

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 11th February 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) – OCC0094-097/25

MORAG TAYLOR, HUMBIE HUB, HUMBIE, EAST LoTHIAN, EH36 5PJ

The applicant is Morag Taylor who is a personal licence holder. Application has been made for 4 occasional licences for a retail and café premises at Humbie Hub, Humbie, to allow on and off sales and on sales of alcohol. A provisional premises licence was granted for this premises on 23rd February 2023 which will expire on 22nd February 2027.

There are 4 applications for 2-week periods on a continuous basis from 6th February to 2nd April 2025 for on and off sales daily at the times stated on the applications.

In this case the first 3 applications have been submitted less than 42 days in advance of the start date. The Board policy states that applications should be submitted 42 days in advance. Applications submitted with less than 42 days notice may not be fully processed and determined for the start date (Statement of Licensing Policy Section 22.10). The applications discussed in this report were submitted on 29th January only 8 days in advance of the start date of the first application, and 22 days in advance of the start date of the second application.

Historically the applicant has submitted occasional licence applications in batches. Since 2023, every batch of applications has been submitted late with extremely tight timescales for the first 1-3 applications.

In 2023, out of 25 applications, 15 were submitted with less than 42 days notice, 6 of these with less than 21 days notice.

In 2024, out of 26 applications, 13 were submitted with less than 42 days notice, 4 of these with less than 21 days notice.

The Licensing Standards Officer has 21 days following receipt of an occasional licence application to make a report. The continued late submission of applications by the applicant puts unnecessary pressure on the licensing department and despite several warnings the applicant continues this practice. It concerns me that Ms Taylor is not able to submit applications in a timely manner, raising questions and concerns about her suitability to hold an occasional licence.

As a result of the late submission of these applications, and the requirement for this report, applications for 6th February – 19th February and part of the second application from 20th February to 5th March cannot be determined as there was no available Licensing Board until 27th February

2025. The premises therefore has been unlicensed since 6th February 2025.

I visited the premises on 11th February and spoke with a member of staff. The alcohol display behind the till was covered and the staff member confirmed that all staff were aware that no alcohol sales should take place in the shop or café. Alcohol is not advertised on the menu. I spoke with Ms Taylor on the phone following the visit. I asked her why every batch of applications submitted since 2023 contained late applications. She responded that another staff member was responsible for creating the application and sending then to her for approval. She was reminded that applications should be submitted 42 days in advance. I also asked if there was any update for progress towards confirming the provisional application. She could not give an update and was unsure if the remaining section 50 certificates had been applied for and that she would check. I informed her of the content of my report.

I also refer the Board to Section 24.2 of the Statement of Licensing Policy for these applications:

24.2 Premises granted a provisional premises licence will only be permitted to sell alcohol when granted an occasional licence. Applications for occasional licences where there is a provisional premises licence, will be granted on delegated powers for a duration of 12 months. Following this period if the licence has not been confirmed the occasional applications will be required to be heard by the Licensing board and the applicant is expected to give an update on progress and an indication as to when the provisional premises licence will be confirmed. Should a report be received from the Licensing Standards Officer or Police at any time, the occasional licence application(s) will not be granted on delegated powers and will be required to be heard by the Licensing Board.

The premises has been operating on occasional licence applications on a continuous basis since December 2020. Occasional licences have been used for a period of 2 years since obtaining the provisional premises licence. I feel these should be reviewed by the licensing board and not granted on delegated powers as per board policy above due to the duration of use and the administrative failings. There has been no update as to progress towards confirmation of the provisional premises licence submitted to the Licensing Board.

Occasional licences for this premises have not previously been brought forward to a Licensing Board.

Licensing Standards Officer

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 30 January 2025 15:16
To: Licensing
Subject: REF 94/25
Attachments: OCC094.25 06.02.25 HUMBIE.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.

NPO

OCC094/25

58777

East Lothian Council
Licensing

29 JAN 2025

Received Police/LSO
30/1/25

EAST LoTHIAN LICENSING BOARD

APPLICATION FOR OCCASIONAL LICENCE

6th Feb - 19th Feb 2025.

Advert
31/1/25

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)	EL 0389
Personal licence number (if applicable)	EL1699
Name of voluntary organisation (if applicable)	N/A

2. PERSONAL DETAILS	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	Taylor
Forenames	Morag Isabel Sharp
DATE OF BIRTH	[REDACTED]
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES	
[REDACTED]	
Post town	[REDACTED]
Post code	[REDACTED]
TELEPHONE NUMBERS	
Daytime	[REDACTED]
Evening	[REDACTED]
Mobile	[REDACTED]
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	
morag@humbiehub.com	

3. THE PREMISES

Description of premises Village Shop and Cafe

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

Sale of Alcohol in Village Shop and Cafe

Full postal address of premises which this application refers to

Humbie Hub, Humbie, East Lothian, EH36 5PJ

4. DURATION OF LICENCE

From: 6 / 2 / 25

To: 19 / 2 / 25

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

12 – 11 pm

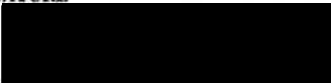
Times for sale of alcohol for consumption off premises

10am to 6 pm

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises Shop opening hours 8am to 6 pm

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 0-18	Times at which children or young persons permitted entry 8am to 4pm
Parts of premises to which children or young persons permitted entry Both Shop and Café	

7. CHECKLIST	
I have - Please tick for yes	
<input checked="" type="checkbox"/>	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 	22/1/2025

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 1998

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>)

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) Temporary Sale of Alcohol in shop and café</p> <p>(b) N/A</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>Daily Customers range from 10 to 100</p> <p>From our Epos system</p> <p>Under 18 <input type="checkbox"/></p> <p>18 - 30 <input type="checkbox"/></p> <p>30 - 50 <input checked="" type="checkbox"/></p> <p>Over 50 <input type="checkbox"/></p>

<p>3. <u>Stewarding</u></p> <p><i>Please note it is an offence under the Private Security Industry Act 2001 to <u>employ</u> unlicensed door stewards.</i></p>	<p>N/A</p>
<p>Unpaid volunteers performing this function are not covered by the Act, however. More information can be found at http://www.the-sia.org.uk/home</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) N/A</p> <p>(b) N/A</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 is a registered club which has been issued with a premises licence; or</p> <p>(c) attach a detailed layout plan of the venue with the application</p>	<p>(a) No</p> <p>(c) No</p> <p>(d) N/A</p>

<p>5. <u>Applications Lodged by Voluntary Organisations or Registered Clubs Only</u></p> <p>Please list the dates of previous occasional Licences granted by the Board between 1st January and 31st December</p>	<p>N/A</p>
<p>6. Will alternatives to glass receptacles be provided?</p>	<p>N/A</p>
<p>7. Where the event is for more than 100 persons, or where the event is relating to a Voluntary Organisation where more than four occasional licences per year are applied for, please give details here of the person trained to personal licence holder standard</p>	<p>Personal License Holder Present</p> <p>Please attach a copy of your training certificate to this application</p>

<p>LICENSING OBJECTIVES **</p> <p>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.</p>	
<p>8. How will you prevent Crime and Disorder at the event?</p>	<p>N/A</p>
<p>9. How will you secure Public Safety at the event?</p>	<p>N/A</p>


10. How will you prevent Public Nuisance at the event?	N/A
11. How will you promote and protect Public Health at the Event?	N/A
12. How will you protect Children from Harm at the Event?	N/A

SIGNATURE AND DECLARATION BY APPLICANT DECLARATION

IT IS AN OFENCE 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	25 1 - 25
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**** You can submit a separate Licensing Objectives Assessment where this is already in place.**