



**MINUTES OF THE MEETING OF
EAST LOTHIAN LICENSING BOARD**

**THURSDAY 27 FEBRUARY 2025
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY**

1

Board Members Present:

Councillor L Bruce
Councillor F Dugdale
Councillor N Gilbert
Councillor G McGuire

Clerk of the Licensing Board:

Mr C Grilli

Attending:

Ms K Harling, Licensing Standards Officer
Ms S Fitzpatrick, Team Leader – Licensing & Landlord Registration
Ms G Herkes, Licensing Officer
Ms C Aitken, Licensing Officer
Ms E Barclay, Committees Assistant
PC S Gibson, Police Scotland

Committee Clerk:

Ms B Crichton, Committees Officer

Apologies:

Councillor J McMillan
Councillor C Cassini

Declarations of Interest:

None

The clerk advised that the meeting was being held as a hybrid meeting; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the East Lothian Licensing Board was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for six months from the date of the meeting.

The committee clerk recorded the attendance of Board members by roll call.

**1. MINUTES FOR APPROVAL
East Lothian Licensing Board, 30 January 2024**

Board members approved the minutes as an accurate record of the meeting.

2. OCCASIONAL LICENCES

a. Winton Brewery Tap Room, Unit 11, Station Yard, Haddington

The occasional licence applications had come before the Board in order to hear a progress update on work towards a premises licence.

David Mackinnon, representing The Haddy Tap, spoke to the applications. He advised that the premises had been operating under a provisional licence and occasional licences. He reported that Building Standards was the only outstanding Section 50 certificate; an application had been submitted, but 22 actions had been requested before a building warrant would be granted. Mr Mackinnon gave a brief account of work undertaken to complete these actions, including rewiring, and installation of CCTV cameras, emergency lighting, and a fully accessible toilet. He also reported having concluded personal licence holder training in January; he would apply for a personal licence shortly and intended to become the premises manager (DPM).

The LSO explained that the occasional licences had been referred to the Board under Section 24.2 of the Board's Statement of Licensing Policy. She advised that the applicant, Steven Holligan, was a personal licence holder. She reported that the business had been very helpful and diligent in providing progress updates, and she had no concerns over operation of the premises.

PC Gibson advised that Police Scotland had no comment to make on the applications.

Councillor McGuire was aware that people who visited the premises spoke highly of it, and thought it was a great addition to Haddington.

The Convener moved to a roll call vote on the applications, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the occasional licence applications.

c. 18 Newbigging, Musselburgh

The occasional licence applications had come before the Board on the basis of Section 23.2 of the Board's Statement of Licensing Policy, which stated that where an occasional licence application was to allow a premises to trade on a regular basis prior to a premises licence application having been determined, the application would be referred to the Board for consideration in the first instance.

Alistair Macdonald, the applicant's agent, spoke to the applications. He introduced his client, Samir Khan, who was also Musselburgh's postmaster, and ran the Post Office near to the convenience store at 18 Newbigging. Mr Macdonald advised that a provisional licence application had been lodged and a Section 50 certification was awaited from Building Standards before the premises licence could be confirmed. The application had been delayed in the hope of obtaining Section 50 from Building Standards, but the provisional licence application had now been lodged and was expected to be heard at the March Board meeting. Mr Macdonald expected that the

Building Standards certificate could be granted promptly since there had been no major structural changes made to the building. He also asked that further occasional licences be granted under delegated powers until such time as the premises licence could be confirmed.

The LSO had visited the store and met with Mr Khan; she commented that the refit looked great, and reported that Mr Khan was knowledgeable about the business and the area. She advised that she had spoken with Mr Khan about CCTV on the visit. She advised that the provisional licence application would come before the March Board meeting, and she had no concerns over the application.

PC Gibson advised that Police Scotland had no concerns with the applications.

Councillor Dugdale felt reassured by Mr Macdonald's presentation and by the LSO's report, and the Convener said he appreciated the issues with Building Standards. Both Board members were happy to support the applications.

The Convener moved to a roll call vote on the applications, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the occasional licence applications.

b. Buck & Birch, Unit 9, Merryfield Business Centre, Macmerry

The occasional licence applications had come before the Board in order to hear a progress update on work towards a premises licence.

Tom Chisholm, applicant, spoke to the applications. He compared Buck & Birch's situation to the previously discussed regarding The Haddy Tap, since Buck & Birch had also had a provisional licence in place for a couple of years, subject to the grant of Section 50 certification from Building Standards. Mr Chisholm advised that Buck & Birch's landlord, Had Fab, were in discussions with Building Standards, and that other buildings in the Business Centre were also affected. He reported that Had Fab had apologised for how long the process was taking, and had a serious personal issue which had drawn focus. He advised that nothing had changed in the premises' operation, and said the occasional licences were important to the business. Mr Chisholm reported that he and Rupert Waites were personal licence holders, and another team member had also completed personal licence holder training.

The LSO explained that the occasional licence applications had been brought before the Board under Section 24.2 of the Board's Statement of Licensing Policy. She reported that the business had operated under occasional licences on a continuous basis since May 2020, and for two years since obtaining a provisional licence. She had not received an update on progress towards confirming the premises licence, but had worked with the business to advise that other team members undertake personal licence holder training, and to facilitate their operations with regards to markets and so on. She reported that there had been no complaints about the premises, and they had taken her guidance on board.

PC Gibson advised that Police Scotland had no objection to the applications.

The Convener reiterated previous remarks made about applicants experiencing issues when dealing with Building Standards. He was content to support the applications and

acknowledged the LSO's report that there had been no issues with the operation of the premises.

The Convener moved to a roll call vote on the applications, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the occasional licence applications.

d. Carlo's Fish Bar and Restaurant, 40e Links Road, Port Seton

The occasional licence applications had come before the Board on the basis of Section 23.2 of the Board's Statement of Licensing Policy, which stated that where an occasional licence application was to allow a premises to trade on a regular basis prior to a premises licence application having been determined, the application would be referred to the Board for consideration in the first instance.

Mr Macdonald spoke to the applications. He advised that the premises, formerly The Ship Inn, had been refurbished to include a restaurant facility and had opened two weeks previously. He also advised that the owner had been involved in the takeaway business for some time, and his daughter was a personal licence holder.

The LSO advised that she had been unable to visit the premises, but wanted to organise a meeting with regards to the provisional licence application.

PC Gibson advised that Police Scotland had no issues with the application.

Councillor Dugdale sought to clarify the duration of the applications, and the LSO advised that additional occasional licence applications had now been submitted; occasional licences would need to continue until the premises licence had been confirmed.

Responding to a question from the Convener, Mr Macdonald advised that on sales and off sales had been requested to serve the restaurant and takeaway, and alcohol sales would be ancillary to takeaway food. He explained that staff were aware of Challenge 25, that the owner's daughter would train the staff, and that another member of the team would also become a personal licence holder. He advised that staff were also aware of the clientele in the area.

The Convener said he appreciated the difficulties experienced in obtaining certification from Building Standards. He and his family were aware of the premises, and wished the operators luck in their new venture.

The Convener moved to a roll call vote on the applications, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the occasional licence applications.

e. The Mart Farm Shop, East Lothian Sale Ground, Station Road, East Linton

The occasional licence applications had come before the Board in order to hear a progress update on work towards a premises licence.

Neil Sinclair-Parry spoke to the applications. He explained that occasional licences were required because of difficulties in obtaining Section 50 certificates, following initial confusion over whom was responsible for obtaining a building warrant. Mr Sinclair-Parry referred to difficulties with his architect, but advised that a building warrant application had now been lodged. He expected that the Section 50 certificates would be granted within the timeframe of the next batch of occasional licences being applied for, at which point, the licence could be confirmed.

The LSO reported there had been a lack of progress updates. She advised that the section in her report regarding layout had now been resolved by the submission of a minor variation application. She was hopeful that the business could move away from its reliance on occasional licences since the expiry of the provisional licence was getting closer. She reported also having provided guidance to secure a further personal licence holder, since the business had experienced issues with absence.

PC Gibson advised that Police Scotland had no issues with the application.

The Convener and Councillor Dugdale indicated their support for the application. The Convener commented that many applicants had experienced issues in obtaining a Section 50 certificate from Building Standards, and was aware that colleagues were working to resolve these problems.

The Convener moved to a roll call vote on the application, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the occasional licence applications.

**3. MAJOR VARIATION
Aldi, 48-52 Dunbar Road, North Berwick**

A major variation application had been received to increase off sale capacity from 32.76801sqm to 37.78301m². There had been no objections from any statutory consultees.

Lynn Simpson, the applicant's agent, spoke to the application. She advised that Aldi was undergoing a rolling store refurbishment programme, and the North Berwick store would be upgraded in August or September 2025 to include more environmentally friendly chiller units; the increase in capacity was because of different dimensions of the new display units and one additional bay being added to the display area. She advised that no other changes were proposed, and there had been no objections to the application.

The LSO had visited the premises and found the site notice to be correctly displayed. She had no comments or objections to the application.

PC Gibson advised that Police Scotland had no issues with the application.

Councillor McGuire and the Convener expressed support for the application and for Aldi's modernisation of the store.

The Convener moved to a roll call vote on the application, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the major variation.

2. OCCASIONAL LICENCES

f. Humbie Hub, Humbie

The occasional licence applications had come before the Board in order to hear a progress update on work towards a premises licence.

Morag Taylor, applicant, spoke to the applications. She provided background information on the application for a provisional licence, and she conceded that the business had run on occasional licences for longer than it should have, and had been slow in submitting paperwork. She advised that the application for a Section 50 certificate from Building Standards had been submitted. She expressed her hope that she had not hindered the process of confirming the premises licence, and questioned where the business stood with regards to being allowed to use further occasional licences in the meantime.

The LSO advised that the provisional licence would expire in 2027, and that the Humbie Hub had been operating on occasional licences since December 2020. She highlighted numerous occasions where occasional licence applications had been submitted very late, and in significantly less time than the required 42 days. She advised that each batch of occasional licence applications had been submitted late since 2023, with very tight timescales for the first one-to-three applications; this continued to put unnecessary pressure on the Licensing Team, and raised questions about the business' processes. She guided Ms Taylor to engage an agent, so she was clear on all processes. The LSO reported that the business had been unlicensed since 6 February, and on her visit, she had found alcohol to be covered behind the till and staff aware it could not be sold. She reported that she had asked Ms Taylor why the applications were always late, and Ms Taylor had advised that another staff member was responsible for creating the occasional licence applications. The LSO also reported that Ms Taylor had been unsure whether Section 50 applications had been submitted. The LSO reiterated concerns that the business was not secure in its processes, and the concomitant pressure this caused the Licensing Team.

PC Gibson advised that, since there had been no occasional licence in place, the premises had been placed on the policing plan, and unannounced visits would be made during opening hours.

Councillor McGuire thanked the LSO for the comprehensive report and due diligence. He was aware of the importance of the Humbie Hub to the community, and pointed out that it was the only place for miles where alcohol could be purchased. He asked whether Ms Taylor would take the LSO's advice that an agent be engaged, and Ms Taylor agreed that she would.

The Convener also expressed his support for an agent being engaged. Responding to a question from the Convener, Ms Taylor apologised that the applications had been submitted late, and said she would ensure this did not happen again.

The Convener pointed out the importance of receiving applications on time to allow for the necessary checks to take place, and acknowledged Ms Taylor's commitment that this would not happen again. He also pointed out that the Humble Hub had experienced the consequence of having been unable to sell alcohol recently. He was concerned that if processes around the timely submission of occasional licence applications were not in place, then it also raised questions as to whether staff were adequately carrying out other responsibilities, such as Challenge 25 and reporting any thefts of alcohol. He was willing to give the business another chance, but said that the hearing should be taken as a warning that alcohol sales were a privilege and not a right. He hoped information on progress of the Section 50 certificates would be forthcoming, but he was willing to support the occasional licence applications and give the business a chance to improve its processes. He urged Ms Taylor to engage an agent.

Councillor McGuire echoed the Convener's comments; he also had concerns over a business that did not complete simple matters such as paperwork on time, and felt an agent should be engaged to ensure that processes were completed timeously and avoid potentially serious repercussions.

Councillor Dugdale was also concerned to hear that applications were not being submitted in line with policy; she hoped that Ms Taylor would take action, and there would be more timely applications and due regard given to process and to the Licensing Team.

The Convener moved to a roll call vote on the application, and Board members unanimously indicated their support.

Decision

The East Lothian Licensing Board granted the occasional licences.

4. PROVISIONAL LICENCE Yarrow Cookery School, The Piggery, Longniddry Steading, Longniddry

A provisional licence application had been received. There had been no objections from statutory consultees. The LSO had submitted a report with suggested conditions, noted below.

Mr Macdonald, the applicant's agent, spoke to the application, and was accompanied by his client, Richard Yarrow. Mr Macdonald explained that the cookery school, which would be operating commercially from mid-April, would be one of the first businesses to open at Longniddry Steading, and would run courses for adults and children. The licence would allow the sale of alcohol for guests to drink while they cooked the meal they had made at their class. He accepted two of the LSO's conditions on behalf of Mr Yarrow, but asked that outdoor drinking be allowed until 10pm; he asked Board members to take the cookery school's location into account, being not immediately adjacent to residential property. He also pointed out that participants would have been cooking, and not drinking, prior to using the outdoor area.

Mr Yarrow added that asking guests to return inside at 8pm would take away from the experience of dining outside, and explained that, as classes would only run until 9.30pm, the use of the area would be likely to finish before 10pm in any case. He also gave an account of the various cuisines offered in classes.

The LSO had visited the premises and discussed operations with Mr Yarrow, and recounted that the interior was almost finished. She highlighted the three recommended conditions contained within her report. She advised that the area was surrounded by a wall, and she had discussed erecting a sign to show where alcohol could not be taken beyond. She had felt that houses were in quite close proximity to the area, hence her recommended conditions that there be no amplified entertainment, and the use of the outdoor area would cease at 8pm.

PC Gibson advised that Police Scotland had no comment to make on the application.

Mr Yarrow and Mr Macdonald responded to questions from Board members. Mr Yarrow advised that public classes would begin at 6.30pm and end at 9.30pm. The premises could host 14-16 people for public classes, and up to 25 people at a private event. Mr Macdonald estimated the closest housing to be 50-100m away from the outdoor area, and he considered the area to be easy to monitor. Mr Yarrow would encourage customers to eat inside, and he expected the outdoor area would be used only occasionally in good weather. The outdoor area was expected to be used only in the last 45 minutes of a class. He pointed out that the premises was on the trainline, but non-alcoholic options would also be available for drivers.

Councillor Bruce thought the cookery school would be a great addition to Longniddry. He felt that the use of the outdoor area as described would be perfectly reasonable until 10pm, but was happy with the other conditions recommended by the LSO. He formally proposed these conditions, but with a terminal hour of 10pm.

Councillor Gilbert supported the Convener's remarks and formally seconded the conditions. He felt the use of the outdoor space until 10pm was acceptable when groups would be quite small.

Councillors McGuire and Dugdale would also support the application with a 10pm terminal hour for use of the outdoor area. Councillor Dugdale pointed out that any issues with the outdoor area's use could be discussed with officers.

The Convener moved to a roll call vote on the application and proposed conditions, and Board members unanimously supported the application.

Decision

The East Lothian Licensing Board granted the provisional licence, subject to the following conditions:

- The outside area must be clearly delineated to ensure patrons stay within the licensed area whilst consuming alcohol.
- No public entertainment, amplified music, amplified vocals, or live music to be played in the outdoor area, to ensure the use does not cause nuisance to neighbouring residential properties.
- The use of the outdoor area to cease by 10.00pm.

Signed

Councillor L Bruce
Convener of East Lothian Licensing Board

ELO412

60126



East Lothian Council
Licensing
30 JAN 2025
Received

**APPLICATION FOR PREMISES LICENCE /
PROVISIONAL PREMISES LICENCE***

LICENSING (SCOTLAND) ACT 2005, SECTION 20

5500

*Delete as appropriate

2

Question 1 – Name, address and postcode of premises to be licensed

18 Newbigging

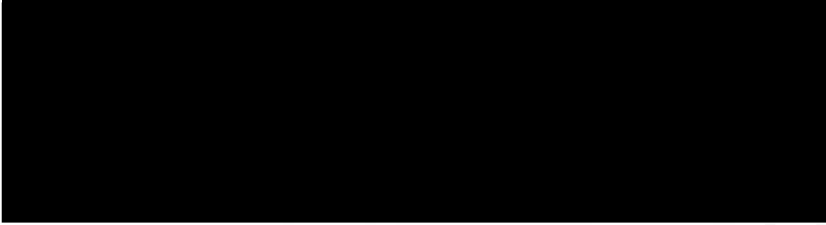
Musselburgh

EH21 7AH

Question 2 – Particulars of applicant

2(a) Where applicant is an individual, provide full name, date & place of birth, home address including postcode, telephone number & email address.

Sameer Khan



2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number.

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3 – Previous applications

Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?

YES NO

If YES – provide full details _____

Question 4 – Previous convictions

Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)

YES NO

If YES – provide full details. For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974.

NAME	DATE	COURT	OFFENCE	SENTENCE

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES

Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5 – Description of premises

(where application is submitted by a members' club, please also complete question 6)

Retail Unit located on the ground floor of a three storey building
on Newbigging, Musselburgh.

Question 6 – To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?

YES NO

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

Signature _____ * (see note below)

Date 30/1/25

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

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

Telephone number and email address of signatory _____

0131 229 6181
alistair@macdonaldlicensing.com

I have enclosed the relevant documents with this application – please tick the relevant boxes

- Operating plan
- Layout plan (highlighting the area where alcohol is sold/consumed)
- Planning certificate
- Building standards certificate
- Food hygiene certificate

* Data Protection Act 2018

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

OPERATING PLAN

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

Name, address and postcode of premises to be licensed.

18 Newbigging Musselburgh EH21 7AH
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Question 1

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

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

Question 2

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

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

Question 3

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

<i>Day</i>	<i>OFF Consumption</i>	
	Opening time	Terminal hour
<i>Monday</i>	10am	10pm
<i>Tuesday</i>	10am	10pm
<i>Wednesday</i>	10am	10pm
<i>Thursday</i>	10am	10pm
<i>Friday</i>	10am	10pm
<i>Saturday</i>	10am	10pm
<i>Sunday</i>	10am	10pm

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>NO</i>
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**If YES – provide details*

Question 5

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

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

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

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

The premises may open from 6am but no alcohol will be sold or supplied until the commencement of licensed hours.

5(f) any other activities

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

Deliveries (which may include alcohol)
Takeaways (which may include alcohol)
This is a general convenience store selling a range of products which would be expected to be sold and provided in such a business.

5(g) Late night premises opening after 1.00am

<i>Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?</i>	<i>YES/NO*</i>
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<i>When fully occupied, are there likely to be more customers standing than seated?</i>	<i>YES/NO*</i>
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<i>*Delete as appropriate</i>	
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Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	<i>When alcohol is being sold for consumption on the premises will children or young persons be allowed entry</i>	YES/NO*
	<i>*Delete as appropriate</i>	

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

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

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

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

Question 7

CAPACITY OF PREMISES

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

20.16 square metres

Question 8

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

Personal details

8(a) Name

8(b) Date of birth

8(c) Contact address

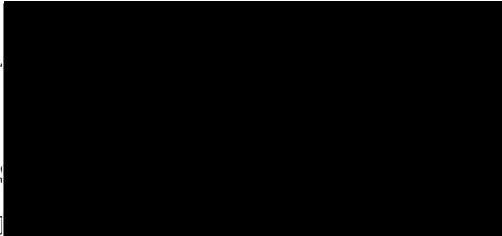
8(d) Email address

8(e) Personal licence

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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



the best of my knowledge and belief.

(see note below)

Capacity APPLICANT/AGENT (delete as appropriate).

Telephone number and email address of signatory

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 2296181, alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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



SUPPLEMENTARY APPLICATION INFORMATION

This information is required in relation to all Premises Licence/Provisional Licence applications or any application which is a Premises Licence Variation, not considered to be a Minor Variation.

Application submissions generally tend to be insufficiently detailed as to provide a complete picture of what businesses propose to provide the public. Therefore, Licensing Boards often have too little information, in advance of Board hearings, to fully appreciate what is being applied for. This situation often leads to numerous unnecessary objections and representation being made due to interested parties, such as neighbouring residents, not understanding what proposed activities really relate to i.e. What does Live Music actually mean and how will it impact on their lives. For these reasons, the Board has made a policy decision to require applicants to provide a fuller description of their business proposals and detail how the five licensing objectives will be met.

BUSINESS PROFILE

Please describe your business offering

The premises will be a convenience store but would also like to have an off sale Licence so that they can provide a range of products, including good quality wines, beers and spirits.

ON CONSUMPTION

(a) Please describe the type of business you intend to operate in respect of On consumption.

Not applicable.

OFF CONSUMPTION

(b) Please describe the type of business you intend to operate in respect of Off consumption & deliveries

As explained above, a range of alcohol products including good quality wines, beers and spirits.

**CLARIFICATION IS REQUIRED IN RELATION TO THE
CONTENT OF YOUR PROPOSED OPERATING PLAN**

To what extent do you intend to use any of the following:
Accommodation; Conference Facilities; Restaurant Facilities; Bar Meals:
None of these are applicable.

Social Functions – Weddings; Birthdays; Retirements ; Other:
If you intend to provide for any of these functions please describe the
nature and extent and likely frequency of each:

Not applicable.

Entertainment – Recorded Music; Live Performances; Dance Facilities;
Theatre; Films; Gaming; Indoor/outdoor sports; Televised Sport – If you
intend to provide for any of these facilities please describe the nature and
extent and likely frequency of each:

Not applicable.

Outdoor Drinking Facilities – If you intend to provide outdoor drinking facilities please describe where and what the facilities will be used for. You will also be required to provide a statement in the objectives section how you intend to prevent public nuisance from use of such facilities:

Not applicable.

Adult Entertainment – If you intend to provide any entertainment of a sexual nature please state the type and likely frequency if use. Adult entertainment is any form of sexual stimulation and includes adult humour or explicit language. The Board will also expect you to address the objective of preventing harm to children and young persons:

Not applicable.

Activities Outwith Licensed Core Hours – In your Operating Plan, at 5(e), you should have given details of any activity that will be provided outwith core licensed hours. If you wish you can expand on your explanation here:

The premises may open from 6am and sell a range of goods and services but no alcohol will be sold or supplied before the commencement of licensed hours.

Any Other Activities – In your Operating Plan at 5(f) you should have given details of any other type of activity you are likely to cater for. It would be useful to give an indication of the extent and frequency of such events:

Our clients envisage offering deliveries, probably by a company like Deliveroo, but the means of deliveries will be decided by demand, after the premises have opened for a while and our client can gauge the demand.

Children and Young Persons – If you intend to provide access for children and young persons on the premises please provide details of what facilities you have on the premises in respect of different age groups. In addition, please state where and what baby changing facilities will be provided for children under five years.

This will be for off sale facilities so no baby changing facilities required.

Challenge 25 will of course apply and our client, who has a Personal Licence, and his staff who will receive the mandatory Staff Training, will be robust and stringent in their application of this.

In general only Passport and UK/ EU Driving Licences will be accepted.

LICENSING OBJECTIVES

Please provide details below of how you will ensure that the 5 Licensing Objectives are complied with. It may be helpful in answering this section if you refer to the East Lothian Council Licensing Board's 'Statement of Licensing Policy, which can be found at

https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2018-2023

Preventing Crime and Disorder

As explained above our clients will operate a strict Challenge 25 Policy, and as a Personal Licence Holder, and proposed Premises Manager, our client will lead the way in that respect. He will expect staff to implement his standards as well in terms of the implementation of Challenge 25, and their Age Verification Policy.

A Challenge 25 Poster will be on display.

The same will apply to the sale of other age restricted products such as cigarettes and vapes.

CCTV is in place and our client will be happy to provide access to this to the Police.

Our client operates the Post Office around the corner at 80 High Street and therefore is familiar with the location, and indeed some of the youngsters, as the Post Office deals with mobile phones etc.

He has obviously been approved as the Post Master and is very proud of that. He would not want to permit anything that might not just prejudice this Licence, but also his position there.

Securing Public Safety:

This is a newly refurbished shop unit, owned by East Lothian Council, and with suitable obligations to maintain and repair the premises as and when necessary, in his lease.

The safety and well-being of customers, and staff, are his top priority.

With regard to the entrance we have mentioned that a ramp or similar alternative is being arranged.

Certainly any customers who are vulnerable, or may have restrictions in terms of mobility, sight or hearing will be looked after.

Preventing Public Nuisance:

There may be background music in the shop but at a suitable level.

Our client has no wish to contribute to any nuisance, for instance, for the flats above. He is very aware of these and hopes that they become regular customers. He will work with them in connection with any issues, such as youngsters hanging around etc.

Protecting and Improving Public Health:

Our client is aware of the concerns expressed by the Scottish Government and other agencies, including the Licensing Board, as to the issue of overconsumption and irresponsible drinking of alcohol in Scotland. He has no wish to contribute to that. If there is any requirement to refuse at any stage he will do so.

If he considers that customers are drunk or have already had too much to drink they will be refused. If he considers that any customer might be under the influence of substances, either legal or illegal, they will refuse.

Protecting Children and Young Persons From Harm:

As explained above Challenge 25 will be implemented strictly.

Our clients are aware of the fact that they will be monitored by the Police and your Licensing Standards Officer and that they will need to start off and continue in the way that has been described i.e. strict implementation of Challenge 25 and their Age Verification Policy.

Children and young persons are welcomed in the shop for other purposes, and of course at some point they will be 18. Therefore any refusals will be dealt with in an appropriate firm but friendly way.

Our client will also be careful regarding proxy sales. Indications such as youngsters being refused and then a similar order, customers coming in with exact money, customers buying a product that they don't normally but might be attracted to children etc will all be treated with suspicion. If there is any doubt in the server's mind they will refuse.

APPLICATION SUPPORTING COMMENTS

Additional Information

Our client has operated the Post Office which also deals in mobile phones and therefore youngsters and in general a cross section of the public. He knows a lot of people in the area and is well regarded.

We have already explained that as Post Master he was rigorously interviewed and checked. The last thing he wants to do is anything that would prejudice that.

Supporting Comments

i.e. reasons why the Board should support your application.

Our client feels that there is space for this outlet at this location.

He knows the area well because of his operation of the Post Office.

He is used to having to deal with rules and regulations and being supervised by the Post Office, and therefore accepts that there will be monitoring of his business by the Police and the Licensing Standards Officer, and of course the Board if necessary. He is confident that that would not be necessary.

SIGNATURE AND DECLARATION BY APPLICANT

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

(Criminal Law (C

Section 44(2)(b))

The contents of

to the best of my knowledge and belief.

Macdonald Licensing

21a Rutland Square

Edinburgh, EH1 2BB

Signature _____

Date _____

30/1/20

0131 229 6181

alistair@macdonaldlicensing.com

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
*Delete as appropriate		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Disabled access to, from and within the premises

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

As can be seen from the photo attached, there are two steps into the property. Our client is aware how this would restrict access for potential customers with mobility issues, particularly those in a wheelchair and will be arranging a ramp or similar facility.

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

The aisles have been designed so that a wheelchair should be able to go round them. Staff are always willing to assist and help choose and obtain items for customers.

In general staff are told to be aware of customers with any form of difficulty including mobility, sight, hearing or mental issues and deal with them in a positive and friendly manner.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Once again this matter has been brought to the attention of our clients and they will now do an assessment of what facilities they may be able to provide, and in particular assistance for other types of disability, beyond mobility difficulties, including mental health, sight, hearing and other types of illness.

It is hoped to provide staff with guidance as to how to identify such people and what assistance can be provided.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

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

Signature * (see note below)

Date 31/1/25

Capacity **APPLICANT/AGENT**

Telephone number and email address of signatory.....

Macdonald Licensing
21a Rutland Square
Edinburgh, EH1 2BB

0131 229 6181, Alistair@macdonaldlicensing.com

*** Data Protection Act 1998**

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



East Lothian Council

LICENSING (SCOTLAND) ACT 2005
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

SECTION 50 PLANNING CERTIFICATE

APPLICANT:	Sameer Khan
NAME AND ADDRESS OF PREMISES:	18 Newbigging, Musselburgh, EH21 7AH

SECTION 50 PLANNING CERTIFICATE

I confirm that planning permission (ref:.....) under the Town and Country Planning (Scotland) Act 1997 in respect of any development of the subject premises in connection with their proposed use as a licensed premises has been obtained.

I confirm that planning permission is not required.

SECTION 50 PROVISIONAL PLANNING CERTIFICATE

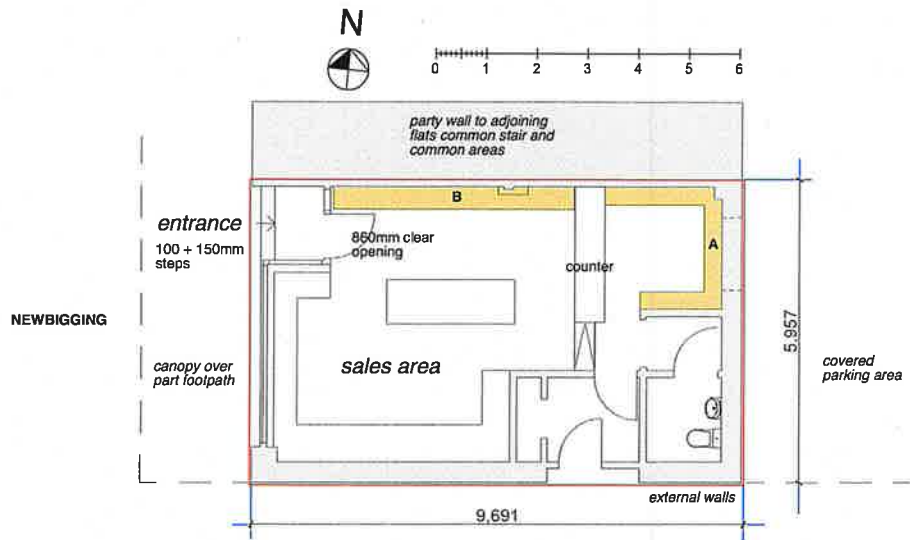
I confirm that planning permission (ref: 15/00487/P) has been obtained in respect of the construction or conversion of the subject premises.

I confirm that planning permission is not required.

I hereby confirm that, in terms the above Acts, I have no objections to the granting of the Confirmation of the Premises License to cover the above proposals.

Signed:		Date:	29 th October 2024
---------	--	-------	-------------------------------

Keith Dingwall
Service Manager, Planning

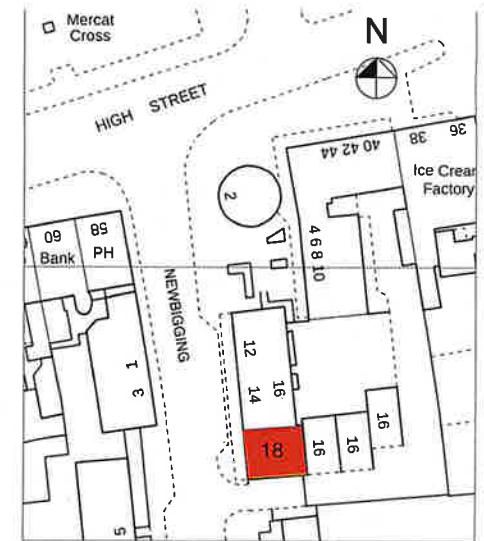


ALCOHOL DISPLAY

behind counter

A	4800mm x 6 shelves , 2.1m high	=	28.8m, 10.08m ²
customer access :			
B	4800mm x 6 shelves , 2.1m high	=	28.8m, 10.08m ²
		=	57.6 linear metres, 20.16m²

— red line around entire licensed premises



location plan

licence plan

**18 NEWBIGGING
MUSSELBURGH EH21 7AH**

scale 1:100 Oct. 2024
Whiteleaw Assoc. 01968 660452



EAST LoTHIAN COUNCIL

Licensing Standards

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 20th February 2025

Subject: LICENSING (SCOTLAND) ACT 2005

PROVISIONAL PREMISES LICENCE APPLICATION

18 NEWBIGGING, MUSSELBURGH, EAST LoTHIAN EH21 7AH

I refer to the above subject and can confirm that the applicant has liaised with the LSO in relation to this application. I visited the premises and can confirm that the site notice was correctly displayed.

Section 45 (1) Licensing (Scotland) Act 2005 - A premises licence application may be made in relation to any premises despite the fact that, at the time the application is made, the premises are yet to be, or are in the course of being, constructed or converted for use as licensed premises. The premises were previously a nail bar and have now been converted to a small shop. The inside has been fitted and there is an operational CCTV system fitted.

I can confirm that the application is compliant with the act.

The off sales capacity applied for is 20.16 m². Within an 800m radius there are 31 other premises. Similar retail premises providing off sales include:

Best One - 121 High Street

Morrisons Daily – 160 High Street

Tesco Extra – Olive Bank Road

Musselburgh News - 53 High Street

Low Cost Supermarket (Day Today) – 119-121 North High Street

Miros Village - 127 High Street

Home Bargains - Olivebank

I recommend the following condition be considered in relation to deliveries of alcohol:

- 1) Should a service of delivery of alcohol to customers be conducted, the terms of the Licensing (Scotland) Act 2005 Section 119 and those of the Board's statement of licensing policy on deliveries of alcohol, should be complied with.

If successful in obtaining the provisional premises licence, the premises will be subject to a licensing inspection on the confirmation of the licence.

Licensing Standards Officer

Licensing

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 05 February 2025 13:41
To: Licensing
Subject: EL0412 - PROV. PREMISES LIC APP - 18 NEWBIGGING EH21 7AH
Attachments: EL0412 - 18 NEWBIGGING-PROVISIONAL PREMISES LICENCE APPLICATION.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.

Afternoon

No police objections

PSOS ref 895733

regards

Stephen

Licensing

From: Robertson, Scott
Sent: 05 February 2025 07:52
To: Licensing
Subject: RE: Provisional Licence Application for 18 Newbigging, Musselburgh

Hello,

Please note I have no comments or objections to this application.

Regards
Scott

Scott Robertson | Assistant Planner – Planning Delivery | East Lothian Council | John Muir House | Haddington EH41 3HA
T. 01620 827585 | E.srobertson2@eastlothian.gov.uk Visit our website at www.eastlothian.gov.uk

From: Licensing <licensing@eastlothian.gov.uk>
Sent: 31 January 2025 14:44
To: Lothian and Borders Police (lothianscotborderslicensingeastmid@scotland.pnn.police.uk) <lothianscotborderslicensingeastmid@scotland.pnn.police.uk>; Fire (torquil.cramer@firescotland.gov.uk) <torquil.cramer@firescotland.gov.uk>; Licensing Standards Officer <lso@eastlothian.gov.uk>; Environment Reception <environment@eastlothian.gov.uk>; Environmental Health/Trading Standards <ehts@eastlothian.gov.uk>; [REDACTED] <kat.burke@nhs.scot>
Subject: Provisional Licence Application for 18 Newbigging, Musselburgh

Hi All

Please find attached above application for 18 Newbigging, Musselburgh for comment/representation by 25 February 2025.

Regards

Alison

Alison Rafferty
Licensing Officer | East Lothian Council | John Muir House | Haddington EH41 3HA | T. 01620 827664 | E. licensing@eastlothian.gov.uk

****please note my working week is Monday, Tuesday, Thursday, Friday**

Protect Our Privacy: use a password manager to store your passwords. Never leave passwords near your computer or use the same password for multiple applications

Licensing

From: Nyki Mckenzie <enquiries@dermalelite.co.uk>
Sent: 04 February 2025 14:31
To: Licensing
Subject: 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.

Good Afternoon

Thank you for your letter regarding premises 18 Newbigging Musselburgh EH21 7AH.
Our concerns are as below regarding the proposed application

- 1: Lottering around the area and drinking
- 2: Drinking at in the carpark behind the building which is a security issue for people in the flats and businesses
- 3: Anti-social behaviour
- 4: Littering and using our privately paid for waste bin.
- 5: What is offering recorded music?

Kind Regards

Tracey Ronchi
Clinic Co-Ordinator

Dermal Elite
12 Newbigging
Musselburgh
EH21 7AH
0131 665 9911
NEW MOBILE/WHATSAPP 07733006544
www.dermalelite.co.uk



Dermal Elite

77199

OCC156/25

Ad 21/2



East Lothian Council
Licensing

20 FEB 2025

Received

10 APR - 23 APR

LICENSING (SCOTLAND) ACT 2005, SECTION 142

OCCASIONAL LICENCE APPLICATION FORM

3a

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) 413264

Name of voluntary organisation (if applicable) _____

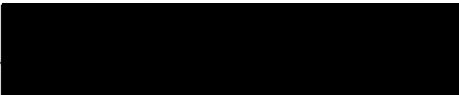
2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Pacitti

Forenames Mauro

Date of birth (Day / Month / Year) 

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

Post town _____ Post code _____

Telephone Numbers

Daytime Tel. _____ Evening Tel. _____

Mobile No. _____

Fax No. _____ Email _____

3. THE PREMISES

Description of premises

Restaurant premises located on the ground floor of a building on

High Street, Tranent.

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

Restaurant facilities, may be private parties, takeaways and

possible deliveries. Capacity is 70 plus takeaway customers.

Full postal address of premises which this application refers to _____

La Trattoria, 119 High Street, Tranent, EH33 1LW

4. DURATION OF LICENCE

Date: From Thursday 10th April 2025 To Wednesday 23rd April 2025
11pm Monday-Wednesday
Time: From 11am To 1am Thursday-Saturday
Midnight Sunday

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

11am to 11pm Monday-Wednesday; 11am to 1am, Thursday-Saturday, Midnight Sunday.

Times for sale of alcohol for consumption off premises

11am to 10pm

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

May open at 9am for breakfasts, snacks, takeaways etc.

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 No restriction (0-17 years)

Times at which children or young persons permitted entry No restriction subject to management discretion.

Parts of premises to which children or young persons permitted entry

All public areas.

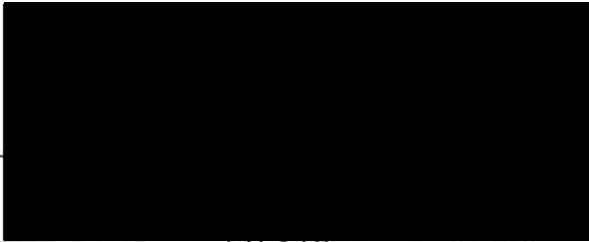
7. CHECKLIST

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  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>)

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 28th February 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) – OCC155-157/25

MAURO PACITTI, LA TRATTORIA, 119 HIGH STREET, TRANENT, EAST LoTHIAN, EH33 7LW

The applicant is Mauro Pacitti who is a personal licence holder. Application has been made for 3 occasional licences for a new restaurant, within a previously licensed premises in Tranent to allow on and off sales of alcohol. To date no premises licence application has been received for this premises. I have visited the premises which was not open or in operation when I attended.

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.

In line with board policy above, I refer the applications to the Licensing Board for determination if the applicant can justify their request and if the measures detailed, promote the five licensing objectives for the grant of the occasional licences.

Licensing Standards Officer

Licensing

From: Stephen Gibson <Stephen.Gibson@scotland.police.uk>
Sent: 24 February 2025 09:17
To: Licensing
Subject: OCC0156/25 - OCC LIC APP - LA TRATTORIA 10/04/25-23/04/25
Attachments: OCCLIC 119 HIGH ST, TRANENT 10.04-23.04.25.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

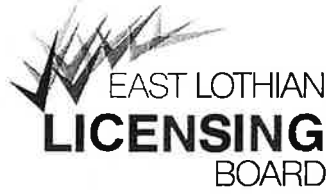
PSOS ref 911711

Regards

Stephen

OCC160/25

78853



12th April

Police / LSO

LICENSING (SCOTLAND) ACT 2005, SECTION 142

24/2/25

OCCASIONAL LICENCE APPLICATION FORM

Advert
28/2/25

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.

3b

1. LICENCE DETAILS (see note 1)

Premises licence number (if applicable) _____

Personal licence number (if applicable) EL654

Name of voluntary organisation (if applicable) _____

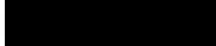
2. PERSONAL DETAILS

Title (delete as appropriate):

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

Surname Wood

Forenames Craig Alan Peter

Date of birth (Day / Month / Year) 

2. PERSONAL DETAILS (cont)

Address where ordinarily resident to be used for correspondence purposes

[Redacted]

Post town _____ Post code [Redacted]

Telephone Numbers

Daytime Tel. _____ Evening Tel. _____

Mobile No. [Redacted]

Fax No. _____ Email [Redacted]

3. THE PREMISES

Description of premises

The Seton Garden, Longniddry Eh32 0PG

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

Evening wedding reception – 140 guests

Full postal address of premises which this application refers to _____

The Seton Garden, Longniddry Eh32 0PG

4. DURATION OF LICENCE

From 18.00 12/04/2025 To Midnight 12/04/2025

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

18.00 – 23.40

Times for sale of alcohol for consumption off premises

N/A

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

Band/DJ 19.30 – Midnight. Evening buffet 21.30

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

NONO

(If answered yes the remainder of this section must be completed)

Ages of children or young persons permitted entry 0-17

Times at which children or young persons permitted entry 13.00 – 00.00

Parts of premises to which children or young persons permitted entry

Access all areas except 1.5 metres from bar

7.



CHECKLIST

I have (please tick for yes) made or enclosed payment of the fee for the application

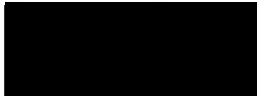
YES

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

DECLARATION

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

Signature



Date 21st February 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 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>)

PLEASE SUBMIT THIS SHEET WITH YOUR
OCCASIONAL LICENCE APPLICATION FORM

SUPPLEMENTARY INFORMATION

1. Event

(a) Please detail the type of event (e.g. birthday party, anniversary, ceilidh, etc.)

Wedding party

(b) What entertainment, if any, will be provided? (e.g. live music, recorded music etc.)

Band/DJ

2. Attendance

(a) Approximately how many people are expected to attend?

140 Approx

(b) How is this figure obtained? (e.g. previous events, ticket sales, capacity of venue)

Invite

(c) In the main, what age group will form the majority of those attending?
Please tick one box

Under 18

18 - 30

X30 -
50

over 50



2. (cont)

- (d) How is access gained to the event? (e.g. ticket purchased in advance, ticket purchased at the door, private invitation)

Private invitation

3. Stewarding

Please note it is an offence under the Private Security Industry Act 2001 to employ unlicensed door stewards.

Unpaid volunteers performing this function are not covered by the Act. More information can be found at Security Industry Authority.

- (a) Please state the number, if any, of stewards to be employed at the event.

No

- (b) Of that number, please state how many will be SIA registered stewards and how many will be volunteers.
-

4. Layout Plans

Please indicate if -

- (a) there is a plan attached to a Public Entertainment Licence issued for the premises; or
- (b) the premises relate to a members club which has been issued with a premises licence; or
- (c) if neither of the above, please attach a detailed layout plan of the venue with the application
-
-
-

5. Applications Lodged by Voluntary Organisations or Members Clubs Only

Please list the dates of previous occasional Licences granted by the Board between 1 January and 31 December

6. Will alternatives to glass receptacles be provided?

No, All glass receptacles

7. To what standard will those serving alcohol be trained?

Please provide details of any training certificate held.

License holders or trained

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 objectives.

8. How will you prevent Crime and Disorder at the event?

Visual awareness

9. How will you secure Public Safety at the event?

Risk assessment and staff training



10. How will you prevent Public Nuisance at the event?

Visual awareness and follow our set procedures for rowdy behavior. Sound subject to hand held sound limiter

11. How will you promote and protect Public Health at the event?

No drinks promotions and visual awareness

12. How will you protect Children from harm at the event?

Kept away from the bar, keep an eye on children at all times and ensure parents are aware where their children are

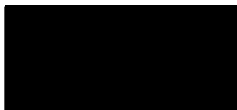
SIGNATURE AND DECLARATION BY APPLICANT

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 21/02/2025

EAST LoTHIAN COUNCIL

LICENSING STANDARDS

From: Licensing Standards Officer

To: C. Grilli
Clerk to the Licensing Board

Date: 4th March 2025

Subject: LICENSING (SCOTLAND) ACT 2005

OCCASIONAL LICENCE APPLICATION(S) – OCC160-180/25

CRAIG WOOD AT THE SETON GARDEN, SETON MAINS, LONGNIDDRY, EAST LoTHIAN,
EH32 0PG

The applicant is Craig Wood who is a personal licence holder. Application has been made for 21 occasional licences for weddings on a near weekly basis from April -September 2025.

Seton Garden is a wedding/event venue that has been operating on occasional licences submitted by Mr Wood. The venue consists of a marquee that I believe remains in situ all year and a garden area, however, appears to be in use April – September (6 months). The following number of occasional licence applications have been submitted and granted for the location (not necessarily applied for by the same applicant):

2022 – 16
2023 – 12
2024 – 16
2025 – 21 to date

I refer the Board to section 23.1 and 23.2 of the Statement of Licensing Policy:

23.1 - Repeated applications for Occasional Licences for the same premises and which are: -

- *not for specific events; and/or*
- *for activities that have been occurring (either in identical or largely similar terms) on the premises regularly over a period of at least 3 months will not generally be considered suitable for the grant of an Occasional Licence and will not be granted by the Board under delegated authority but will require a hearing before the Board. This includes where there are different applicants for the same premises, but the activities are similar e.g. weddings, corporate events. It is largely expected that the premises in question should consider an application for a Premises Licence.*

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.

I understand that the applicant operates the business and there is a different landowner who he is working with to secure planning permission to apply for a premises licence.

I visited the premises in 2023, where I met with Craig Wood. I found him to be very knowledgeable and an experienced operator with no issues in compliance with the occasional licences identified. A premises licence for the venue was discussed with Mr Wood at this visit and guidance given on the application process. Sadly, the landowner passed away and Mr Wood is now working with his son. This understandably has delayed progress.

In accordance with board policy above, I refer the application to the Licensing Board for determination.

Licensing Standards Officer

Licensing

From: Natasha Gregory <Natasha.Gregory@scotland.police.uk>
Sent: 25 February 2025 08:57
To: Licensing
Subject: REF 160/25
Attachments: OCC160.25 CRAIG WOOD 12.04.2025_cpchecked.PDF.pdf

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