

MINUTES of **MEETING** of **MIDLOTHIAN LICENSING BOARD** held in Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 7 November 2023 at 2pm

Present:

Margot Russell (Chair), Dianne Alexander, Douglas Bowen, Russell Imrie and Colin Cassidy.

Apologies:

Peter Smaill, Stephen Curran, Derek Milligan and Pauline Winchester

1 Minutes

The Minutes of Meeting dated 12 June 2023 were approved.

2 Licensing (Scotland) Act 2005 - Application for Variation of Premises Licence – Masons Arms, 98-100 Clerk Street, Loanhead

With regard to the Application by Caledonian Heritable Ltd., Board heard PC Iain Anderson, Police Scotland, who confirmed that Police Scotland had no adverse comments to make in respect of the Application and that there had been no complaints in respect of the premises within the last 12 months.

The Board heard the Licensing Standards Officer, Willie Stobie in support of his report dated 13 July 2023.

The Board heard the Senior Building Standards Surveyor, Philip Wilson in support of his report dated 24 July 2023.

Paul Hastie, representative for Caledonian Heritable Limited agreed to comply with the recommendations contained in the report from Building Standards regarding the width of access routes to public premises be increased to 1200mm

Paul Hastie confirmed that there would be 4 tables and 12 chairs at the outside drinking area.

The Board noted that there were two objections lodged in connection with the Application from Emma Hardie and Mark Wahlberg.

The Board noted the objection from Emma Hardie, dated 26 July 2023 and also heard Emma Hardie in support of her objection. Ms Hardie stated that she had to put her flat up for sale due to the Application for Variation of Premises Licence and it was not a suitable area for outside drinking and was concerned about increased noise and cigarette smoke and she would feel intimidated going back and forth to her flat.

Mr Hastie advised that they may consider erecting an awning or canopy and advised that the outside area will be properly managed and monitored and that the community would benefit from the outside drinking area. Mr Hastie confirmed that children and young persons will not be allowed in the outside drinking area.

The Board also considered the terms of the written objection from Mark Wahlberg who had not attended the Meeting.

Paul Hastie accepted the following conditions recommended by the Licensing Standards Officer -

1. Use of the outdoor area shall cease at 21.00 hours
2. The outdoor area shall have a suitable physical demarcation installed perimeter when in use.

After hearing all parties, the Board granted the Application, subject to the proposed conditions.

The Meeting terminated at 2.55pm