a lady could feel comfortable frequenting on her own but The Cats Pyjamas is somewhere I feel as a 40 year old lady that I could do that very thing. This establishment will not cause raucous, anti social behaviour, it will serve a section of the community which is extremely considerate to the wider community. The business in itself will be available for free use by local charities and will also provide a percentage of the profits to The Ridge and the RNLI which are both creditworthy local charities.

I have also known the owner Ross, for some 30 plus years and with his wealth of experience within events management and hospitality amongst other things I am confident that he will ensure this to be a place people can enjoy and feel safe while protecting his relationship with the neighbours.

I am also lead to believe that there is a one man vendetta against this establishment. I hope that East Lothian Council licensing department can see this for what it is and discount any viscious, unfounded objections. If this vendetta is allowed to discredit and disrupt the hard work that has been done it will be such a shame, more over it will be disasterous for Dunbar and the cosmopolitan future of the town.

This venture will encourage people to spend their money in the town, in other local establishments and will also provide employment which is badly needed. It is good for the local economy also.

I would urge you to approve a permanent license for The Cats Pyjamas and give a local entrepreneur his dream come true.

Kind regards,

[REDACTED]

Sent from Sky Yahoo Mail for iPhone