

MINUTES OF MEETING

MONDAY 1st AUGUST 2016

Members present: Councillors Eric Milligan (Convener); Gavin Barrie; Chas Booth; Mike Bridgman; Cammy Day; Vicki Redpath; David Walker; Norman Work

Apologies: Councillors Jeremy Balfour; Nick Cook

Police Officers: Sergeant Hazel Leslie

Council Officers present: Martin Rich (Licensing Standards Team Leader); Ken Fairgrieve (LSO); Keith Clark (Building Standards)

Depute Clerk: Nick Fraser

1. Minutes of meeting of 27th June 2016 for approval

The minutes of the Board's meeting of 27th June 2016, together with the decision list from that meeting, were presented for approval.

Decision: Minutes approved.

2. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list

The Board considered eighteen applications for variation of existing premises licences, seven applications for new provisional premises licences and eight applications for personal licences, the decisions for which are as detailed in the list appended to these minutes.

Declarations of interest: None

Divisions: None

NHS Lothian representations:

Application for new provisional premises licence – objection –
Monkey Barrel Comedy Ltd 9-11 Blair Street, Edinburgh

3. Personal Licence Review – section 84A – Mandeep Bassi

The Depute Clerk advised of an application from Police Scotland for review of a personal licence. The Board noted the licence holder was not present, but as he had failed to attend on two previous occasions it was agreed to proceed in his absence.

The Board agreed that, having regard to the licensing objectives of preventing crime and disorder and protecting children from harm, it was necessary to revoke Mr Bassi's personal licence.

Decision: personal licence revoked

4. Premises licence review application – Woodland Creatures, 260-262 Leith Walk, Edinburgh

The Depute Clerk referred to an application for review of the premises licence for 260-262 Leith Walk, submitted by Ms Elaine McIntosh. The Board heard from Ms McIntosh and also from Alistair Macdonald, agent for the licence holder. Martin Rich referred to the terms of the LSO report. The Board agreed after initial consideration of the application that it was not vexatious or frivolous and that it would be necessary to hold a hearing.

The Board considered that it would be of benefit to carry out a site visit to the premises and to the applicant's address. The date of the review hearing would be confirmed to all parties once the arrangements for the site visits had been agreed.

Decision: the Board agreed it was necessary to schedule a review hearing, with the date to be confirmed once arrangements for site visits to the premises and the applicant's property had been agreed and completed.

5. Premises licence review application – Garibaldis, 97a Hanover Street, Edinburgh

AND

6. Premises licence review application – Bar Hanover, 99 Hanover Street, Edinburgh

The Board agreed that in view of the fact that the applications for review of the premises licences for 97a and 99 Hanover Street had been made by the same applicant, Spires Serviced Apartments Limited, it would be appropriate to carry out initial consideration of the terms of the applications together. The Board heard from the agent for the applicants, as well as from Caroline Loudon, agent for Garibaldis and Kevin Clancy, agent for Bar Hanover.

The Board also heard from Martin Rich, who referred to the terms of the LSO report prepared for the applications.

The Board agreed that the applications did not disclose any matters which were relevant to the particular grounds for review.

Decision: having agreed that the applications did not disclose any matters which were relevant to the particular grounds for review, the Board decided to take no further action with the review applications.

All statutory references to Licensing (Scotland) Act 2005, unless stated otherwise

7. Consultation on Policy on Amplified Music in Licensed Premises – Preliminary Report

The Depute Clerk confirmed to the Board that the period for consultation on the Board's policy on amplified music in licensed premises had now concluded. Details of the consultation responses would be collated and provided to the Board together with a summary of their terms.

Decision: the Board agreed to note (1) that the consultation period had concluded, and the extent of responses received; and (2) that a more detailed report providing information about the terms of the responses and the potential options available to the Board would be provided for the Board's next meeting.

8. AFS Scotland – Regional Event

The Board noted that AFS Scotland had organised an event in Edinburgh on 27th September 2016.

Decision: Board members wishing to attend would notify the Depute Clerks, to ensure spaces were reserved at the event.

Councillor Eric Milligan
Convener of the Licensing Board

DECISION LIST – EDINBURGH LICENSING BOARD MEETING – 1st AUGUST 2016

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
VARIATION OF PREMISES LICENCE APPLICATIONS

01 AUGUST 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	332706	Dine Scotland Limited	Fouin & Bell Architects 1 John's Place, Edinburgh, EH6 7EL	1f, 10 Cambridge Street, Edinburgh, EH1 2ED	Yes	No	Yes	Licensed area to be extended to include external paved area on ground floor and add off sales.	Granted 2200hrs terminal hour for external area
2.	332856	Trust Inns Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	1-7 Corslet Place, Currie, EH14 5LS	No	No	Yes	To amend the Licensing Hours at 12 midnight on Monday, Tuesday, Wednesday and Sunday and to amend the on sale and off sale licensing hours to commence at 11am on a Sunday	Granted
3.	332734	MORO Leisure Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	235 Cowgate, Edinburgh	No	No	Yes	To amend licensing hours to commence at 5pm and terminate at 3am	Granted
4.	326882	Brewhive LTD	Brian Gray 46 Melville Street, EH3 7HF	1-6 Cliftonhall Yards, Newbridge, EH28 8QN	No	Yes	No	Change description to "A warehouse used for storage of alcohol" The plan is to store spirits in addition to beer and cider.	Granted

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5.	328441	Mr Valerio Lo Coco	Young & Partners 1 George Square, Castle Brae, Dunfermline, JY11 8QF	136 Dundas Street, Edinburgh, EH3 5DQ	No	Yes	No	To add on sales, restaurant facilities, receptions, recorded music, live performances and cheese and wine events as activities, allow children and young persons access, increase capacity, approve internal reconfigurations and amend description of premises	Granted -Capacity of 20
6.	332927	Arch Fifteen Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	29 East Market Street, Edinburgh, EH8 8FS	No	No	Yes	To increase capacity to 100.	Granted
7.	332878	Ms Ascenza Crolla	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	38 George Street, Edinburgh, EH2 2LE	Yes	No	No	To provide that the outside area in middle of George Street subject to relevant council permissions, be included as part of the Premises Licence only for the period of the Edinburgh Festival.	Withdrawn
8.	332804	Mr Huseyin Kulhas	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	57-59 High Street, Edinburgh	No	Yes	No	To add on sale hours, add seasonal variations, restaurant facilities, receptions, tv sport and outdoor drinking facilities as activities, allow children and young persons access to premises, amend description of premises and substitute new layout plan.	Granted -2200hrs terminal hour for external area

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9.	332971	Mr Mohammed Ajman Miah	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	12 Hillhouse Road, Edinburgh, EH4 2AG	No	No	Yes	To increase on sale hours, add outside drinking, and use of premises as a venue during Edinburgh and Fringe Festivals as activities and amend description of premises.	Granted -2200hrs terminal hour for external area. 0100hrs terminal hour for Children & Young Person's access
10.	330112	Vue Entertainment Limited	Poppleston Allen 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS	Unit 11, 61 Leith Street, Edinburgh, EH1 3AU	Yes	No	No	To allow the premises to trade and show films 24 hours Monday to Sunday and to permit the following activities outwith core hours: films, live performance, recorded music, conference facilities and reception	Granted
11.	332914	P1 Edinburgh Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	8 Lister Square, Edinburgh, EH3 9GL	No	No	Yes	To add Indoor/Outdoor Sports as an activity and to provide for activities taking place in the outside area including bbq and temporary bar on certain occasions, to submit new layout plan and change premises manager.	Granted
12.	332222	Innlaw Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	27-29 Marshall Street, Edinburgh, EH8 9BJ	No	No	Yes	To permit access for children until 11pm. They must be accompanied by an adult	Granted

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13.	332602	Jurys Hotel Management (UK) Limited	Lindsays 4f - 5f, 19a Canning Street, Edinburgh, EH3 8HE	19 North Bridge, Edinburgh, EH1 1SD	No	No	Yes	To increase on and off sale hours, add gaming as an activity, change description of premises and amend wording in other activities section of operating plan.	Granted
14.	329922	Vue Entertainment Limited	Poppleston Allen 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS	Cin 1 Ocean Terminal, 98 Ocean Drive, Edinburgh, EH6 6JJ	Yes	No	No	To allow films to be shown 24 hour a day and allow certain activities outwith core hours	Granted
15.	332887	Gourmet Grillrooms Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	7-8 Queensferry Street, Edinburgh,	No	No	Yes	To increase on sale hours, add off sales, add receptions, live performances and tv sports as activities and permit childrens access if accompanied by an adult to 11pm	Granted
16.	331194	PG Taverns (Scotland) Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	36 Shore, Edinburgh, EH6 6QU	Yes	No	No	To increase on sale hours, to commence on and off sales hours from 10am Monday - Saturday, to commence on and off sales hours from 11am on Sunday, to add live performances and outdoor drinking facilities as other activities, to amend premises manager and to provide that seasonal variations will cover the Festival Period	Granted 0100hrs terminal hour for Children & Young Person's access when attending a private function

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17.	332957	Jedbro Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	38 St Mary's Street, Edinburgh, EH1 1SX	Yes	No	No	To amend on sale hours on Sunday, add off sales, add outside catering and an activity and allow that activities may take place outwith core hours during periods of Extended Hours	Granted
18.	329914	Whitbread Group PLC	John Gaunt & Partners Omega Court, 372- 374 Cemetery Road, Sheffield, S11 8FT	Gf2, 44 York Place, Edinburgh, EH1 3JW	No	No	Yes	To increase on sale hours and add off sales.	Granted

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THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
CONTINUED NEW PREMISES LICENCE APPLICATIONS

01 August 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	329107	Monkey Barrel Comedy Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	9-11 Blair Street, Edinburgh, EH1 1QR	No	No	Yes	Comedy/Spoken word premises located on the ground floor and lower ground floor of a building on Blair Street, Edinburgh	Granted -Off sales with takeaway food only -Capacity of 210 -Music Condition

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THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NEW PROVISIONAL AND PREMISES LICENCE APPLICATIONS

01 AUGUST 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	332919	Partership of Aukut Gul & Reyhan Gul	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	46 Constitution Street, Edinburgh, EH6 6RS	No	No	Yes	13.07.2016	Cafe premises on ground floor with raised area, in tenement building located on Constitution Street	Granted -Capacity of 50 Music condition 0100hrs terminal hour for Children & Young Person's access
2.	327873	Bidvest Foodservice	DLA Piper UK Limited 1 St Paul's Place, Sheffield, S1 2JX	Claylands Road, Newbridge, EH28 8LF	No	Yes	No	13.07.2016	Warehouse with offices located on an industrial estate	Granted
3.	330711	Martin McColl Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	55 Pennywell Road, Edinburgh, EH4 4TY	No	Yes	No	13.07.2016	A convience store selling a range of general groceries and stationery supplies	Granted

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4.	328477	Waterstones Booksellers Ltd	Poppleston Allen Solicitors 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS	128 Princes Street, Edinburgh, EH2 4AD	Yes	No	No	13.07.2016	Café/Restaurant located within a book store, to provide refreshment to customers. Sale of alcohol is ancillary to the building's primary use, as a book store.	Granted -Music condition
5.	332789	Lateral City Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	3 Roxburgh's Court, Edinburgh	Yes	No	No	13.07.2016	Serviced apartment, with reception and facilities located in 8 Advocates Close off High Street, Edinburgh.	Granted -2200hrs terminal hour for external area (not on balcony areas) -Music condition
6.	331737	Lidl UK GmbH	Harper Macleod LLP The Ca'd'oro, 45 Gordon Street, GLASGOW, G1 3PE	155 Slateford Road, Edinburgh, EH14 1NZ	No	Yes	No	13.07.2016	The premises will provide for general sale of groceries.	Granted -Music condition -Existing licence to be surrendered

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THE CITY OF EDINBURGH LICENSING BOARD
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PERSONAL LICENCE APPLICATIONS

29 AUGUST 2016

No	Reference	Applicant	Agent Details	Decision
1.	328763	Matthew George Bell		Granted
2.	333092	Nicola Burdell		Continued
3.	325351	George Kay Haig		Continued to October
4.	314955	Angela Senior McLintock	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	Continued to September
5.	327653	Steven Ramsay		Continued for final time
6.	333455	Mark Steedman		Granted
7.	330306	Pascal Theze	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	Continued
8.	329342	Amber Carol Anne Turner	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	Continued for final time