



**MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE**

**THURSDAY 13 MAY 2021
ONLINE DIGITAL MEETING FACILITY**

1

Committee Members Present:

Councillor J Findlay
Councillor J Henderson
Councillor C McGinn (Convener)
Councillor J McMillan
Councillor J Williamson

Council Officials Present:

Mr I Forrest, Senior Solicitor
Ms C Shiel, Licensing Officer

Others Present:

Inspector Stuart Fletcher, Police Scotland

Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor T Trotter

Declarations of Interest:

None

1a. MINUTES FOR APPROVAL – LICENSING SUB-COMMITTEE, 11 MARCH 2021

The minutes were approved as an accurate record of the meeting.

1b. MINUTES FOR APPROVAL – SPECIAL MEETING OF THE LICENSING SUB-COMMITTEE, 15 APRIL 2021

The minutes were approved as an accurate record of the meeting.

2. APPLICATION FOR THE RENEWAL OF A LICENCE TO OPERATE A HOUSE IN MULTIPLE OCCUPATION

The Executive Director for Council Resources had submitted a report to advise that an application for the renewal of a House in Multiple Occupation licence had been received from Ms Ann Guthrie to allow her to operate the property at 8E Beach Lane, Musselburgh, as a House in Multiple Occupation (HMO). The application had attracted one public objection.

Ms Guthrie, landlord, was present to speak to her application.

The Sub-Committee required to assess the suitability of the property as an HMO and to establish that the applicant was a fit and proper person to hold an HMO licence.

Ian Forrest, Legal Adviser, presented the report. The Housing (Scotland) Act 2006, Part 5 required that, where a property is to be occupied by three or more persons from three or more families, the owner must apply to the local authority for a licence to operate an HMO. The Legal Adviser reminded Members that, in determining the application, they were restricted to the grounds of refusal specified in Part 5 of the Housing (Scotland) Act 2006, and advised Members what must be considered when determining if a property were suitable for occupation as an HMO.

Ms Guthrie spoke to her application. She provided information on tenants who had lived in the property in the time she had owned it, all of whom had been students at Queen Margaret University. She advised this was the third time an application for an HMO licence had been made, and the property was now managed by DJ Alexander. She was not aware that any complaints had been made to the property managers regarding the unruly behaviour of her tenants, but these tenants would shortly be moving out in any case. She advised that the property was suitable for three students and stated that all checks had been made to ensure the property complied with HMO conditions.

Councillor Williamson asked how Ms Guthrie would ensure tenants notified her of any issues which affected the whole building, as there would be an expectation that tenants would pass any communication from the Tenants and Residents Association (TRA) onto the landlord. He also noted from the objection that previous tenants had not taken their share of cleaning of the common areas. Ms Guthrie said that any communications were forwarded by DJ Alexander. She advised that cleaning was on a rota and residents took turns.

Councillor McMillan asked whether Ms Guthrie would consider asking the property management company to put a cleaner in place to take on the property's share of common area cleaning. Ms Guthrie advised that some tenants in the past had been

more diligent in taking their turn with the cleaning, but thought that organising a cleaner was a good idea.

Councillor Findlay sought confirmation that there was not any overprovision of HMOs in the locality. The Legal Adviser expected that this would have been flagged if overprovision had been of concern.

Councillor McMillan was minded to grant the application, as the property presented an opportunity for students to live in East Lothian. He hoped that Ms Guthrie would organise for someone to clean the common areas on behalf of her tenants.

Councillor Henderson had no concerns regarding the application and commented that Ms Guthrie had employed a strong agent to manage the property on her behalf. She felt that the TRA should take comfort from the property being managed well. Councillors Williamson and Findlay agreed with other Members' comments and were also minded to grant the licence.

The Convener was also in agreement with other Members, and requested that figures relating to the saturation of HMOs in the locality be provided as part of reports regarding HMO applications made to the Licensing Sub-Committee in the future.

With unanimous support for the application, Councillor Williamson proposed that the licence term be three years. This was seconded by Councillor McMillan, and the Convener moved to a roll call vote.

Decision

The Sub-Committee unanimously agreed to grant the HMO licence for a period of three years.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Sub-Committee agreed to exclude the public from items 3 and 4 which contained exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

3a. APPLICATION FOR THE GRANT OF A WINDOW CLEANER LICENCE

The Sub-Committee agreed to continue the application, pending further information.

3b. APPLICATION FOR THE GRANT OF A WINDOW CLEANER LICENCE

The Sub-Committee refused the licence application.

4. SUSPENSION OF A STREET TRADER LICENCE

The Sub-Committee agreed to suspend the licence.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

**APPLICATION FOR THE GRANT /
RENEWAL / VARIATION / SURRENDER OF A
PUBLIC ENTERTAINMENT LICENCE**

2

Please read the accompanying guidelines before completing this form.

This application form is in several parts for different things.

Which parts you need to complete depends on what you are applying for:

Part A	About you (the applicant)	p2
Part B	Day to Day Manager	p4
Part C	Grant of a New licence	p4
Part C	Renewal of an Existing licence	p4
Part D	Variation of an Existing licence	p5
Part E	Surrender of an Existing licence (surrender on death, sequestration or administration)	p5
Part F	Declaration	p6

Please select what you require the Council to process (tick all that apply):



Grant a new licence	Complete parts A, B, C and F	<input checked="" type="checkbox"/>
Renew an existing licence	Complete parts A, B, C and F	<input type="checkbox"/>
Vary an existing licence	Complete parts A, D and F (if the variation includes changing the Day to Day Manager's details, also complete Part B)	<input type="checkbox"/>
Surrender an Existing licence	Complete parts A, E and F (if you also want the vary the licence, complete part D)	<input type="checkbox"/>

Should you require extra space to answer any questions, please provide additional details on a separate sheet.

Name of site or premises to be licenced Chloe Nails & Spa

Address of site or premises to be licenced 88A North High Street, Musselburgh

EH21 6AS

PART A

To be completed if a natural person (individual)

Surname (include any other surname you have been known by)

Forename _____

Home Address _____

_____ Postcode _____

Tel. No. _____ Email address _____

Date of birth _____ Age _____

Place of birth _____

Is applicant to carry out day-to-day management of the activity?

YES NO

To be completed if a non-natural person (organisation, company, partnership etc)

Name Chloe Nails Musselburgh Ltd

Address of Principal registered office 88A North High Street

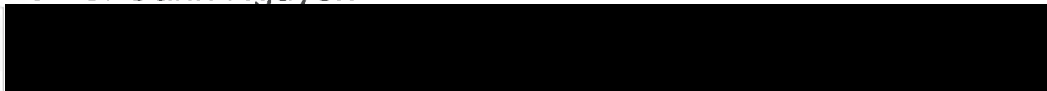
Musselburgh Postcode EH21 6AS

Telephone number of principal registered office _____

Email address of principal registered office chloenailsmusselburgh@gmail.com

Names, home addresses and dates of birth of all directors, partners or other persons responsible for management

Name: Oanh Nguyen



Part B

To be completed by the day-to-day manager of the activity

Surname (include any other surname you have been known by)

Nguyen

Forename Oanh

Home Address

Tel. No.

Date of birth

Place of birth

Postcode

Email address

Age

Part C

Specify all types of public entertainment and / or recreation that is required to be licensed in the premises

Nails salon

Specify dates and times when it is proposed the premises will be open for the purposes of the above entertainment / recreation (FULL LICENCE)

26/04/2021

Time from 09:00 to 19:00

Specify dates and times when it is proposed the premises will be open for the purposes of the above entertainment / recreation (TEMPORARY LICENCE)

Date _____ Time from _____ Time until _____

Maximum number of persons proposed to be admitted to the premises at any one time

10

Provide details of toilet facilities to be made available

One toilet with sink on the right side at the back of premises.

Provide details of safety measure to be put in place and number of stewards provided

The equipments and tools will keep clean, well maintained, sterilised or disinfected.

Provide PPE (dust masks, gloves, visors, etc.) to the employee. Health and safety rules set up.

Part D – Variation of an Existing Licence

What do you want to change? Delete as appropriate

The applicant details (see D1)

The layout plan (see D2)

The licence conditions see (D3)

Notes:

D1. You must complete Part A with the new details if you are changing the applicant details

D2. You must provide a copy of the new layout plan and may require planning consent for changes

D3. You must detail, in writing, what you want to change in the licence conditions

Part E – Surrender of licence on death, sequestration or administration of the Licence Holder

Which option applies (please tick)

The license holder has died

The licence holder is a sequestrated individual

The licence holder is a limited company in administration

Part F – Declarations

Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party name in this form ever been convicted of any crime or offence?

YES NO

If Yes, provide particulars below. NB – All crimes and offences must be declared:

NAME	DATE	COURT	OFFENCE	SENTENCE

Has any party named in Parts A or B ever held or currently hold a Public Entertainment Licence?

YES NO

If Yes:

When was the licence granted _____

When does it expire _____

Which authority granted the licence _____

Has any party named in Parts A or B ever applied for and been refused a Public Entertainment Licence?

YES NO

If Yes:

Name of applicant _____

When was it refused _____

Which authority refused the licence _____

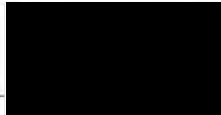
Delete as applicable:

- A) I/We declare that I/We shall, for a period of 21 days commencing with date hereof, display at or near the premises so that it can be conveniently read by the public, a Notice complying with the requirements of Paragraph 2(2) of Schedule 1 of the Civic Government (Scotland) Act 1982
- B) ~~I/We declare that I/We are unable to display a notice of this application at or near the premises because no access is available. The following action was taken to try to gain access, but was unsuccessful:~~

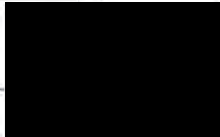
- C) ~~I/We declare that the application is for a temporary licence and therefore no requirement to display a notice is necessary~~

I/We declare that the particulars given by me on this form are correct to the best of my/our knowledge and belief.

Signature of applicant



Signature of day to day manager



Any person who in, or in connection with the making of this application makes any statement which he/she knows to be false or recklessly makes any statement which is false in a material particular shall be found guilty of an offence and liable, on summary conviction.

DATA PROTECTION ACT 2018

Please note that the information given on this form may be stored electronically by this Authority for the purpose of licensing.

The Identity of the Data Controller under the Data Protection Act 2018 ("the Act").

East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA
("the Council")

The purpose or purposes for which the data are intended to be processed.

The Data will be processed in order for East Lothian Council to fulfil its statutory duty under the Civic Government (Scotland) Act 1982 in receiving, registering, determining and granting applications for licenses under the said Act. The Data will be shared with public bodies who require to be consulted about the application, such as the Police. It will also be shared with internal East Lothian Council services, particularly within the Environment Department who give advice to the Council as Licensing Authority, in respect of the application.

East Lothian Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Further information can be obtained from:

Data Protection Officer
Licensing, Administration and Democratic Services
John Muir House
Haddington
dpo@eastlothian.gov.uk

88a North High Street,
Musselburgh

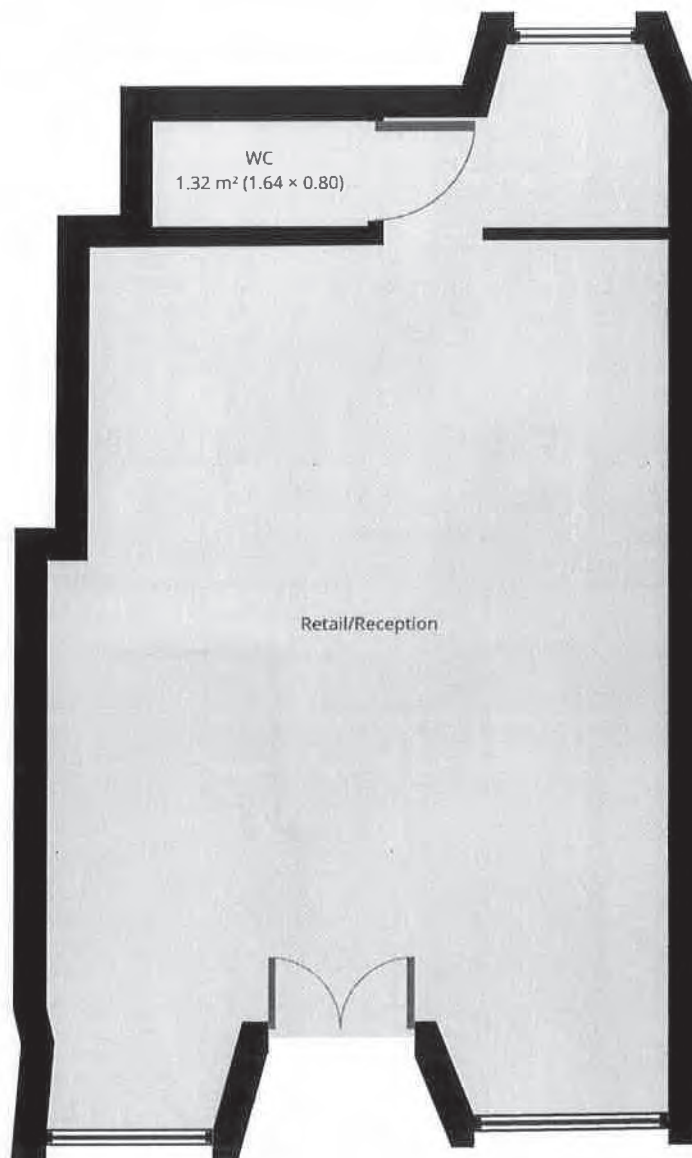
Ime DJK Group Ltd
info@ime.co.uk
01312902350



Statistics

Area: 41 m²
1 Floor
1 Office
0 Conf. room

Ground Floor



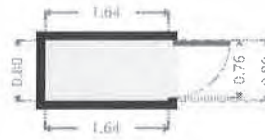
88a North High Street, Musselburgh

Ime DJK Group Ltd
info@ime.co.uk
01312902350



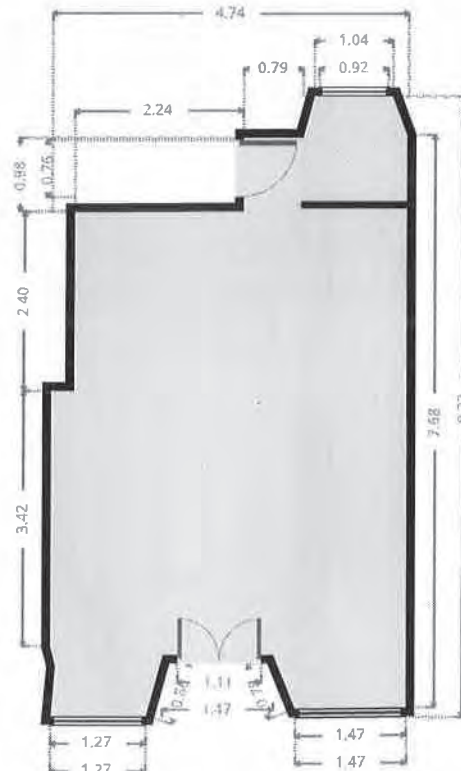
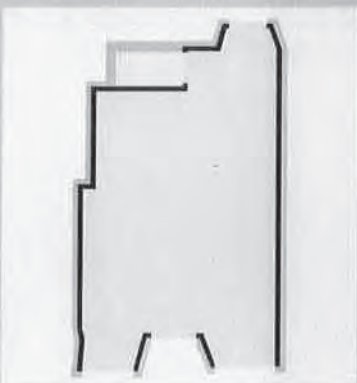
WC

Width: 0.80 m
Length: 1.64 m
Area: 1.32 m²
Perimeter: 4.89 m



Retail/Reception

Width: 4.74 m
Length: 8.33 m
Area: 32.45 m²
Perimeter: 26.79 m



NAIL SALON RISK ASSESSMENT


Risk	Likelihood	Consequences	Action
<p>CHEMICAL HAZARDS Salon staff constantly work directly with and around hazardous substances: Nail polish, artificial nails, primers, fingernail glue, polish remover, and more. Filing nails creates dust that can be harmful to inhale. Disinfecting chemicals. Cloths, cushions, cotton balls, and other fabrics soaked in cleaning chemicals or glue remover.</p>	Not very unlikely	Inhalation of chemicals or dust can lead to irritation, headaches, dizziness, sickness, occupational asthma, or even cancer. Ingestion can cause throat irritation and illness. Direct contact with the skin or eyes can cause irritation, rashes, or occupational eczema and dermatitis. Poorly-handled waste chemicals and fabrics continue to spread fumes and pose a fire hazard.	MSDS training for staff . Using of correct PPE such as gloves, mask . Installation of Ventilation . Designated storage for chemical. Staff should clean up chemical spillages right away and do so safely. They must also safely dispose of materials used to clean spillages, as well as cotton balls and other fabrics soaked in chemicals. This type of waste should go in a lined, lidded bin.
Ergonomic Risk	Probable	Many salon workers adopt a poor posture to carry out their job. They may lean over and rest their arms on the desk, which strains their back and applies harmful pressure to contact points on their arms. Over time, poor ergonomics can lead to bad joints, sore muscles, and even chronic musculoskeletal disorders.	Staff should sit up straight and keep their arms supported by a cushion or pad on the table.They should use an adjustable chair that supports their lower back. Feet should lay flat on the floor without straining the thighs. Use a cushion or other means to prop up the customer's hand or foot to prevent staff from leaning forward. Staff should take regular breaks between customers to stretch.Avoiding musculoskeletal strain is straightforward, so long as staff consistently maintain a good posture and improve their working space.
Risk of infection	Possible	Customers or staff with broken skin or uncovered wounds may allow infections to spread, particularly when they soak their hands or feet in basins. Good hygiene practices can easily prevent the spread of infection	Staff should wear gloves at all times and dispose of them after each customer. Cover wounds with plasters. Avoid touching blood or bodily fluids. If staff need to clean these up, they must wear their gloves and dispose of them safely afterwards. Thoroughly disinfect tools, worktables, and basins after each customer.

Issue date: 16 April 2021

Simply Business certifies that the information for Chloe Nails Musselburgh Limited shown here is correct, as of the issue date above.

For full policy terms and conditions, please refer to the policy wording document.

Company name	Chloe Nails Musselburgh Limited
Policy number	CHGS3079903XB
Trade/Business	Nail Bar
Public liability	up to £5,000,000
Product liability	up to £5,000,000
Employers liability	up to £10,000,000
Policy start date	26 April 2021
Policy end date	25 April 2022



David Summers
Group CEO, Simply Business

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

CERTIFICATE OF COMPLIANCE

PUBLIC ENTERTAINMENT LICENCE

I / We Chloe Nails Musselburgh Ltd

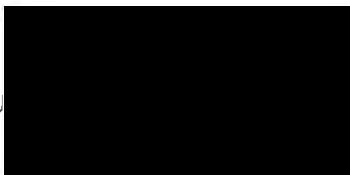
applicant for a Public Entertainment Licence, hereby certify that a Notice has been
at or near the premises at 88 North High Street, Musselburgh, EH21 6AS

from 16/04/2021 to 27/05/2021

containing such information as is required by paragraph 2(3) of Schedule 1 to the
above Act.

~~* Where the said Notice was removed, obscured or defaced during the
abovementioned period, I took reasonable steps for its protection and
replacement as follows: (give details and circumstances)~~

Signature



Date 27/05/2021

* Delete if not applicable

Herkes, Gillian

From: Licensing
Sent: 18 May 2021 12:50
To: Herkes, Gillian
Subject: FW: Emailing: Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf [OFFICIAL]

From: Lothian Scot Borders Licensing East Mid Lothian
<LothianScotBordersLicensingEastMid@Scotland.pnn.police.uk>
Sent: 18 May 2021 09:26
To: Licensing <licensing@eastlothian.gov.uk>
Subject: RE: Emailing: Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf [OFFICIAL]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Good morning.

There are no Police objections to this application.

Thanks

Graeme.

Graeme Bairden
Constable 4269 J
Licensing officer
Police Scotland - J Division- East Lothian
Telephone - 07866 195214
Email - graeme.bairden@scotland.pnn.police.uk

-----Original Message-----

From: Shiel, Christine (Licensing) [<mailto:cshiel1@eastlothian.gov.uk>]
Sent: 19 April 2021 09:50
To: Lothian Scot Borders Licensing East Mid Lothian; Environmental Health/Trading Standards; Environment Reception; Torquil Cramer (torquil.cramer@firescotland.gov.uk)
Subject: Emailing: Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf

Hi

Public entertainment application PE004/21 Chloe Nails Musselburgh Ltd for report.

Thanks
Christine

Herkes, Gillian

From: Millar, Neil
Sent: 23 April 2021 19:14
To: Shiel, Christine (Licensing); Licensing
Subject: RE: Emailing: Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf

Hello,

I can confirm that I have no objection to this public entertainment licence at 88A North High Street, Musselburgh.

Regards

Neil

-----Original Message-----

From: Shiel, Christine (Licensing) <cshiel1@eastlothian.gov.uk>
Sent: 19 April 2021 09:50
To: Lothian & borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Torquil Cramer (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>
Subject: Emailing: Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf

Hi

Public entertainment application PE004/21 Chloe Nails Musselburgh Ltd for report.

Thanks
Christine

Your message is ready to be sent with the following file or link attachments:

Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf

Note: To protect against computer viruses, email programs may prevent you from sending or receiving certain types of file attachments. Check your email security settings to determine how attachments are handled.
NHS Coronavirus Information

[<https://intranet.eastlothian.gov.uk/images/facts.png>]

Shiel, Christine (Licensing)

From: Gunning, Laura
Sent: 13 May 2021 11:33
To: Shiel, Christine (Licensing)
Cc: Douglas, Andrew
Subject: RE: Emailing: Chloe Nails Musselburgh Ltd PE004.21 - Public entertainment application.pdf

Hi Christine,

I've received further info from the applicant, in particular relating to ventilation.

I have no adverse comments to make on behalf of EH.

Regards,
Laura

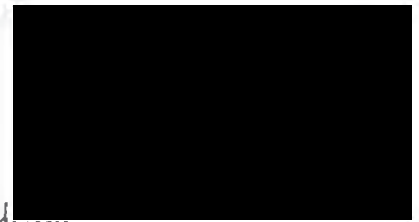
Laura Gunning
Senior Environmental Health Officer
East Lothian Council John Muir House Court Street Haddington East Lothian EH41 3HA
Tel: 01620 827296 Email lgunning@eastlothian.gov.uk



REHIS
Chartered Environmental Health Officer
2021

East Lothian Council
Legal and Democratic Services
John Muir House
Haddington
Eh41 3HA

Diamond Nails and Me



East Lothian Council
Licensing

3 MAY 2021

Received

28/04/2021

To Sir or Madame,

We wish to register an objection against the Entertainment Licence for Chloe Nails, at 88 North High Street, Musselburgh.

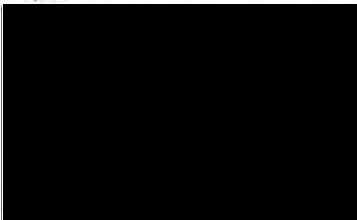
If this licence was to be approved therefore be 9 open nail and beauty salons within a 0.5mile radius. Thus making competition unviable for existing salons which have only just been able to reopen after the 2nd lockdown due to the pandemic.

We believe there is enough choice of nails and beauty within the North High Street community area as there is further nails and beauty salons within the High Street and surrounding area, although we promote healthy competition within the industry, we do not wish to flood the high street with the same or similar business.

Kind Regards

Diamond Nails & Me

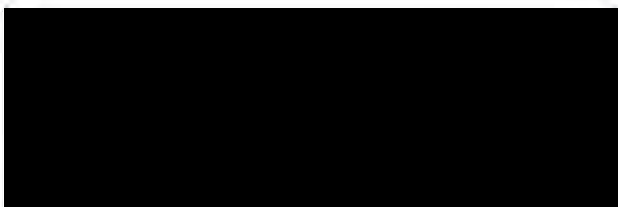
KIVISSA SCOTIQUE



NYLLA FASHION + BEAUTY



Diamond nails and me



Shiel, Christine (Licensing)

From: Licensing
Sent: 26 May 2021 10:26
To: Shiel, Christine (Licensing)
Subject: FW: Public entertainment application

From: Fitzpatrick, Sheila <sfitzpatrick1@eastlothian.gov.uk>
Sent: 26 May 2021 10:20
To: [REDACTED]
Cc: Licensing <licensing@eastlothian.gov.uk>
Subject: FW: Public entertainment application

Good morning Ms Nguyen,

Thank you for your email.

- Having received the objection to your application, East Lothian Council's Licensing Sub-committee is required to consider your application and the objection. You will be able to address your concerns about the objection at this meeting.
- At this point, I would like to advise that your application for a Public Entertainment Licence is covered by the Civic Government (Scotland) Act 1982 so your points relating to the Licensing Act 2003 are not valid. These objectives are listed in the Licensing (Scotland) Act 2005 but this legislation relates to licensing surrounding the sale of alcohol only.
- There is no reason why your business partner and / or solicitor can't be present at the Licensing Sub-committee meeting on 10 June 2021.
- There is no requirement for you to provide business documents however you may want to submit any documents / photographs you feel are relevant, to licensing@eastlothian.gov.uk prior to the meeting.

I hope this is of assistance.

Regards,

Sheila Fitzpatrick
Team Leader – Licensing and Landlord Registration
East Lothian Council
Democratic & Licensing Services
John Muir House
HADDINGTON, EH41 4HA

01620 820623

Sfitzpatrick1@eastlothian.gov.uk

From: Oanh Nguyen <[REDACTED]>
Sent: 26 May 2021 01:38

To: Shiel, Christine (Licensing) <cshiel1@eastlothian.gov.uk>

Subject: Re: Public entertainment application

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Christine,

Thank you so much for getting back to me.

English is my second language. Please forgive me if I made any spelling or grammar errors in this email.

I have some concerns about the objective letter.

First thing is Diamonds Nails & Me said nine beauty and nails salon within 0.5 mile but I only see three objections here. Where are another six? Or because those six salons are thinking that no competitions here.

Second, Nylla fashion & beauty is ineligible for the objection. She doesn't do any things related to nails. She is only offering eyebrows services which we don't do. So her objection is not valid. Cathy who owned Diamond Nails & Me rented a space in Nylla salon before she moved to current premises. After Cathy left, no nail services are carrying in there. Cathy asked Nylla owner to join in her team to make an unrealistic objection.

Eivissa is a combination of hairdresser and beauty salon, is not a proper nail salon like us. They just have one/two nail stations and is not offering whole range nails services same as us. My salon is not offering any beauty services. So I don't think my salon is a real competitor to Eivissa and her objective is not correct.

Only one competitor who offering same services like me is Diamond Nails & Me. If just only one proper competitor, I do not see any affections to local nail/beauty industry. I met Cathy and told her that I will keep the price list same as her salon. No drop in prices here. She can not said my business will flood another businesses.

Lots of customers are asking me about my opening times. They also come to convenience store (next door) to ask about my business. That mean customers want more choices for getting their nails done.

Third, I also spent nearly £30000 to set up this salon. If my application is refused by competitors objection, it will really unfair to me, my staff and my landlord. At the moment, I am also paying rent even couldn't start to trade. I feel like I am stuck at the end of the road without any places to turn.

In the addition, from my knowledges, there is no competition law in Scotland that anyone can stop their competitors set up new businesses. Some councils also posted on their websites, objectives cannot be considered if they relate to anything else, such as planning permission, the need for the premises, trade competition.

In Licensing Act 2003, representations must relate to one or more of the licensing objectives:

- Preventing crime and disorder

- Protecting and improving public health
- Preventing public nuisance
- Protecting children from harm
- Securing public safety

I do not think my salon related to above licensing objectives.

I do not understand why the Board set up a meeting with this frivolous/vexatious objection letter.

However, I would like to ask some more questions if I still need to join in the meeting.

Can my consultant join in the meeting with me? She is also my interpreter. She will help me to explain this matter because English is not my first language and my accent is hard for the Board to understand.

If I hire a Scottish solicitor, can he/she join in the meeting? Can my consultant/interpreter also join in to help me with the translation?

Do I need to show any business documents during the meeting?

Thank you so much for your helps.

I am looking forward to hearing from you.

Best regards
Oanh Nguyen

On Tue, 25 May 2021, 15:42 Shiel, Christine (Licensing), <cshiell@eastlothian.gov.uk> wrote:

Dear Ms Nguyen

Please find letter attached regarding your public entertainment licence application for Chloe Nails, Musselburgh.

Regards

Christine

28 MAY 2021

CHLOE NAILS & SPA

88 NORTH HIGH STREET, MUSSELBURGH, EH21 6AS

CUSTOMERS' SIGNATURE TO SUPPORT SALON OPENING:

AR McROBERT

N Waddell

G. N. V. ARLESS

A. MALCOLM

R. McRobbie

A Macfarlane

H Mansson

D. Topic

R. Cunningham

J. Fleming

J. Smeedon

S. Gray

P. Purdie

G. Kay

L. Rafter

J. Alexander

J. Purvis

N. MARTIN

S. Darling

28 MAY 2021

CHLOE NAILS & SPA

88 NORTH HIGH STREET, MUSSELBURGH, EH21 6AS

CUSTOMERS' SIGNATURE TO SUPPORT SALON OPENING:

J ELLIOT

R KEENAN

W HARRIS

S DOR

S M'LEOD

L M'LEOD

C. Selbridge

H. McManus

L. Dagh

O'Donnell

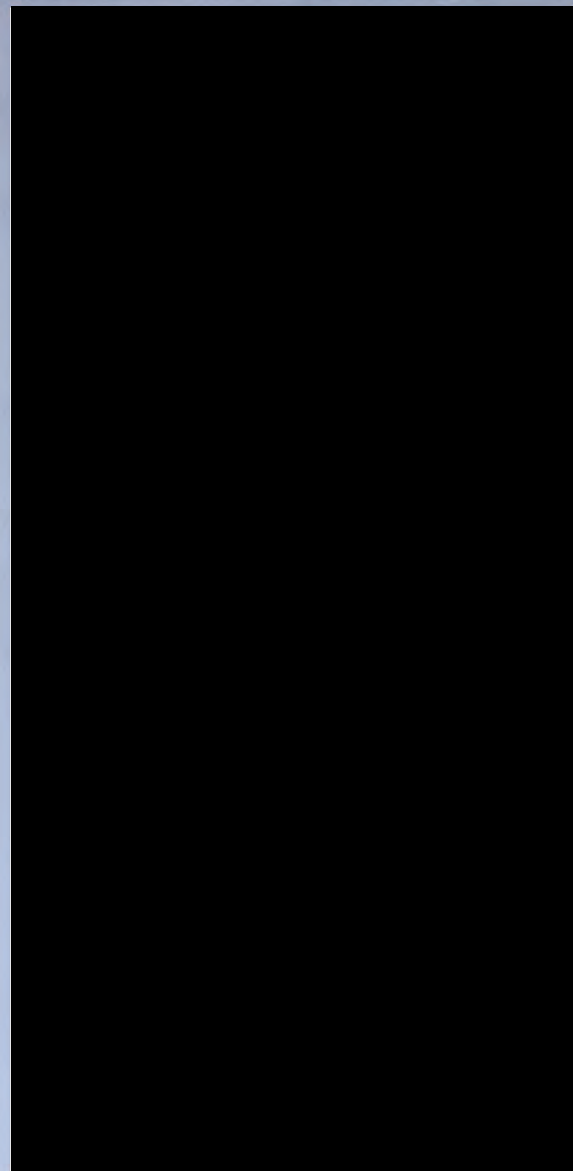
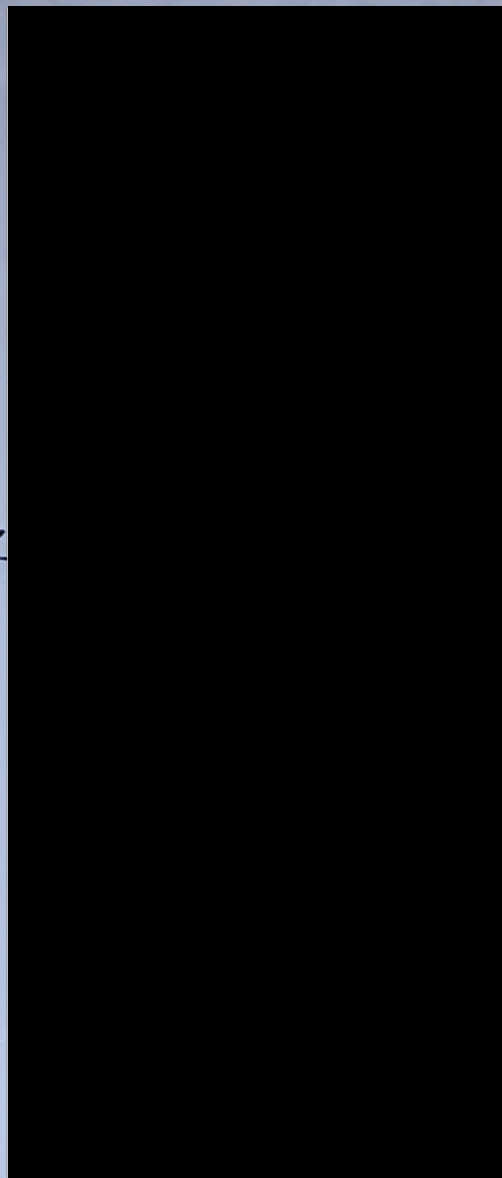
A. Quinn

Bryant

Amy Thompson

Anne Russell

~~Margaret Rae~~
MARGARET RAE



East Lothian Council
Licensing
John Muir House
Haddington
EH41 3HA

26th May 2021

Ref: 88a North High Street, Musselburgh EH21 6AS

To whom it may concern.

I worked on behalf of the landlord in letting this shop to Oanh Nguyen, she paid a holding deposit and went about everything in the right way with frequent contact with the council to make sure she was permitted to open a nail bar here. She was eventually told she could, and the deal went ahead.

It seems strange that one objection letter from a similar business (not the same) who took away a class 1 retail store and changed it to a nail bar only in 2019 should be the one to complain. Its ok for them to add another nail bar in 2019 but if anyone else tries to do it then it's not.

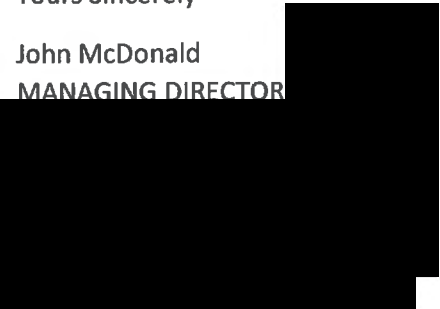
We are commercial property agents and specialize in small commercial units and as everyone knows, the supermarkets are killing all the small retail shops as well as Amazon and the internet. The only successful occupiers nowadays are coffee shops, beauty/nails/hair, tattooist's, takeaway's, physio's and vape shops, somewhere where you have to go and physically get something you need or a service/treatment carried out.

Oanh has heavily invested into 88a North High Street, Musselburgh, surely a nice bright busy shop will be better than an empty shop.

There is also a lot of barbers on that street too and that is because the demand is there for it. Musselburgh is a big place and there are plenty people who live there like to get a haircut, get their nails done and go for a sunbed.

Yours Sincerely

John McDonald
MANAGING DIRECTOR



Abdul Rauf

31 May 2021

Licensing
John Muir House
Haddington
East Lothian
EH21 3HA

Reference: IF/cs/EN/L/T2

Dear Sir or Madam

I have a newsagent business in North High Street Musselburgh. Just to let you know that there is a demand for another nail bar in the area. 88A North High Street Musselburgh was a nail bar before it was closed down and since then people have been enquiring when the shop is opening up again but once people see Oanh Nguyen was doing the shop up and adding the sign board to the front of the shop, people were convinced that the nail bar will be opening up soon.

To my knowledge, 'Eivissa Boutique' and 'Nylla Fashion and Beauty' do not offer nail service; however, Diamond Nail and Me is the only business that offers this service. The business mentioned was previously operating and offering the nail service before 88A North High Street opened in 2019 as a nail bar. Diamond Nail and Me are located on the other end of the street.

I hope you look into Oanh Nguyen's application again before you consider a final decision. There is a demand for a nail salon on this end of the street (88A North High Street Musselburgh).

Yours faithfully,

Abdul Rauf

East Lothian Council

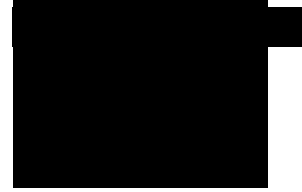
Licensing

John Muir House

Haddington

EH41 3HA

Dung Vo



30/05/2021

To whom it may concern

Dear Sir/Madam

My name is Dung Vo.

I am writing this letter to Licensing Department of East Lothian Council about the objections of Public Entertainment Licence for Chloe Nails Musselburgh Ltd.

Ms Oanh Nguyen asked me to join in her team at Chloe Nails & Spa which is locating at 88 North High Street, Musselburgh, EH21 6AS. I accepted her offer and sent resignation letter to leave my current job. It has been accepted. I will leave on 8th June 2021.

I and Think Nguyen family will move to Musselburgh and share a rented property in there.

For the competitors objections of Chloe Nails Ltd, Nylla Fashion & Beauty is a brow bar, not offering any services related to nails. Elivissa is a combination hairdresser, not a direct competitor to Chloe Nails. Only Diamond Nails & Spa is a proper nails salon and a direct competitor.


Why Diamond Nails & Me can trading but Chloe Nails & Spa cannot. They just opened on September 2020. I don't think Diamond Nails & Me have any abilities to restrict similar business.

Those objections will cause me problems if it is accepted. Due to affections of pandemic, job is so hard to find and nobody wants to be unemployed.

I saw so many Chinese takeaways, barbers, convenience stores are on the street but only one proper nails salon. Why new proper nail salon can be object even it could bring more jobs to local people in the future.

I hope East Lothian Council understand my point of view, my circumstances and will have a fair decision.

Yours faithfully


Dung Vo

East Lothian Council

Licensing

John Muir House

Haddington

EH41 3HA

Thinh Nguyen



28/05/2021

To whom it may concern

Dear Sir/Madam

My name is Thinh Nguyen.

I write this letter about the objections of Chloe Nails Musselburgh Ltd Public Entertainment Licence.

I was offered to work for Chloe Nails & Spa which is located at 88 North High Street, Musselburgh, EH21 6AS. I accepted the offer and sent resignation letter for current job. My current employer hired new staff who will replace my position when I left. I will leave on 5th June 2021.

I also sent the letter to agent to terminate my house lease contract and prepare moving my family to Musselburgh.

If the competitive objections are accepted, it will be really unfair for me, my family, my colleagues and Chloe Nails' owner. It will cause my family big troubles including no incomes, maybe homeless.

I visited Chloe Nails in Musselburgh and went around North High Street. I only saw one proper nail salon is Diamond Nails & Me. Nylla Fashion & Beauty is not offering nails services so I don't think her objection is correct. Elvissa is a hairdresser and nail treatments are just one of their services. Elvissa will not really be affected by Chloe Nails.

There are so many takeaways, barbers, clothes stores, etc are in the street and only one proper nails salon. Why new proper nail salon can be object but another types of businesses are accepted?

I hope East Lothian Council understand my circumstances and make a right and fair decision.

Yours faithfully



Thinh Nguyen

OBJECTOR

Our ref: IF/cs/LSC/L1

Your ref:

Date: 28th May 2021

PRIVATE & CONFIDENTIAL

Nylla Fashion & Beauty



Dear Madam

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982
APPLICATION FOR GRANT OF PUBLIC ENTERTAINMENT LICENCE
CHLOE NAILS – 88A NORTH HIGH STREET, MUSSELBURGH, RH21 6AS**

I refer to your Objection/representation received on 3rd May 2021, in respect of the above application, I have sent a copy to the applicant concerned.

The application will be considered by the Licensing Sub Committee on Thursday 10th June, 2021 at 10am where the meeting will be held remotely. Should you wish to speak to your objection/representation you may be in attendance at this time and can join the meeting using the link below. If you cannot join using the link there is a facility to call in using your phone.

To participate in the meeting you must use:

- Google Chrome on Window, MacOS or Linux
- The Connect Remote iOS or Android app

iOS app : <https://apps.apple.com/gb/app/connect-remote/id1513126971>

Android app : <https://play.google.com/store/apps/details?id=tv.publici.connectremote>

If you are unable to attend in person you may appoint another person to speak on your behalf, you must provide this person with written authorisation which sanctions them to do so and this must be emailed to licensing@eastlothian.gov.uk 48 hours before the meeting.

An agenda for the Licensing Sub Committee Meeting will follow in due course and a member of the team will call you a few days before the meeting with details on how to join the meeting.

Yours faithfully

Ian Forrest

Senior Solicitor

Tel: 01620 827217 (Christine Shiel)

OBJECTOR

Our ref: IF/cs/LSC/L1

Your ref:

Date: 28th May 2021

PRIVATE & CONFIDENTIAL

Eivissa Boutique

Dear Madam

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982
APPLICATION FOR GRANT OF PUBLIC ENTERTAINMENT LICENCE
CHLOE NAILS – 88A NORTH HIGH STREET, MUSSELBURGH, RH21 6AS**

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Ian Forrest

Senior Solicitor

OBJECTOR

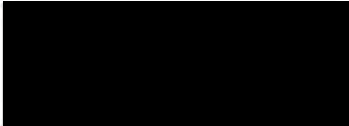
Our ref: IF/cs/LSC/L1

Your ref:

Date: 28th May 2021

PRIVATE & CONFIDENTIAL

Diamond Nails & Me



Dear Madam

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982
APPLICATION FOR GRANT OF PUBLIC ENTERTAINMENT LICENCE
CHLOE NAILS – 88A NORTH HIGH STREET, MUSSELBURGH, RH21 6AS**

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Yours faithfully

Ian Forrest

Senior Solicitor

Tel: 01620 827217 (Christine Shiel)

