

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

2c

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 27th January 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) – OCC0025-027/25

SAMEER KHAN, 18 NEWBIGGING, MUSSELBURGH, EAST LoTHIAN, EH21 7AH

The applicant is Sameer Khan who is a personal licence holder having obtained his personal licence in Jan 2025. Application has been made for 3 occasional licences for a new retail premises at 18 Newbigging, Musselburgh to allow off sales of alcohol. To date no premises licence application has been received for this premises. I have visited the premises which was not in operation and appears to have previously been used as a Nail Bar. At the time of my visit, it did not appear that the premises have been converted into a retail premises and that work to do this would be required.

The duration of the applications are:

OCC025/25 – 17th Feb – 2nd March 2025, 10am-10pm
OCC026/25 – 3rd March – 16th March 2025, 10am-10pm
OCC027/25 – 17th March – 30th March 2025, 10am-10pm

I refer the Board to Section 23.2 of the Statement of Licensing Policy:

23.2 - Section 59(6) of the Act specifies the grounds for refusal of an application for an Occasional Licence. These grounds include “that the Licensing Board considers the granting of the application would be inconsistent with one or more of the licensing objectives”. These licensing objectives include: -

- *Securing public safety.*
- *Protecting and improving public health*
- *Protecting Children and Young Persons from harm.*

The scrutiny given to an application for a Premises Licence is not available where premises operate under a series of consecutive Occasional Licences. In the interests of securing public safety, and/or, for protecting and improving public health, the Board, considers that it is not appropriate for a premises to operate on a series of consecutive Occasional Licences, rather than apply for a Premises Licence. The Board will require an applicant to explain at a Hearing why an application for a Premises Licence is not being made unless the Clerk of the Board is satisfied that there are good reasons that prevent such an application, that are not within the control of the applicant.

Where an application is to allow premises to trade on a regular basis prior to a Premises Licence application having been determined, the application will be referred to the Board for consideration in the first instance.

Licensing

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 17 January 2025 11:24
To: Licensing
Subject: OCC025/25 - OCC LIC APP - 18 NEWBIGGING - 17/02/25-02/03/25
Attachments: OCCLIC 18 NEWBIGGING, MUSSELBURGH 17.02-02.03.25.PDF

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.

Morning,

No police objections

PSOS ref 891311

Regards

stephen

OCC025/25

Adv 17/11

4 2457



East Lothian Council
Licensing

14 JAN 2025

Received

LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

Before completing this form please read the guidance notes.

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) 543139

Name of voluntary organisation (if applicable) _____

2. PERSONAL DETAILS

Title (delete as appropriate):

Mr / Mrs / Miss / Ms / Other (please state) _____

Surname Khan

Forenames Sameer

Date of birth (Day / Month / Year) [REDACTED]

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town [Redacted] Post code [Redacted]

Telephone Numbers

Daytime Tel. _____ Evening Tel. _____

Mobile No. [Redacted]

Fax No. _____ Email _____

3. THE PREMISES

Description of premises

Retail Unit on ground floor of a building on Newbigging, Musselburgh.

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

General Convenience Store/ Newsagents with ancillary off sale Licence, providing a range of goods and services for customers. Opening early for the sale of non-alcoholic goods such as newspapers, rolls etc.

Full postal address of premises which this application refers to _____

18 Newbigging, Musselburgh, EH21 7AH

4. DURATION OF LICENCE

Date: From Monday 17th February 2025 To Sunday 2nd March 2025

Time: From 10am To 10pm

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.

Times for sale of alcohol for consumption on premises

N/A

Times for sale of alcohol for consumption off premises

10am to 10pm

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

The shop is a convenience store/ newsagent which may open from 6am each day.

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

YES

8. Signature and declaration by applicant (see note 3)

DECLARATION

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

Signature _____

Date _____

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB
0131 229 6181
alistair@macdonaldlicensing.com

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

2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry

3. Data Protection Act 2018

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

4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)