

◆ EDINBURGH ◆

LICENSING BOARD

NOTICE OF MEETING

MONDAY 28th NOVEMBER 2016

START TIME 9.30am

Council Chamber, City Chambers, Edinburgh

AGENDA

1. Minutes of meeting of 31st October 2016 for approval
2. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list
3. Chief Constable's Annual Report
4. Premises Licence Update Report – The Hive, 15-17 Niddry Street, Edinburgh
5. Personal Licence – Section 84A Application – Lachezar Boyanov
6. Personal Licence – Section 84A Application – Maciej Zmijewski

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

Councillors Eric Milligan (Convener); Jeremy Balfour; Gavin Barrie; Chas Booth; Mike Bridgman; Nick Cook; Cammy Day; Vicki Redpath; David Walker; Norman Work

General information about the Licensing Board's meeting dates, Policies, etc is available online:-

http://www.edinburgh.gov.uk/info/20023/licences_and_permits/960/licencing_board

MINUTES OF MEETING

MONDAY 31st OCTOBER 2016

Members present: Councillors Eric Milligan (Convener); Jeremy Balfour; Gavin Barrie; Chas Booth; Mike Bridgman; Vicki Redpath; Norman Work

Apologies: Councillors Nick Cook; Cammy Day; David Walker

Police Officer: Sergeant John Young

Council Officers present: Martin Rich (Licensing Standards Manager); Ken Fairgrieve (LSO); Muir Somerville (Building Standards Team Manager); Colin McCulloch (Building Standards)

Depute Clerk: Nick Fraser

1. Minutes of meeting of 26th September 2016 for approval

The minutes of the Board's meeting of 26th September 2016, together with the decision list from that meeting, were presented for approval.

Decision: Minutes approved

2. Confirmation of Publication of Supplementary Licensing Policy Statement

Following the decision of the Board to amend the terms of its policy on amplified music and vocals in licensed premises at its meeting on 26th September 2016, the Board noted that the Supplementary Licensing Policy Statement had been published, confirming the amendment.

Decision: publication of Supplementary Licensing Policy Statement noted.

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

The Board considered twenty-five applications for variation of existing premises licences, five applications for new provisional premises licences and nine 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: None

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Decision: Details of the decisions for each application are as set out in the list attached to these minutes.

4. Application for Transfer and to Extend Provisional Period – Premises at Dalry Road, Edinburgh

The Depute Clerk reported to the Board that a request for extension of the provisional premises licence for as yet unbuilt premises at Dalry Road had been received. The provisional period was due to expire on 5th December 2016. In addition an application for transfer had been lodged, on the basis that the existing licence holder no longer intended to operate the premises but the landlord wished eventually to transfer the licence to another operator.

Alistair Macdonald was present to explain the circumstances of the request for extension of provisional period, and the transfer. The Board noted that the Chief Constable had made no objection to the transfer.

After due consideration the Board agreed to a four year extension of the provisional period, and granted the application for transfer of the provisional premises licence.

Councillor Booth moved refusal of the application to extend. Having no seconder for his motion to refuse, he asked that his dissent be minuted.

Decision: (1) four year extension of provisional period, and (2) transfer of the provisional premises licence

5. Personal Licence – Section 83 Hearing – David Steele

The Board was advised of the details of a conviction for a relevant offence, acquired by Mr Steele, upon which the Board was required to hold a hearing. Mr Steele was present and explained the circumstances leading to the conviction.

The Board agreed to note the conviction details, but considered that it was not necessary for the purposes of the licensing objectives to take any further action.

Decision: note details, no further action

6. Personal Licence – Section 83 Hearing – Patricia Forrest

The Board was advised of the details of a conviction for a relevant offence, acquired by Mrs Forrest, upon which the Board was required to hold a hearing. Mrs Forrest was present with her agent Alistair Macdonald.

The Board agreed to note the conviction details, but considered that it was not necessary for the purposes of the licensing objectives to take any further action.

Decision: note details, no further action

7. Premises Licence Review – 1 Dean Bank Lane, Edinburgh

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

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The Depute Clerk confirmed that the Board had agreed at its meeting on 26th September 2016 to review the premises licence for the premises at 1 Dean Bank Lane, on the basis that the company holding the premises licence had been dissolved several years ago and there was no prospect of the licence being capable of being transferred or varied. The Board agreed to revoke the premises licence. Alistair Macdonald was present for the operators of the premises and confirmed that they were intending to put temporary licensing arrangements in place as soon as possible.

Decision: agreeing to revoke the premises licence

8. Premises licence review hearing – Woodland Creatures, 260-262 Leith Street, Edinburgh

The Depute Clerk referred the Board to its decision on 1st August 2016 to hold a premises licence review hearing for the Woodland Creatures premises, upon the application of Elaine McIntosh. Alistair Macdonald was present with one of the directors of the licence holder company. Ms McIntosh was present, with one of her neighbours.

The Board was advised of the terms of an LSO report on the application, by Martin Rich. The Board heard in detail from Ms McIntosh, followed by Alistair Macdonald and his client.

Members sought clarification on a number of points, following which the Board agreed to a suggestion from Martin Rich that the LSOs would attempt mediation between the parties. The outcome of the mediation, and any other relevant matters, would be reported to the Board for consideration at its meeting to be held on 30th January 2017.

9. Premises licence review proposals - Unpaid Annual Fees

The Depute Clerk referred to work that had been carried out over a number of months to encourage premises licence holders to pay their annual premises licence fees, which had become due for the period 2015/16 as at the beginning of October 2015. The Board had agreed at its meeting on 30th May 2016 to hold hearings for those premises where Compliance Notices had been served, but fees remained outstanding.

The Board was advised of the individual details of premises where fees remained outstanding, and the terms of LSO reports for each, confirming details of visits to the premises by LSOs.

The Board noted that the LSOs had established that in addition to fees being outstanding, the following premises were no longer operating:-

2f5 West Register Street – Edinburgh RAOB Institute
11-12 Seafield Road East – Majid Homayou-Valiani
3f4, 14 George IV Bridge – Innlaw Limited
5 Grindlay Street – Francis Fox
15 Dalry Road – Xia Juan Wu

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

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18 Lochrin Buildings – Balasubramanian Gnanamurali
24 Glasgow Road – Mohammed Aslam
24 Brougham Street – Chee Kin Wong
29 Polwarth Crescent – PIR Mahal Retail Limited
30 Duart Crescent – Nasim Khandakar
31 Lasswade Road – Muhammad Farooq
36 Bernard Street – Kitschin-In
37 Torphin Road – Torphin Hill Golf Club
45-47 Longstone Road – Satinder Singh and Jagdish Singh
62 Drum Street – Leanne McDonald
81-83 Slateford Road – Golden Leaves of Edinburgh Ltf
89 Joppa Road – Partnership of Debbie Rowan and Geoffrey Rowan
92 Commercial Street – Stonelaw Limited
97-101 Morrison Street – Huseyin Kulhas
239 Portobello High Street – Katarzyna Sitko
245 Morningside Road – Gurpal Singh
354 Leith Walk – Shahida Arshaf
365 Leith Walk – Nasir Mughal
Unit 18 North Leith Sands – Flavourly Limited
Warehouse 4, 3a Queensferry Street Lane – Dorsia Leisure Limited
167-171 Dundee Street – Tian Chuan Xue

The Board agreed that it was appropriate for the purposes of the licensing objectives to revoke the premises licences.

The Board was then advised of the individual details of premises where fees remained outstanding but the LSOs confirmed that premises were still operating. The Board considered that it was necessary for the purposes of the licensing objectives to suspend the premises licences for the following premises, for a four week period in each case:-

542 Gorgie Road – Muhammad Arian
125 Dalry Road – Murat Aksakalli
100-102 Dalry Road – Edinburgh Dalry Restaurant Limited
74 East Crosscauseway – Mosaico Famenco Limited
50 East Fountainbridge – Zaida Khanom
38 Mayfield Gardens – Delhi Diner Kitchen Limited
22 Brougham Place – Yun Cui
19 Cockburn Street – EV2011 Limited
Unit 3 17f South Gyle Crescent – Gupta Nitin
8 York Place – Ballantrae Hotels Limited
8 Morrison Street – Jing Si
7-8 Queensferry Street – Gourmet Grillrooms Limited
6 New Market Road – China Red Catering Limited
Bf1 5a Union Street – The Sicilian Restaurant Limited
2 Liberton Gardens – Nadeem Akbar
22 Westfield Road – Murrayfield Sports Bar LLP

Decision: The Board agreed, having regard to the licensing objectives and information about breaches of the mandatory conditions of licences, to revoke a

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number of premises licences and to suspend a number of premises licences for a four week period.

Councillor Eric Milligan
Convener of the Licensing Board

DECISION LIST

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

31 OCTOBER 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	334581	Inverleith Rugby Football Club		19 Arboretum Road, Edinburgh, EH3 5PN	No	No	Yes	To amend core times for alcohol consumption on the premises to 11:00 - 01:00 Monday to Sunday and to change core times for alcohol consumption off the premises to 11:00 - 22:00 Monday to Sunday.	Granted Children until 2300 Young persons until 0100 (including any seasonal variation period)

DECISION LIST

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

31 OCTOBER 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	339402	Speciality Hotels Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	134 Braid Road, Edinburgh, EH10 6JD	No	No	Yes	To change the description of the premises, to amend the premises manager, to add seasonal variations, to add live performances, conference facilities and dance facilities as activities and to amend the times of access by children and young persons.	Granted
2.	337835	T J Scotland Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	75 Craigmount Brae, Edinburgh, EH12 8XF	Yes	No	No	Increase on and off sale hours, amend details to children and young persons access to premises.	Granted Children until 2300 Young persons until 0100

DECISION LIST

3.	339680	Mr Saqib Imtiaz	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	76 Dalry Road, Edinburgh, EH11 2AX	No	Yes	No	To increase the capacity and to substitute a new layout plan replacing the previous cigarette display area	Granted
4.	339692	Liberton Rugby Club	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Liberton Rugby Club, 1 Double Hedges Road, Edinburgh, EH16 6TS	Yes	No	No	To delete conditions 2,3 and 4 of the licence relating to Private Members Club, to commence hours from 9am Monday to Saturday and 11am on Sunday and to appoint a new Premises Manager	Granted
5.	339509	Metrogrow Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	2 Fountainbridge Square, Edinburgh, EH3 9QB	No	No	Yes	To commence on and off sales from 12noon each day and to provide that the outside area will be restricted to 10pm	Granted
6.	334853	Smith & Gertrude Limited	Smith & Gertrude Limited Flat 2, 9 Albany Street, Edinburgh, EH1 3PY	26 Hamilton Place, Edinburgh, EH3 5AU	No	No	Yes	To add live performances as an activity and amend children and young persons access to premises	Granted Children until 2300 Young persons until 0100

DECISION LIST

7.	339202	Hunter UK Retail General Partner Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	31 Frederick Street, Edinburgh, EH2 2ND	No	No	Yes	Change from On Sale to On and Off sale capacity, amend on sale hours, add off sale hours, change in wording in relation to Seasonal variations, allow activities outwith core hours, increase capacity, changes in Children and Young Persons section of operating plan and approve internal reconfiguration	Granted Children until 2300 Young persons until 0100 Outdoor drinking until 2200 Capacity 280
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DECISION LIST

8.	339393	Damas Edinburgh Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	87 Hanover Street, Edinburgh, EH2 1EE	No	yes	No	amend description of premises, change DPM, substitute new layout plan, to delete on sales, commence off sales Sunday from 10am, add seasonal variations, delete restaurant facilities and receptions as activities, add takeaways, deliveries & outside catering as activities, delete provisions regarding access by children & young persons, delete on sale capacity and provide for off sale display capacity of zero, to provide recorded music, to provide activities outwith core hours and to provide that the premises may stay open until 3am on Friday and Saturday and 2am the rest of the week	Application withdrawn
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DECISION LIST

9.	336946	Mr Stephen George Case	Mr Stephen George Case 9 Inverleith Row, Edinburgh, EH3 5LS	5 Inverleith Terrace, Edinburgh, EH3 5NS	Yes	No	No	To amend on sale hours, to add seasonal variations, to add other activities and to amend children and young person's access.	Granted
10.	337820	Mr Stewart Grant	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	35 Jock's Lodge, Edinburgh, EH8 7AA	No	No	Yes	Increase opening hours on Sundays for on and off sales, add quiz nights, karaoke, race/poker nights and breakfasts as activities, include beer garden in licensed footprint, allow activities outwith core hours, amend children and young persons access, approve internal reconfiguration and amend description of premises.	With the exception of variation to children and young persons access, application granted. Outdoor drinking until 2200 Board to visit premises to assess suitability for children and young persons access, continued to 19 th December 2016
11.	338083	GBL Hospitality Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	604 Lanark Road, Juniper Green, EH14 5EN	No	No	Yes	Amend Children's Access	Granted

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12.	339307	Monkeyleith Limited	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	362 Leith Walk, Edinburgh, EH6 5BR	No	No	Yes	To amend on and off sale opening at 11am, to add films, outdoor drinking facilities and DJs as other activities.	Granted Outdoor drinking until 2200 Agent to provide amended layout plan for outdoor area
13.	337049	Iona Pub Partnership (Scotland) Limited	Iona Pub Partnership (Scotland) Limited Hamilton House, 70 Hamilton Drive, Glasgow, G12 8DR	8 Leven Street, Edinburgh, EH3 9LG	No	No	Yes	To allow children and young persons entry without the need to have a meal, to extend the time when children and young persons are permitted to 9pm and to allow breakfast to be served daily from 9am	Granted
14.	340112	T J Scotland Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	30 Longstone Road, Edinburgh, EH14 2BH	No	No	Yes	To amend children and young persons' access.	Granted
15.	334326	Longstone Hearts Sports & Social Club	Longstone Hearts Sports & Social Club 58-60 Longstone Road, Edinburgh, EH14 2BA	58 Longstone Road, Edinburgh, EH14 2BA	No	No	Yes	Change in usage of play area to beer garden Change of occupancy from 110 to 244	Granted – licence holder to liaise with Building Standards re wash-hand basins

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16.	340106	The Filmhouse Ltd	The Filmhouse Ltd 88 Lothian Road, Edinburgh, EH3 9BZ	88 Lothian Road, Edinburgh, EH3 9BZ	No	No	Yes	To include outdoor drinking, to amend on Sale hours, to amend children and young person's access and extension to licensed area to include outdoor patio.	Granted Outdoor drinking until 2200
17.	330550	Murrayfield Golf Club Limited	Murrayfield Golf Club Limited 43 Murrayfield Road, Edinburgh, EH12 6EU	43 Murrayfield Road, Edinburgh, EH12 6EU	No	No	Yes	Amend access for children, change of manager	Granted
18.	339301	Punch Partnership Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	The Two Bridges, 2 Newhalls Road, South Queensferry, EH30 9TA	No	No	Yes	To allow use of the external area until 11pm and to amend breakfast hours to 8am	Granted Outdoor drinking until 2300
19.	339430	VAN Restaurants Limited	Lindsays 4f - 5f, 19a Canning Street, Edinburgh, EH3 8HE	Unit 54, Ocean Terminal, 98 Ocean Drive, Edinburgh, EH6 6JJ	No	No	Yes	Change commencement hour on Sundays to 11:00 hrs	Granted
20.	335547	The Scotch Malt Whisky Society	Mr Jan-Willem Damen 28 Queen Street, Edinburgh, EH2 1JX	28 Queen Street, Edinburgh, EH2 1JX	No	No	Yes	Include outdoor area within licensed footprint; amend children's access	Granted Outdoor drinking until 2200

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21.	339389	JBF Properties Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	77 Slateford Road, Edinburgh, EH11 1PR	No	Yes	No	To include telephone sales as an additional activity, to increase the capacity and to provide a new layout plan for the ground floor.	Granted
22.	320876	Punch Partnership Limited	Ms Alison Smith 140 West George Street, Glasgow, G2 2HG	23-25 St Leonard's Street, Edinburgh, EH8 9QN	No	No	Yes	Increase on and off sale hours on Sunday's, allow children and young persons access and permit certain activities ouwith core hours.	Granted
23.	330348	Mrs Queenie Mei Chingi Tam	Mrs Queenie Mei Chingi Tam 185 Craigcrook Road, Edinburgh, EH4 7AZ	112 St Stephen Street, Edinburgh, EH3 5AD	No	No	Yes	To delete 'Chinese' from the original premises description.	Granted
24.	337994	Heather Hills Hospitality Limited	Heather Hills Hospitality Limited 20 Young Street, Edinburgh, EH2 4JB	20 Young Street, Edinburgh, EH2 4JB	No	No	Yes	Amend Children's Access	Granted

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

31 OCTOBER 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	334471	Mr Andrew Muir	Mr Andrew Muir 18 St Peter's Place, Edinburgh, EH3 9PH	44-45 St Patrick Square, Edinburgh, EH8 9ET	Yes	No	No	Tex-Mex Restaurant CC	Granted

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

31 October 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	339490	Mr Benjamin Waumsley	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	9 Croall Place, Edinburgh, EH7 4LT	No	No	Yes	Restaurant/Takeaway Premises located on the ground floor of a tenement on Croall Place, Leith Walk, Edinburgh	Granted Licensing condition controlling amplified music and vocals as per amended Board policy
2.	328982	Edinburgh Sculpture Workshop Ltd	Edinburgh Sculpture Workshop Ltd 21 Hawthornvale, Edinburgh, EH6 4JT	21 Hawthornvale, Edinburgh, EH6 4JT	Yes	No	No	A public cafe off Hawthornvale located at cycle path level with external terrace forming part of a three storey arts centre	Granted Licensing condition controlling amplified music and vocals as per amended Board policy Applicant to provide amended operating plan to include specific start times for activities

3.	337347	Mrs Charlotte Louise Thompson	Mrs Charlotte Louise Thompson 39 East Pilton Farm Wynd, Edinburgh, EH5 2GJ	1 North West Circus Place, Edinburgh, EH3 6ST	Yes	No	No	The premises is a family run medium sized cafe that can seat 52	Continued, for redisplay of Site Notice by applicant
4.	340097	Burrito N SHake Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	97-99 South Bridge, Edinburgh, EH1 1HN	No	No	Yes	Restaurant Premises located in South Bridge, Edinburgh	Granted Licensing condition controlling amplified music and vocals as per amended Board policy

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

31 OCTOBER 2016

No	Reference	Applicant	Agent Details	Remarks	Decision
1.	339408	Gareth Croll		CC	Granted
2.	336793	Anna Kai Downs	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	Continued (2 nd Appearance) CC	Continued – at agent's request
3	340215	Ian Gaffing	Winckworth Sherwood, Minerva House, 5 Montague Close, London, SE1 9BB	CC	Granted

4.	325351	George Kay Haig		Continued (2 nd Appearance) CC	Granted
5.	339572	Ian Philip Henderson	Personal Licence Training (UK) Ltd, Unit 12B, The Photo Block, Hatherley Lane, Cheltenham, GL51 6PN	CC	Refused, having regard to licensing objective of preventing crime and disorder
6	340063	Kevin Kelly		CC	Granted
7.	314955	Angela Senior McLintock	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	Continued (2 nd Appearance) CC	Continued for final occasion
8.	338020	John Ritchie		CC	Granted
9.	399445	Jing Shen	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	CC	Granted

ITEM 2

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

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	337347	Charlotte Thomson	Donna Harrison (independent)	The Pantry, 1 North West Circus Place, Edinburgh, EH3 6ST	Yes	No	No	Family run medium sized café with a seating capacity of 52 persons. CC LSO BSR O	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	342182	MGD (Edin) Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	24-26 Calton Road, Edinburgh, EH8 8DP	Yes	No	No	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at it's meeting on 26th September 2016, as an amendment to it's Policy. CC SFC O	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMSES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
2.	342137	Attraction Inns Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	69 Cowgate, Edinburgh, EH1 1JW	Yes	No	No	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at it's meeting on 26th September 2016, as an amendment to it's Policy. CC SFC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	342179	Attraction Inns Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	71 Cowgate, Edinburgh, EH1 1JW	Yes	No	No	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to it's Policy. CC SFC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMSES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
4.	342160	Fuller Thomson Heritable Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	184-186 Cowgate, Edinburgh, EH1 1JJ	No	No	Yes	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to its Policy. CC SFC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMSES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	342111	MORO Leisure Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	235 Cowgate, Edinburgh, EH1 1NN	No	No	Yes	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at it's meeting on 26th September 2016, as an amendment to it's Policy. CC SFC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
6.	342187	MORO Leisure Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	237 Cowgate, Edinburgh, EH1 1JQ	No	No	Yes	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to its Policy CC SFC	
7.	341591	Saltire Taverns Ltd	Mr Adrian Howlett 24 Moorfield Road, Gourrock, Inverclyde, PA19 1DD	7-11 Hope Street, Edinburgh, EH2 4EL	No	No	Yes	9 November 2016	To increase on sale hours and allow children and young persons access to premises CC SFC	
8.	341038	Punch Partnership Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	49-51 London Street, Edinburgh, EH3 6LX	No	No	Yes	9 November 2016	To amend children and young person's access CC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
9.	342117	Mr David Brand	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3 Pier Place, Edinburgh, EH6 4LP	Yes	No	No	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at it's meeting on 26th September 2016, as an amendment to it's Policy. CC SFC O	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMSES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
10.	342166	Attraction Inns Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3 Robertson's Close, Edinburgh, EH1 1LY	No	No	Yes	9 November 2016	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to it's Policy. CC SFC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
11.	341474	Stonegate Pub Company Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	9b Victoria Street, Edinburgh, EH1 2HE	No	No	Yes	9 November 2016	Increase on sale hours, allow activities outwith core hours, amend children and young persons access and amend wording to seasonal variations CC SFC O	
12.	341134	Green King PLC	TLT LLP 140 West George Street, Glasgow, G2 2HG	28 West Maitland Street, Edinburgh, EH12 5DX	No	No	Yes	9 November 2016	To amend the layout plan and children and young person's access CC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

28 November 2016

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
13.	341132	Turnhouse Golf Club Limited		154 Turnhouse Road, Edinburgh, EH12 0AD	No	No	Yes	9 November 2016	To remove club conditions 2,3 and 4 from licence, increase on and off sale hours, add associations and club fundraising events, family events, christenings, naming days and external golf association events as activities and add a premises manager CC	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - New PREMSES LICENCE APPLICATIONS

28 NOVEMBER 2016

10:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	341076	Gleann Mor Spirits Company Limited	Gleann Mor Spirits Company Limited 28 Jane Street, Edinburgh, EH6 5HD	28 Jane Street, Edinburgh, EH6 5HD	No	No	No	9 November 2016	Lock Up Unit for storage, packaging and dispatch of alcohol for wholesale and online retail sales. CC BSR	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

28 NOVEMBER 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	341888	The Ferry Brewery Co Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	Unit 13, Bankhead Steading, 1b Bankhead Road, South Queensferry, EH30 9TF	No	No	Yes	9 November 2016	Brewery, dispatch point and taproom set in commercial business centre CC SFC BSR	
2.	340979	The Dog and Pony Limited	Lindsays Caledonian Exchange, 19a Canning Street, Edinburgh, EH3 8HE	47-49 Bread Street, Edinburgh, EH3 9AH	No	No	Yes	9 November 2016	Cafe/Restaurant CC SFC BSR	
3.	341628	Bruntsfield Brasserie Licence Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	14-17 Bruntsfield Place, Edinburgh, EH10 4HN	No	No	Yes	9 November 2016	Bistro Restaurant located on ground floor and basement of tenement property CC SFC BSR	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Provisional PREMSES LICENCE APPLICATIONS

28 NOVEMBER 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
4.	341884	Merefern Limited	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	9a &10-11 George IV Bridge, Edinburgh, EH1 1EE	No	No	Yes	9 November 2016	Ground floor and lower ground floor of building CC SFC BSR	
5.	341700	Mr Kazim Aslan	Macdonald Licensing 21A Rutland Square, Edinburgh, EH1 2BB	25-25a Promenade, Edinburgh, EH15 1HH	No	No	Yes	9 November 2016	Cafe/Bistro premises in high profile site on Portobello Promenade CC SFC BSR	
6.	342229	Tiger Forest Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	39 Queen Street, Edinburgh, EH2 3NH	No	Yes	No	9 November 2016	Retail operating, providing a range of products from ground floor premises at the corner of Queen Street and Frederick Street CC SFC BSR	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

28 NOVEMBER 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
7.	342233	Mothership (Scotland) Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3a Queensferry Street Lane, Edinburgh	No	Yes	No	9 November 2016	Small shop located in ground floor of building on Queensferry Street Lane CC BSR	

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

28 November 2016

11:00

No	Reference	Applicant	Agent Details	Remarks	Decision
1.	336793	Anna Kai Downs	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	Continued (3 rd appearance) CC	
2.	342847	Rory Lyle		CC	
3.	314955	Angela McLintock	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	Continued (final - continuation) CC	
4.	343257	Alan O'Sullivan		CC	
5.	342501	Cristian Scarlat		CC	



**POLICE
SCOTLAND**

Keeping people safe

**CHIEF CONSTABLE'S REPORT TO THE
EDINBURGH LICENSING BOARD
FOR THE PERIOD
1ST APRIL 2015 TO 31ST MARCH 2016**

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FOREWORD

As the Chief Constable of Police Scotland, it gives me great pleasure to provide my first annual licensing report, in accordance with section 12(A) of the Licensing (Scotland) Act 2005.

I would firstly like to take this opportunity to acknowledge and thank you for the contribution and excellent work undertaken during the past year throughout the licensing area of business in Scotland, especially within our 32 Local Authorities.

Police Scotland together with our licensing partners have faced and continue to confront many challenges, not least our budget constraints. However, this will not detract from our commitment to continuing to provide the very best and sustainable policing service to our communities across the country.

I am especially keen to develop our local services to meet the varying licensing demands and expectations within our diverse local communities, by listening to people and developing opportunities to improve, including the sharing of best practise and influencing positive attitudes and behaviours to reduce alcohol related crimes and anti-social behaviour.

Police Scotland's licensing structure and function has recently undergone significant transition and now benefits from improved governance, flexibility and support, with a real emphasis on quality of service. These changes are further enhanced through our commitment to investing and implementing a national I.T. database, (Innkeeper), which has significantly improved our management and the administration of all liquor and civic licences. Police Scotland and our licensing partners now benefit from a consistent service with improved local delivery, decision making and reporting process.

With our licensing transition complete, we are now transforming our licensing service and central to this is our ability to continue to work closely with our Local Authorities, the licensed trade and other key partners, with a main focus on prevention and vulnerability.

We recognise that problem solving is essential in achieving our mutual aims of public safety and a healthy community environment, while enforcement should only be used as necessary. We will only achieve these aims together through consent and by legitimate means with the full support of all key licensing partners.

I look forward to the coming year where we will continue to improve licensing standards, reduce violence and continue to keep our communities and people safe.

Philip Gormley QPM
Chief Constable
Police Service of Scotland

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Police Scotland Licensing Overview

Following the inception of Police Scotland in 2013, a two tier structure for licensing was adopted to support both national and local priorities and service delivery.

A National Licensing Policy Unit (NLPU), which sits within Licensing and Violence Reduction Division, has overall responsibility for determining and delivering national licensing strategy and policy. The NLPU also provides advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

Dedicated licensing teams are located in each of the 13 local divisions and are responsible for the day-to-day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises within their local area.

EDINBURGH LICENSING BOARD AREA

The Edinburgh Licensing Board area is policed by E Division. Chief Superintendent Kenny MacDonald is the Divisional Commander who has the responsibility for all day to day policing functions.

Local Policing Priorities

Following our public consultation process, the policing priorities for E Division as set out in our Local Policing Plan are as follows;

1. Public Safety
2. Reducing Antisocial Behaviour
3. Serious and Organised Crime
4. Acquisitive Crime

As part of the local policing priorities, Edinburgh Division will continue to focus on alcohol related violence and disorder, recognising that education, prevention, partnership work and robust policing are key factors in reducing crime and disorder in this area.

Description of Board Area

Edinburgh Division covers a large geographical area from Leith in the North of the city to the Pentlands in the South, with a resident population of around half a million which is said to double in the summer months when the city plays host to the Edinburgh Festival and Fringe. The city also hosts many high profile sporting and cultural events, concerts, Royal Highland Show, Military Tattoo as well as Christmas and Hogmanay celebrations. The city accommodates a wide variety of licensed establishments, which contribute to the leisure and employment opportunities in the area.

The most up to date official licensing statistics are for the financial year ending 2015. There were 16,633 premises licences in force in Scotland on 31st March 2015. The City of Edinburgh has the highest number of premises licensed to sell alcohol as detailed below (Scottish Government Website – Liquor Licensing Statistics 2014-15).

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Year	On sales	Off sales	Total	Change from 2013/14
2014-2015	1378	609	1987	+92

The Divisional Headquarters is St Leonards Police Station in central Edinburgh. The division is segmented into four policing areas aligned to Edinburgh council locality areas. Each of these areas has a dedicated Area Commander who has responsibility for policing functions and is accountable to the Divisional Management team.

The divisional licensing section is based at St Leonards and consists of Sergeant John Young, 4 Police Constables and 4 Divisional Licensing Administrators.

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction

Alcohol permeates a wide range of issues in our society and is often a causal factor in violence, domestic abuse and anti-social behaviour; incidents that the Police Service of Scotland deal with every day across the country.

We seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the division and all opportunities are taken to address the illegal or irresponsible sale, supply or consumption of alcohol. This is with the intention of preventing violent crime and disorder. The application of alcohol legislation continues to evolve through case law, statutory instruments and local board decisions. As such, policing tactics require flexibility to keep pace with these changes.

A great deal of work is undertaken to prevent crimes and offences occurring in and around licensed premises. Edinburgh city centre enjoys a thriving night-time economy with approximately 50 late night venues that are generally open until 3am or 5am during the festival and festive seasons. Whilst the majority of people come to Edinburgh and have a positive experience, a minority of persons drink to excess and become involved in violence and disorder as either a perpetrator or victim. To counter this, Edinburgh Division deploys extra resources to manage policing of the city centre at weekends.

We actively work with the licensed trade to problem solve issues before seeking remedy via the Licensing Board. This includes involvement with licensees, Edinburgh Licensing Forum, Licensing Standards Officers (LSOs), Security Industry Authority and engagement with Pubwatch, Community Alcohol Partnership (CAP), Best Bar None and other local schemes. It is of note that Murrayfield Stadium was successful in winning the overall national Best Bar None award for 2016 which is indicative of the high standards within many licensed premises in Edinburgh.

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Our focus is to 'Keep People Safe' and we seek to reduce the negative impact that alcohol has on our communities. This is achieved through encouraging the responsible sale and supply of alcohol in well run licensed premises, taking positive action to stop the irresponsible supply of alcohol to children and young persons and preventing the over supply to individuals already intoxicated in licensed premises.

This report details how Edinburgh division has carried out this function in 2015/16.

Licensing Applications

All applications submitted in respect of the Licensing (Scotland) Act 2005 are scrutinised in terms of the applicant (whether individuals or companies), the premises and the activity applied for to ensure that granting the application will not be a contravention of the Act, Board Policy or detrimental in relation to any of the five licensing objectives. This process includes interrogation of police computer systems, checks with external databases e.g. Companies House and if relevant, scrutiny of financial arrangements. A member of the police licensing team may thereafter interview individual applicants to discuss their application in more detail and visit proposed premises. This investigative work is also carried out to minimise the risk of organised crime groups infiltrating the licensed trade.

Where the application falls short in respect of any of the aforementioned areas, an objection or representation will be submitted to the Board for consideration or police may suggest appropriate conditions to be attached to the licence.

Application Summary

During the year 2015-16, the following applications were received and processed by the police licensing team.

Application	Total	Representation	Objection
Personal Licence	1085	14	17
New Premises Licence	84	43	2
Variation	917	69	2
Transfer	166	19	1
Occasional	2410	1319	5
Extended Hours	275	120	48
	4937	1584	75

Between 1st April 2015 and 31st March 2016, there were approximately 4360 reported incidents connected to licensed premises across Edinburgh. This resulted in 1059 Inspection of Licensed Premises Reports being created and subject of greater scrutiny by the police licensing team. This is a decrease on the previous year that saw approximately 4485 reported incidents and 1441 Inspection of Licensed Premises Reports being created. The proactive use of exclusion orders, think twice bails and partnership working have been positive factors in this reduction.

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A great deal of work is undertaken to prevent crimes and offences occurring in and around licensed premises. Police Scotland actively work with the licensed trade to problem solve issues before there is any need for an application to be made for a review of a premises or personal licence.

The Intervention Process

Incidents connected to licensed premises are monitored daily by the licensing team to establish whether any of the licensing objectives have been compromised or where other management/ licensing issues require to be addressed or improved.

Police Officers submit an Inspection of Licensed Premises Report via the Innkeeper Licensing IT system on every occasion they are called to attend an incident at licensed premises or following a proactive visit, with particular focus upon violence, disorder, antisocial behaviour, drunkenness, drug dealing or misuse, underage drinking, breaches of licensing legislation and any other matter that might impact on the safety of the public.

Police Scotland utilise an intervention process as part of our operational policing toolkit designed to assist premises management to reduce alcohol fuelled violence and other incidents of note which are directly linked to their premises.

Every intervention agreement follows SMART objective settings: Specific, Measurable, Achievable, Realistic and Timed.

Intervention Process - Stages	
No Action	An incident review has highlighted no issues regarding the management of the premises or licensing legislation. No further police action.
Green - Monitored	The premises have come to note for a minor issue and require to be monitored. This may result in an informal intervention providing advice / support to the premises along with police visits.
Amber – Intervention	Issues have arisen and an intervention action plan/agreement is drawn up by the police and implemented by the licence holder to resolve them. This action may be taken with more serious or repeat issues.
Red - Problematic	Premises are operating in a manner inconsistent with the licensing objectives or outwith the terms of their licence. Where local police intervention and support has failed or is unlikely to succeed in resolving the issues. A

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	premises review request to the licensing board is considered the most appropriate way to address the issue.
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The following table illustrates the number of premises within each of the categories during the reporting year.

	Total
Green - Monitored	17
Amber - Intervention	24
Red - Problematic	5

Premises & Personal Licence Reviews

During this period, police licensing moved 5 premises to the 'problematic' intervention category and prepared 7 review applications under section 36 of the Act. 3 of the reviews related to the one venue. 5 review applications were heard by the Board as one licence was surrendered and another was transferred.

Where the personal licence holder is thought to be culpable, the Chief Constable may also submit a personal licence review application in terms of Section 84 and 84A of the Act. It should be noted that two personal licence reviews were submitted during the period, one to the Edinburgh Board and the second to a Board in Dumfries following an incident in Edinburgh.

Board Decisions - Reviews

A premises review was sought on a venue situated in the west of Edinburgh as a result of poor management practices, licensing offences and compromise to the licensing objectives. The grounds for review were established and the Licensing Board took the decision to verbally warn the licence holder, no official action was taken.

Following numerous incidents of assault, over consumption and associated disorder at a venue in central Edinburgh, Police Scotland submitted 3 review applications to the Licensing Board. The grounds for review were established and the Licensing Board varied the licence to attach conditions and requested regular update reports to ensure improvement measures were being adopted and continued.

Police Scotland submitted a review of a premises licence for a venue in the south of Edinburgh due to several incidents of serious disorder, poor management practices and a failure by staff to notify police of these incidents. The grounds for review were established and the Licensing Board decided to take no action against the premises licence holder, however requested a personal licence review in relation to the tenant/manager. As a result, his licence was endorsed. The Board requested update reports to ensure measures of improvement were being adopted and continued.

A premises licence review was submitted to the Licensing Board in respect of a venue in the south of Edinburgh. Intelligence was received that the premises was being managed behind the scenes by organised criminals. Police and partner

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intervention was carried out to disrupt the criminal activities associated with these premises. The grounds for review were established. The licence was surrendered to the Board prior to the review being heard.

A personal licence review was sought in connection with an individual who was suspected of being concerned in the production and supply of drugs. The individual failed to attend at a review hearing and his licence was revoked by the Board.

An additional personal licence review was held in another Board area pertaining to an incident of serious alcohol related public disorder at an event held in the Edinburgh Board area. This resulted in an endorsement of the personal licence. A report relating to this incident was brought to the attention of the Edinburgh Board.

Interventions		Total
Premises Interventions	On Sale	38
	Off Sale	3
No. of interventions which led to a review application		5
No. of interventions where no further action was required		36

Number of Licensing Offences committed (2015-16)	Total
Section 1 (Unlicensed sale of alcohol)	0
Section 63 (Sale or consumption outwith licensed hours)	1
Section 102 (Sale of alcohol to a child)	2
Section 103 (Allowing sale to child or young person)	0
Section 105 (Purchase of alcohol for a child or young person)	0
Section 111 (Drunk persons within licensed premises)	2
Section 113 (Selling to drunk person)	1
Section 114 (DPM not to be drunk)	3
Section 115 (Drunk and disorderly)	20
Section 116 (Refusal to leave licensed premises)	69
Total Offences	98

PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

Introduction

Police Scotland can make a positive impact on the future outcomes for children and families, by addressing the sale and supply of alcohol to young persons via problem premises or by proxy (agent purchase). Working with our partners, we take appropriate action to address both the potential and actual misuse of alcohol within early years.

The East Edinburgh Community Alcohol Partnership (CAP) has continued their successful work during the reporting period to prevent proxy and underage sales through education and partnership work with licensees. Work is ongoing to examine

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the possibility of expanding the proxy purchase initiative and the CAP into other areas of Edinburgh.

The Police have capability to carry out test purchase operations on an intelligence led basis. For the reporting period, no operations were carried out in Edinburgh due to no premises meeting the necessary criteria. When intelligence is received about premises selling alcohol to persons under 18, the first stage in the process is to issue a warning letter to the premises. This is usually hand delivered by a member of the police licensing team who will inspect the premises and discuss expectations regarding responsible sale of alcohol with the licensee. Only when intelligence continues to be received should a test purchase operation be implemented.

Edinburgh Division is committed to continuing to engage with the community, in particular with schools and educational establishments to raise awareness of vulnerability and risk associated with the consumption of alcohol. Initiatives include the use of the 'Bystander' training material, which highlights the dangers and consequences of excessive intoxication, including the heightened vulnerability to sexual assault.

Police licensing continues to drive home the dangers and consequences of counterfeit, borrowed or stolen identity documents as proof of age to enter licensed premises and purchase alcohol. Initiatives have been carried out in conjunction with licensees to target young people attempting to gain entry to pubs and clubs.

TACKLING SERIOUS AND ORGANISED CRIME

Introduction

Serious and organised crime has far reaching consequences that affect a large proportion of society and the economy. Those involved have spread their activity into an increased variety of criminal enterprises including illegal drugs, money laundering, fraud, human trafficking, fake goods and the licensed trade.

It is important to highlight that all applications submitted in respect of the Licensing (Scotland) Act 2005 are scrutinised in terms of the applicant (whether individuals or companies), the premises and the activity applied for to minimise the risk of organised criminals infiltrating the licensed trade.

Serious and Organised Crime Groups (SOCG) present a clear threat to the licensed trade in Edinburgh. Police continue to target known criminality in this area as well as attempting to reduce the opportunity for individuals to exploit legitimate licensing opportunities for their own illegitimate means.

Edinburgh Division Licensing Department works closely with the Divisional CID Proactive team as well as the Organised Crime and Counter Terrorism Unit (OCCTU) to act at the earliest opportunity to disrupt criminals who are believed to be running or involved in licensed premises. Where this can be evidenced, police licensing will provide the Licensing Board with information in an attempt to prevent or remove known criminals from premises.

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At this current time, there are a number of SOCGs being managed by the Division with some of these groups having a known interest in a business requiring some form of licence to operate. This involvement in the licensing trade presents a clear opportunity to launder criminal proceeds.

Edinburgh Division continues to carry out targeted premises visits to ensure that premises operate in line with licensing legislation. Such visits may also involve partner agencies including; HMRC, Council LSOs, Council Environmental Health, Fire Service, DVSA, DVLA, SIA, HOIE and Scottish Power.

During the reporting period, there have been joint initiatives with HOIE to tackle illegal workers within licensed premises and the Fire Service to improve safety in establishments.

Within Edinburgh, such continued multi agency scrutiny of problem premises has had positive results.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

Introduction

Edinburgh will continue to target alcohol related violence and antisocial behaviour throughout the City.

Effectively addressing alcohol related violence and harm includes not only dealing with perpetrators and victims, but also sharing information, and at times intelligence, in order to prevent it. This requires a co-ordinated, partnership approach at both local and national levels incorporating a wide range of agencies, including health, criminal justice, education, local authorities, the local alcohol industry, voluntary organisations, the media and communities.

The Edinburgh Alcohol and Drugs Partnership strategic vision is for Edinburgh to be a city which 'promotes a healthy and responsible attitude to alcohol and where recovery from alcohol and drug use is a reality.

Board policy was revised/amended in November 2013 as per the three year legislative review. The Board decided to retain the existing area of overprovision covering the Grassmarket/Cowgate and immediate vicinity. In response to recommendations from the Licensing Forum, NHS and Police Scotland to include 7 other 'Intermediate Areas' as areas of overprovision, the Board decreed that these 7 areas would be classed as 'Areas of Special Concern' rather than areas of overprovision. The Board stated that it would pay particular attention to applications within any of these areas.

The three blue light services, Police, Fire and Ambulance have launched a public information campaign to highlight the impact alcohol misuse has on our front line services. The demands being placed on the emergency services by people who are drunk are huge. On many occasions, it delays police officers, firefighters and paramedics from getting to members of the public who really do need our protection and help.

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Police Scotland will continue to raise objections, representations and other concerns when appropriate. In addition, we will engage with all partners involved in the licensed trade and work together with them to uphold the five licensing objectives and the spirit of the 2005 Act to ensure the safety and wellbeing of the people of Edinburgh.

Edinburgh division are firmly of the view that over provision is a significant contributory factor to a large amount of violent crime and disorder as well as public nuisance and as such is detrimental to the licensing objectives.

Specific activity for 2016-17 includes embedding the new national licensing IT system Innkeeper within the Division and maximising the use and potential of this.

Target premises highlighted for misuse of drugs or other criminal activity through searches under warrant or proactive joint inspections.

Engage with major event and festival organisers to agree alcohol management plans that will set out how alcohol sale, supply and risk are to be controlled. The aim is the delivery of safe and enjoyable events that achieve strategic objectives and comply with legislation.

National Perspective

Our Priorities and Policing Plans continue to be shaped by the objectives contained within Scottish Government's Strategic Objectives and National Outcomes and the Strategic Police Plan that are delivered locally through single outcome agreements.

Consultation and engagement is combined with our own analysis of the issues likely to impact on the safety of the public to inform our local and national Strategic Assessments that identify our priorities and provide a firm evidence base for local policing teams across Scotland to deliver operational plans to prevent crime and disorder and Keep People Safe.

Our National Priorities are:

- **Violence Disorder and Anti-social Behaviour**
- **Serious Organised Crime**
- **Road Safety and Road Crime**
- **Protecting People at Risk of Harm**
- **Counter Terrorism**

The National Licensing Policy Unit (NLPU) is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work in conjunction with licensing colleagues, from local policing divisions. Together, they seek to ensure that legislation governing the sale and supply of alcohol and other civic licensed activity is applied and reported consistently across the country to licensing boards, in accordance with the Licensing Objectives.

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During 2016/17, from a licensing perspective, our particular focus will be on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Continuous professional development training and guidance for staff to harmonise licensing practice across the country.
- Working closely with statutory partners to introduce a National Licensing Trade Forum to identify licensing related issues and prevent / reduce associated crimes.
- The implementation and ongoing development of a National ICT Licensing System, known as "Inn Keeper", to increase the efficiency and effectiveness of liquor and civic licensing administration and management.

The assistance obtained from the local authority to ensure that "Innkeeper" was implemented successfully during March 2016 is very much appreciated by Police Scotland. It is anticipated that this effective collaboration between the parties will continue to ensure that this valuable national resource remains fit for purpose and significantly improves the management of liquor and civic licensing records, documentation and information.

**PROGRESS REPORT – PREMISES LICENCE – THE HIVE NIGHTCLUB, 15-17
NIDDRY STREET, EDINBURGH****1. Purpose**

- 1.1 To provide the Board with details of progress reports on the operation of The Hive Nightclub, following a review hearing conducted in November 2015.

2. Main Report

- 2.1. At its meeting on 23rd November 2015, the Board held a hearing on the terms of a review application submitted by Police Scotland for the Hive Nightclub premises, 15-17 Niddry Street.
- 2.2. The Board agreed at the conclusion of that hearing that although grounds had been set out, it would not take formal action on the premises licence at that stage. Instead, the Board agreed that the premises licence holder should ensure (1) that they maintain stewarding arrangements at the premises to a sufficient level, and (2) that they co-operate fully with police officers attending the premises.
- 2.3. The Board also agreed that it would be appropriate to call for quarterly progress reports on the operation of the premises, with both Police Scotland and the Council's Licensing Standards Officers to provide such reports to the Board as were considered necessary.
- 2.4. The Board has received quarterly reports on the operation of the premises from Police Scotland and the Council's LSOs. There have been no adverse issues reported, to date.
- 2.5. The police have provided an update report, which is circulated to Board members. Any report from the LSOs will be provided on the day of the Board meeting.

3. Recommendation

- 3.1 The Board is asked:-

- (a) to note the terms of the reports provided;
(b) to decide whether any further monitoring is required.

4. Background Papers

Police report dated 16th November 2016

**Depute Clerk of the Licensing Board
22nd November 2016**

PERSONAL LICENCE REVIEW – SECTION 84A – LACHEZAR BOYANOV**1. Purpose**

- 1.1 To advise the Board of a requirement to hold a hearing, on a request from the Chief Constable for review of Mr Lachezar Boyanov's personal licence.

2. Main Report

- 2.1. The Chief Constable, Police Scotland has submitted a report, requesting the review of Mr Boyanov's personal licence in terms of section 84A of the 2005 Act.
- 2.2. Where the Chief Constable considers that a personal licence holder has acted in a manner which is inconsistent with any of the licensing objectives, he may report the matter to the Licensing Board. Where the Board receives such a report, it must hold a hearing.
- 2.3. If, after proceeding with a hearing the Board is satisfied that it is necessary to do so for the purposes of any of the licensing objectives, it may make an order:-
- (a) revoking;
 - (b) suspending for such period, not exceeding 6 months, as the Board considers appropriate, or
 - (c) endorsing
- the licence held by the personal licence holder.
- 2.4 The Chief Constable's report has been submitted having regard to the licensing objectives of preventing crime and disorder; securing public safety; and preventing public nuisance.

3. Recommendation

- 3.1 The Board is required, having regard to the notification and the Chief Constable's report:-
- (a) to hold a hearing on the personal licence;
 - (b) to decide whether to take any action with regard to the personal licence held by Lachezar Boyanov.

4. Background Papers

- 4.1 Letter from Police Scotland dated 14th October 2016

**Depute Clerk of the Licensing Board
19th October 2016**

PERSONAL LICENCE REVIEW – SECTION 84A – MACIEJ ZMIJEWSKI**1. Purpose**

- 1.1 To advise the Board of a requirement to hold a hearing, on a request from the Chief Constable for review of Mr Maciej Zmijewski's personal licence.

2. Main Report

- 2.1. The Chief Constable, Police Scotland has submitted a report, requesting the review of Mr Zmijewski's personal licence in terms of section 84A of the 2005 Act.
- 2.2. Where the Chief Constable considers that a personal licence holder has acted in a manner which is inconsistent with any of the licensing objectives, he may report the matter to the Licensing Board. Where the Board receives such a report, it must hold a hearing.
- 2.3. If, after proceeding with a hearing the Board is satisfied that it is necessary to do so for the purposes of any of the licensing objectives, it may make an order:-

- (a) revoking;
- (b) suspending for such period, not exceeding 6 months, as the Board considers appropriate, or
- (c) endorsing

the licence held by the personal licence holder.

- 2.4 The Chief Constable's report has been submitted having regard to the licensing objectives of preventing crime and disorder; and securing public safety.

3. Recommendation

- 3.1 The Board is required, having regard to the notification and the Chief Constable's report:-

- (a) to hold a hearing on the personal licence;
- (b) to decide whether to take any action with regard to the personal licence held by Maciej Zmijewski.

4. Background Papers

- 4.1 Letter from Police Scotland dated 14th October 2016

**Depute Clerk of the Licensing Board
19th October 2016**