

• EDINBURGH •

LICENSING BOARD

NOTICE OF MEETING

MONDAY 27th MARCH 2017

START TIME 9.30am

Council Chamber, City Chambers, Edinburgh

AGENDA

1. Minutes of meeting of 27th February 2017 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. Personal and Premises Licences – Notification – Nicholas Whewell
4. Premises Licences – Notification – Asda
5. Premises Licences – Notification – Martin McColl Limited
6. Premises Licence Review Application – 155-157 Restalrig Road (Restalrig Post Office)
7. Premises Licence Proposals – Unpaid Annual Fees – 2016/17
8. Gambling Act 2005 – Applications for Licensed Premises Gaming Machine Permits (More than 2 Category C/D Machines)
9. Public Sector Equality Duty – Update

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

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LICENSING BOARD

MINUTES OF MEETING

MONDAY 27th FEBRUARY 2017

ITEM No.

1

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

Apologies: none

Police Officer: Sergeant John Young

Council Officers present: Tom Veitch (Licensing Standards Manager); Ken Fairgrieve (LSO); Colin McCulloch (Building Standards)

Depute Clerk: Nick Fraser

1. Minutes of meeting of 30th January 2017 for approval

The minutes of the Board's meeting of 30th January 2017 together with the decision list for that meeting, were presented for approval.

Decision: Minutes and decision list 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 nineteen applications for variation of existing premises licences, six applications for new premises or provisional premises licences and three applications for personal licences, the decisions for which are as detailed in the list appended to these minutes.

Declarations of interest: none

Divisions (details of applications shown on attached decision list):

Variation application – Caledonian Heritable Ltd – 38 West Nicolson Street

Councillor Walker, seconded by Councillor Bridgman, moved grant of the application as sought, with the full capacity as requested by the applicant. Councillor Balfour, seconded by Councillor Booth, moved grant of the application, subject to a reduced capacity as recommended by the Council's Building Standards team.

Decision: Following a division, the application was granted as sought.

Premises licence application – Shell UK Oil Products Ltd – 143 Crewe Road

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

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Councillor Barrie, seconded by Councillor Bridgman, moved grant of the application, on the basis that the premises were not considered to be excluded premises in terms of section 123(5) of the 2005 Act. Councillor Booth, seconded by Councillor Redpath, moved refusal of the application on the basis that the premises were excluded premises in terms of section 123 of the 2005 Act.

Decision: Following a division, the application was granted.

Premises licence application – Shell UK Oil Products Ltd – 50 Dreghorn Link

Councillor Booth, seconded by Councillor Redpath, moved refusal of the application, on the basis that the premises were excluded premises in terms of section 123 of the 2005 Act. Councillor Barrie, seconded by Councillor Bridgman, moved grant of the application on the basis that the premises were not considered to be excluded premises in terms of section 123(5) of the 2005 Act.

Decision: Following a division, the application was granted.

Premises licence application – Shell UK Oil Products Ltd – 166 Glasgow Road

Councillor Booth, seconded by Councillor Redpath, moved refusal of the application, on the basis that the premises were excluded premises in terms of section 123 of the 2005 Act. Councillor Barrie, seconded by Councillor Work, moved grant of the application on the basis that the premises were not considered to be excluded premises in terms of section 123(5) of the 2005 Act.

Decision: Following a division, the application was granted.

NHS Lothian representations: None

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

3. Personal Licence – Notification – Lesley Gilmour

The Depute Clerk referred to a notification of a conviction for a relevant offence acquired by Ms Gilmour. After hearing from Ms Gilmour, the Board agreed that it was not necessary for the purposes of the licensing objectives to take action with her personal licence.

Decision: conviction details noted.

4. Personal and Premises Licences – Notification – Nicholas Whewell

The Depute Clerk referred to a notification of a conviction for a relevant offence acquired by Mr Whewell. He had asked for the matter to be continued so that he

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LICENSING BOARD

could attend the Board. The Board agreed to continue consideration of the notification to its next meeting.

Decision: continued to 27th March 2017

5. Premises Licence Review Proposal – 5a Union Street, Edinburgh (Sicilian Restaurant)

The Depute Clerk reported that the premises licence annual fees for 2015/16 and 2016/17 for 5a Union Street remained outstanding, in spite of attempts to obtain payment. The premises licence holder had departed from the premises, which were no longer being used by them for the sale of alcohol.

The Board agreed to make a review proposal on the basis of the unpaid fees, and agreed that it was necessary in the circumstances to revoke the premises licence.

Decision: premises licence revoked

Councillor Eric Milligan
Convener of the Licensing Board

LICENSING (SCOTLAND) ACT 2005
CONTINUED VARIATION OF PREMISES LICENCE APPLICATIONS

27 February 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	329568	Malt Shore Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	45 Shore, Edinburgh, EH6 6QU	No	No	Yes	Increase on sale hours, allow activities outwith core hours, increase capacity, amend rights of access for children and young persons , delete current condition on amplified music and replace with new condition agreed by Licensing Board and substitute new layout plan.	GRANTED Total capacity of premises – 120 Outdoor drinking to cease at 2100 Floating pontoon area to receive final Building Standard inspection before operation could commence

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2.	347730	Caledonian Heritable Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	38 West Nicolson Street, Edinburgh, EH8 9DD	No	No	Yes	To increase capacity, add bar meals, dance facilities, theatre and films as activities, allow activities outwith core hours, permit access to premises by children and young persons, provide that premises may operate as a Festival Venue during Edinburgh Festival and Fringe, change description of premises, delete current conditions on amplified music and replace with new condition agreed by licensing Board and substitute new layout plan	<p>GRANTED</p> <p>Total capacity of premises – 853</p> <p>Condition – amplified music and vocals – no audible nuisance</p> <p>Premises licence for Blind Poet premises to be surrendered</p> <p>(on a division)</p>
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LICENSING (SCOTLAND) ACT 2005
VARIATION OF PREMISES LICENCE APPLICATIONS

27 February 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	348812	The Edinburgh Beer Factory Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	32 Bankhead Drive, Edinburgh, EH11 4EQ	No	No	Yes	Increase capacity; Include Restaurant facilities as an activity; Include outside area to both front and rear of premises, within the licensed footprint; addition of room to visitors centre; change of address for registered office; Change of premises manager	GRANTED Outdoor drinking to cease at 2200
2.	347775	Real Foods Ltd	Real Foods Ltd 37 Broughton Street, Edinburgh, EH1 3JU	37 Broughton Street, Edinburgh, EH1 3JU	No	Yes	No	To add recorded music during opening hours and to appoint a new premises manager	GRANTED Condition – amplified music and vocals – no audible nuisance
3.	349427	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	159a-163a Bruntsfield Place, Edinburgh, EH10 4DG	Yes	No	No	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board, as an amendment to its Policy	GRANTED

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DECISION LIST

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4.	349439	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	7 Charlotte Lane, Edinburgh, EH2 4QZ	No	No	Yes	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	GRANTED
5.	349375	Indian Cavalry Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	22 Coates Crescent, Edinburgh, EH3 7AF	No	No	Yes	To delete the current condition on amplified music and vocals and replace it with the new condition, to amend on and off sale hours, to add live performances and outdoor drinking facilities as an activity and to substitute a new layout plan for the lower floor.	GRANTED Children, accompanied – 2300 (- 0100 if pre- booked private function) Young persons – 0100 Condition – amplified music and vocals – no audible nuisance
6.	349066	Whitbread Group Plc	John Gaunt & Partners Omega Court, 372-374 Cemetery Road, Sheffield, S11 8FT	33 East Market Street, Edinburgh, EH8 8FR	Yes	No	No	Increase on sale hours Premier Inn Hotel	GRANTED
7.	349301	Whitbread Group Plc	John Gaunt & Partners Omega Court, 372-374 Cemetery Road, Sheffield, S11 8FT	37 East Market Street, Edinburgh, EH8 8FR	Yes	No	No	Increase on sale hours Premier Inn Hotel	GRANTED

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8.	349435	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	55a Frederick Street, Edinburgh, EH2 1LH	No	No	Yes	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board, as an amendment to its Policy	GRANTED
9.	349437	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	51a George Street, Edinburgh, EH2 2HT	Yes	No	No	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board, as an amendment to its Policy	GRANTED
10.	349488	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	113-115 George Street, Edinburgh, EH2 4JR	No	No	Yes	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board, as an amendment to its Policy	GRANTED
11.	349455	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	125 George Street, Edinburgh, EH2 4JN (Tigerlily)	No	No	Yes	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Boar, as an amendment to its Policy	GRANTED

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12.	349486	Montpeliers (Edinburgh) Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	125 George Street, Edinburgh, EH2 4JN (Lulu)	Yes	No	No	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Boar, as an amendment to its Policy	GRANTED
13.	348810	Kaagobot Limited	Brunton Miller Herbert House, 22 Herbert Street, GLASGOW, G20 6NB	2 Lauriston Street, Edinburgh, EH3 9DJ	No	No	Yes	Amend music condition	CONTINUED, at request of Agent
14.	349858	ROBEFA LLP	ROBEFA LLP 30 North West Circus Place, Edinburgh, EH3 6TP	30 North West Circus Place, Edinburgh, EH3 6TP	No	No	Yes	To amend on sale hours from 20:00 to 22:00	GRANTED
15.	349588	Premium Dining Restaurants & Pubs Limited	Belhaven Pubs Atrium House, 6 Back Walk, Stirling, Stirlingshire, FK8 2QA	25 Pier Place, Edinburgh, EH6 4LP	No	No	Yes	To amend on and off sale hours, to add seasonal variations, to amend the layout plan and to amend the parts where children and young persons will be admitted	GRANTED No access by children and young persons after 0100 (during seasonal variations) Part of application amending Sunday commencement was withdrawn by Agent

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16.	349322	Mr Giovanni Crolla	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	15-16 Teviot Place, Edinburgh, EH1 2QZ	No	Yes	No	Add on sales from 11am to 1am daily, add seasonal variations, restaurant facilities, receptions, club or other group meetings, recorded music, live performances, outdoor drinking, takeaways, deliveries and outside catering as activities, allow activities outwith core hours, increase capacity, provide access for children and young persons, amend description of premises and substitute new layout plans.	Application WITHDRAWN by Agent
17.	349296	RD & AMP Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	8 Torphichen Place, Edinburgh, EH3 8DU	No	No	Yes	To increase on and off sale hours and amend access for children and young persons.	GRANTED Condition – amplified music and vocals – no audible nuisance

LICENSING (SCOTLAND) ACT 2005
PROVISIONAL PREMISES LICENCE APPLICATIONS

27 February 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	348937	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	143 Crewe Road South, Edinburgh, EH4 2NT	No	Yes	No	A convenience store located on petrol forecourt. The convenience store is designed to serve those locally and from further afield.	GRANTED Capacity – 28m (on a division)
2.	348954	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	50 Dreghorn Link, Edinburgh, EH13 9QR	No	Yes	No	A convenience store located on a petrol forecourt. The convenience store is designed to serve those locally and from further afield.	GRANTED Capacity – 24.6m (on a division)
3.	348945	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	166 Glasgow Road, Edinburgh, EH12 8LS	No	Yes	No	A convenience store located on a petrol forecourt. The convenience store is designed to serve those locally and from further afield.	GRANTED Capacity – 12.9m (on a division)

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4.	349067		Veeno Edinburgh Limited 10th Floor, 3 Hardman Street, Manchester, M3 3HF	2 Lister Square, Edinburgh, EH3 9GL	No	No	Yes	The business is an Italian Cafe providing Italian products, including food, wines, soft drinks and alcoholic drinks to be consumed on the premises(mainly) or to be sold take-away (e.g. gift boxes with Italian Liquors, Christmas Hampers with wine bottles etc.. The premises will have around 50 covers on two levels for food and drinks consumption and there will also be an outside area of approx 10 covers.	GRANTED Outdoor drinking to cease at 2200 Capacity – 50
5.	349299	Mr Konstantinos Tzanetos	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	202 Morrison Street, Edinburgh, EH3 8EA	No	No	Yes	Small restaurant with takeaway facility located on the ground floor of a tenement property on Morrison Street, Edinburgh	GRANTED Outdoor drinking to cease at 2200 Condition – amplified music and vocals – no audible nuisance Capacity - 15
6.	347550	Caledonian Heritable Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3-5 St Mary's Street, Edinburgh, EH1 1TA	Yes	No	No	Traditional Public House located on the ground floor of premises in St Mary's Street, Edinburgh	CONTINUED – SITE VISIT

LICENSING (SCOTLAND) ACT 2005
PERSONAL LICENCE APPLICATIONS

27 February 2017

No	Reference	Applicant	Agent Details	Decision
1.	346159	Nijinsky Jack McHardy Reid		CONTINUED – FINAL CALLING
2.	350512	Susan Margaret Charlton		CONTINUED
3.	350455	William Sim		GRANTED

ITEM No.

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THE CITY OF EDINBURGH LICENSING BOARD

**APPLICATIONS FOR VARIATION OF EXISTING
PREMISES LICENCES, NEW & PROVISIONAL
PREMISES LICENCES AND PERSONAL LICENCES**

27 March 2017

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS – GAMING MACHINE PERMIT FOR MORE THAT 2 MACHINES

27 MARCH 2017

No	Reference	Applicant	Agent Details	Premises	Children's access	No of machines	Decision
1.	352879	Barshelf 2 Ltd	Fair City Amusements, 4a Jeanfield Road, Perth PH1 1PH	McCowans Brew House, 134 Dundee Street, Edinburgh, EH11 1AF	All public parts.	4 (Currently 3 machines operating in premises) No Representations	

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

(27 March 2017)

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	348810	Kaagobot Limited	Brunton Miller Herbert House, 22 Herbert Street, GLASGOW, G20 6NB	2 Lauriston Street, Edinburgh, EH3 9DJ	No	No	Yes	Amend music condition CC LSO O	

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

27 March 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	346685	Kast Scotland Limited	Kast Scotland Limited Flat 1, 137 Restalrig Road, Edinburgh, EH7 6HN	216-218 Easter Road, EH7 5QH	No	No	Yes	15 March 2017	To delete the current condition on amplified music and vocals and to replace it with the new condition CC LSO	
2.	351373	Civerinos Edinburgh Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	49 Forrest Road, Edinburgh, EH1 2QP	No	Yes	No	15 March 2017	To add on sale hours, to increase off sale hours, to add seasonal variations, to add restaurant facilities, receptions and club meetings as activities, to provide that certain activities may take place during periods of Extended Hours or Seasonal Variations, to provide access for children and young persons, to substitute a new layout plan and to change the description of the premises. CC BSR	

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

27 March 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	351352	Merefern Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	9a George Iv Bridge, Edinburgh, EH1 1EE	No	No	Yes	15 March 2017	To replace current layout plans with new layout plans showing the full licensed area, including the toilets, ventilation and plant room CC BSR	
4.	351013	The Restaurant Group UK Limited	Pinsent Masons 141 Bothwell Street, GLASGOW, G2 7EQ	1f, 235 High Street, Edinburgh, EH1 1PE	Yes	No	No	15 March 2017	Increase capacity, allow activities outwith core hours and submit new layout plan. CC BSR	

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

27 March 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	351383	Heriot's Cricket Club	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	109 Inverleith Row, Edinburgh, EH3 5QL	Yes	No	Yes	15 March 2017	To increase on sale hours and add off sales, include balcony as part of licensed area, add Indoor/Outdoor Sports as an activity, amend details on Children and Young Persons access to premises, amend details to seasonal variations, submit new layout plan and 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 LSO BSR	

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

27 March 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
6.	351433	Mellis Cheese Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	330 Morningside Road, Edinburgh, EH10 4QJ	No	Yes	No	15 March 2017	To delete the current condition on amplified music and vocals and to replace it with the new condition, to add on sale hours, to add seasonal variations, to add restaurant facilities and receptions as activities, to provide access for children and young persons, to provide on sale capacity for on sale of 20, to increase the alcohol display area, to replace the layout plan, to change the description of the premises and to amend the premises manager. CC LSO BSR O	
7.	351355	Grangeview Limited	TLT Hobart House, 80 Hanover Street, Edinburgh, EH2 1EL	192-194 Morrison Street, Edinburgh, EH3 8EB	No	No	Yes	15 March 2017	Increase on and off sale hours, add gaming as an activity and allow activities outwith core hours. CC LSO	

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

27 March 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
8.	350087	Lidl UK Gmbh	Harper Macleod LLP 15 Cordon Street, Glasgow, G1 3PE	100 Niddrie Mains Road, Edinburgh, EH16 4DT	No	Yes	No	15 March 2017	Increase Capacity CC BSR	
9.	351088	Pizza Hut (UK) Limited	Brodies LLP 15 Atholl Crescent, Edinburgh, EH3 8HA	46 North Bridge, Edinburgh, EH1 1QN	Yes	No	No	15 March 2017	To include outdoor drinking facilities and to include seating area;reconfiguration of seating; general refurbishment of premises CC LSO	
10.	351417	Partnership Of Antonietta And Alberto Pia	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	36-38 North Junction Street, Edinburgh, EH6 6HP	No	Yes	No	15 March 2017	To increase hours, add deliveries, tv sport and recorded music as activities and allow activities outwith core hours CC LSO BSR	

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

27 March 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
11.	349070	Edinburgh SNP Club	Edinburgh SNP Club 1f1, 16 North St Andrew Street, Edinburgh, EH2 1HJ	1f1, 16 North St Andrew Street, Edinburgh, EH2 1HJ	Yes	No	No	15 March 2017	Increase on sale hours and amend details of children and young persons access to premises, add conference facilities, live performances and films as activities and allow activities outwith core hours. CC LSO	

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

27 March 2017

09:30

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	347550	Caledonian Heritable Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3-5 St Mary's Street, Edinburgh, EH1 1TA	Yes	No	No	Traditional Public House located on the ground floor of premises in St Mary's Street, Edinburgh CC LSO BSR	

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

27 MARCH 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	351349	Whisky Trail Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	229 Canongate, Edinburgh, EH8 8BJ	No	Yes	No	15 March 2017	Ground floor retail located on Canongate, Edinburgh CC LSO BSR	

PERSONAL LICENCE REVIEW AND PREMISES LICENCE REVIEW – NICHOLAS
WHEWELL

1. Purpose

- 1.1 To advise the Board of the requirement to hold a hearing for the review of Nicholas Whewell's personal licence, and to consider whether it is necessary to hold a hearing on the premises licence held by him, following notification of his conviction for a relevant offence.

2. Main Report

- 2.1. Nicholas Whewell holds a Personal Licence issued by the Edinburgh Licensing Board. He also holds a premises licence for the premises at 114 West Granton Road, Edinburgh. Where a personal licence holder acquires a conviction for a relevant offence they are required to provide the Licensing Board with notification to that effect. Notice is then sent to the Chief Constable in order for him to provide a notice either confirming the conviction details or otherwise. Where the Board receives such a notice, it must hold a hearing.
- 2.2. There is a similar requirement placed upon a premises licence holder, and if the Board receives confirmation of details of a relevant conviction acquired by a premises licence holder from the Chief Constable, it must make a review proposal.
- 2.3. Police Scotland sent in a notification confirming the details of Mr Whewell's conviction for a relevant offence. The notice specifically refers to his personal licence. At almost the same time as the police notification was received, two letters from Mr Whewell's agent, notifying the Board of the conviction details were received. All of the letters will be provided to the Board for consideration.
- 2.4. If, after proceeding with a personal licence 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
- a licence held by the personal licence holder.
- 2.5 With regard to a premises licence, when the Board makes a review proposal, it should then proceed with a hearing on the premises licence and decide whether it is necessary for the licensing objectives to take any action on the premises licence, including:-
- (a) revocation
 - (b) suspension
 - (c) varying the licence
 - (d) issuing the licence holder with a written warning

PERSONAL LICENCE REVIEW AND PREMISES LICENCE REVIEW – NICHOLAS WHEWELL

The Board may wish to consider whether to proceed with a hearing on the day, or continue the hearing on the premises licence to a later date.

- 2.6 Mr Whewell was invited to attend the Board meeting on 27th February 2017, but was unable to be present. The Board agreed to continue consideration of matters to its meeting of 27th March 2017.

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;
- (c) to make a review proposal for Mr Whewell's premises licence;
- (d) to decide whether to proceed with a hearing and thereafter to take any action with regard to the premises licence.

4. Background Papers

- 4.1 Letter from Police Scotland dated 11th January 2017
- 4.2 Letters (two) from Macdonald Licensing dated 10th and 11th January 2017.

Depute Clerk of the Licensing Board

~~PREMISES LICENCE REVIEW PROPOSAL – NOTIFICATION OF CONVICTION~~
FOR RELEVANT OFFENCE – ASDA STORES LIMITED

1. Purpose

- 1.1 To advise the Board of a requirement to make a premises licence review proposal, on the basis as narrated in the report.

2. Main Report

- 2.1. In terms of section 43 of the Licensing (Scotland) Act 2005, a premises licence holder has a duty to inform the Licensing Board of any convictions for relevant offences acquired by them. The 2005 Act provides a definition of what is considered to be a "relevant offence". The Board is required to give notice to the Chief Constable, who in turn must provide a notice either confirming the conviction details or otherwise. In doing so, the Chief Constable may make a recommendation with regard to the premises licence holder's licence(s).
- 2.2. Where the Board receives a notice from the Chief Constable confirming the conviction details, Section 37 of the Act requires that the Licensing Board must make a proposal for review of the relevant premises licence. As well as the details of the Chief Constable's notice, the Board may consider the following grounds:-
- (a) that one or more of the conditions to which the premises licence is subject have been breached, or
 - (b) any other ground relevant to one or more of the licensing objectives, namely:-
 - i. preventing crime and disorder,
 - ii. securing public safety,
 - iii. preventing public nuisance,
 - iv. protecting and improving public health, and
 - v. protecting children and young persons from harm.
- 2.3. If, following a hearing, the Board is satisfied that a ground for review is established, the Board may take any of the following steps:-
- (a) issue a written warning to the licence holder
 - (b) make a variation of the licence
 - (c) suspend the licence for such period as the Board may determine
 - (d) revoke the licence
- 2.4. The review proposal relates to a number of premises licences granted by the Board. The holder of those premises licences is Asda Stores Limited. Their agents intimated details of convictions for relevant offences. Details of the affected premises are listed in the letter, a copy of which was sent to the Chief Constable and a copy of his notice in response will be circulated to members.
- 2.5. The Board has developed a practice of initially dealing with review proposals of this nature by means of considering written submissions. In the event that the Board considers it necessary to do so, the licence

PREMISES LICENCE REVIEW PROPOSAL – NOTIFICATION OF CONVICTION
FOR RELEVANT OFFENCE – ASDA STORES LIMITED

holder and their agent can be invited to attend a future meeting of the Board if members considered verbal representations were necessary.

3. Recommendation

3.1 The Board is asked:-

(a) to note the details of the notification made by the licence holder, and the representation from Police Scotland; and

(b) to consider whether it is necessary or appropriate for the purposes of any of the licensing objectives to take any further action.

4. Background Papers

4.1 Copy letter from Gosschalks Solicitors dated 28th November 2016

4.2 Copy letter from Police Scotland dated 17th March 2017

Depute Clerk of the Licensing Board

~~PREMISES LICENCE REVIEW PROPOSAL – NOTIFICATION OF CONVICTION~~
FOR RELEVANT OFFENCE – MARTIN MCCOLL LIMITED

1. Purpose

- 1.1 To advise the Board of a requirement to make a premises licence review proposal, on the basis as narrated in the report.

2. Main Report

- 2.1. In terms of section 43 of the Licensing (Scotland) Act 2005, a premises licence holder has a duty to inform the Licensing Board of any convictions for relevant offences acquired by them. The 2005 Act provides a definition of what is considered to be a "relevant offence". The Board is required to give notice to the Chief Constable, who in turn must provide a notice either confirming the conviction details or otherwise. In doing so, the Chief Constable may make a recommendation with regard to the premises licence holder's licence(s).
- 2.2. Where the Board receives a notice from the Chief Constable confirming the conviction details, Section 37 of the Act requires that the Licensing Board must make a proposal for review of the relevant premises licence. As well as the details of the Chief Constable's notice, the Board may consider the following grounds:-
- (a) that one or more of the conditions to which the premises licence is subject have been breached, or
 - (b) any other ground relevant to one or more of the licensing objectives, namely:-
 - i. preventing crime and disorder,
 - ii. securing public safety,
 - iii. preventing public nuisance,
 - iv. protecting and improving public health, and
 - v. protecting children and young persons from harm.
- 2.3. If, following a hearing, the Board is satisfied that a ground for review is established, the Board may take any of the following steps:-
- (a) issue a written warning to the licence holder
 - (b) make a variation of the licence
 - (c) suspend the licence for such period as the Board may determine
 - (d) revoke the licence
- 2.4. The review proposal relates to a number of premises licences granted by the Board. The holder of those premises licences is Martin McColl Limited. Their agents intimated details of convictions for relevant offences. Details of the affected premises are listed in the letter, a copy of which was sent to the Chief Constable and a copy of his notice in response will be circulated to members.
- 2.5. The Board has developed a practice of initially dealing with review proposals of this nature by means of considering written submissions. In the event that the Board considers it necessary to do so, the licence

PREMISES LICENCE REVIEW PROPOSAL – NOTIFICATION OF CONVICTION
FOR RELEVANT OFFENCE – MARTIN MCCOLL LIMITED

holder and their agent can be invited to attend a future meeting of the Board if members considered verbal representations were necessary.

3. Recommendation

3.1 The Board is asked:-

(a) to note the details of the notification made by the licence holder, and the representation from Police Scotland; and

(b) to consider whether it is necessary or appropriate for the purposes of any of the licensing objectives to take any further action.

4. Background Papers

4.1 Copy letter from Lockett & Co Solicitors dated 5th January 2017

4.2 Copy letter from Police Scotland dated 17th March 2017

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW APPLICATION – RESTALRIG POST OFFICE, 155-157 RESTALRIG ROAD, EDINBURGH

1. Purpose

- 1.1 To ask the Board to consider the terms of a premises licence review application for the premises at 155-157 Restalrig Road, Edinburgh and whether it disclosed matters relevant to the grounds for a review of the premises licence.
- 1.2 In the event that the Board considers relevant matters have been disclosed, to decide when to hold a hearing on the review application.

2. Main Report

- 2.1. Any person may apply to the Board, in respect of any licensed premises in the Board's area, for a review of the premises licence. The possible grounds for review are:-
 - (a) that one or more of the licensing conditions has been breached or
 - (b) any other ground relevant to the licensing objectives, namely:-
 - preventing crime and disorder,
 - securing public safety,
 - preventing public nuisance,
 - protecting and improving public health, and
 - protecting children from harm.
- 2.2. The Board may reject a premises licence review application if it is considered:-
 - (a) to be vexatious or frivolous; or
 - (b) does not disclose any matter relevant to any ground for review.
- 2.3. The Board must first be satisfied that grounds for review have been stated upon which it can proceed with a hearing on the application. The Board may obtain such further information as it requires in order to establish whether or not to proceed with a hearing on the review application.
- 2.4. An application has been submitted for the review of the premises licence for the premises at 155-157 Restalrig Road, Edinburgh by the Immigration Team at the Home Office. The premises are the Restalrig Post Office. The premises licence holder is Zahid Iqbal. The review application has been submitted on the basis of the licensing objectives of Preventing Crime and Disorder and Securing Public Safety.
- 2.5. Before deciding whether to proceed with a review hearing, the Board will have to consider whether the application is vexatious or frivolous, and whether it sets out matters which are relevant to the grounds for review of the premises licence. In the event that the Board agrees the application should proceed to a hearing, consideration should then be given to when to hold the hearing. The agent for the licence holder has provided a letter in response to the terms of the review application, and has asked that the Board have sight of it.

PREMISES LICENCE REVIEW APPLICATION – RESTALRIG POST OFFICE, 155-157 RESTALRIG ROAD, EDINBURGH

2.6. If the Board is satisfied that it is necessary or appropriate for the purposes of any of the licensing objectives the Board can, at the conclusion of the hearing, take any of the following steps:-

- (a) issue a written warning to the licence holder;
- (b) make a variation of the licence;
- (c) suspend the licence for such period as the Board may determine;
- (d) revoke the licence.

2.7. If in the course of a hearing the Board makes a finding that any personal licence holder who is or was working in the premises has acted in a manner which is considered to be inconsistent with any one or more of the licensing objectives, the Board must hold a hearing on the personal licence.

3. Recommendation

3.1 The Board is required:-

- (a) to decide whether or not the application for review of the premises licence is vexatious or frivolous and whether it sets out matters relevant to the grounds for review; and
- (b) if the Board agrees that it necessary to do so, to decide when a review hearing will be held.

4. Background Papers

- 4.1 Application for review of premises licence, dated 2nd March 2017
- 4.2 Letter from Macdonald Licensing dated 3rd November 2014

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW – UNPAID ANNUAL FEES – 2016/17

1. Purpose

- 1.1 To advise the Board of details of premises where annual fees for the period 2016/17 are outstanding.
- 1.2 To ask the Board to agree in each case that grounds for review are established and, on that basis, to schedule review hearings for the various premises.

2. Main Report

- 2.1. Premises licence holders are required to make payment of annual fees on or around 1st October every year, in terms of the Licensing (Fees) (Scotland) Regulations 2007. The fees are paid in advance of the following year.
- 2.2. Non-payment of fees constitutes a breach of the mandatory conditions of licence, which in turn constitutes a ground for review of a premises licence. Details of premises where fees remain outstanding for the period 2016/17, having become due from 3rd October 2016, are set out in the appendix attached to this report. Premises licence holders have been written to on a number of occasions, to advise them of the requirement for outstanding fees to be paid.
- 2.3. In addition, the Council's LSOs have visited premises, issuing Compliance Notices requiring compliance with the mandatory conditions of licence, i.e. payment of the fees.
- 2.4. On the basis that the fees remain outstanding for the various premises listed, being grounds for review of premises licences, the Board is asked to make review proposals in each case. It is proposed that the various licence holders would be written to, advising that review hearings would be held at the Board meeting in April.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) to note the details of the premises where annual fees remain outstanding and on the basis that grounds for review of the premises licences have been set out to make review proposals in each case; and
 - (b) to agree to schedule hearings in respect of the premises licences.

PREMISES LICENCE REVIEW – UNPAID ANNUAL FEES – 2016/17

4. Background Papers

- 4.1 List of premises with details of outstanding annual licence fees.

Depute Clerk of the Licensing Board

lic_ref	Premises Address	Area	Postcode	Fee Due	LHO Name
253348	1 Antigua Street	Edinburgh	EH1 3NH	500	Preziosa Chiara (Pearl) Crolla Or Ferri
327979	1 Liston Place	Kirkliston	EH29 9BU	220	Mr Selvanayagam Jeyaseelan
253898	10 Alexander Drive	Edinburgh	EH11 2RH	180	Gorgie Mills Bowling Club
250925	10 Halmyre Street	Edinburgh	EH6 8PZ	220	Mr Mohammed Aslam
334824	104 Hanover Street	Edinburgh	EH2 1DR	500	Broughton Properties Limited
252194	109-111 St John's Road	Edinburgh	EH12 6NN	280	Mr Muhammad Amjad Akram
253343	113 Hanover Street	Edinburgh	EH2 1DJ	500	TCG Bars Li Regus House
334275	116 Lothian Road	Edinburgh	EH3 9BE	500	Mr Kenneth Waugh
253074	118 Biggar Road	Edinburgh	EH10 7DU	700	Thistle Pub C/o Saffery Champness
252503	11a-15a William Street	Edinburgh	EH3 7NG	280	Tourist Services (Edinburgh)Limited
254120	125 Dalry Road	Edinburgh	EH11 2DR	220	Murat Aksakalli
337022	126 Nicolson Street	Edinburgh	EH8 9EH	280	Ms Christine Longstaff
252509	1-3 Scotstoun Grove	South Queens	EH30 9PH	220	P. A. Dryburgh and A. Aslam Trading as (Bridges Pool Hall)
253660	132 Gorgie Road	Edinburgh	EH11 2NS	220	Chaudhery Flat 14
254106	139 Bruntsfield Place	Edinburgh	EH10 4EB	220	Gourmet Kitchens (Edinburgh) Ltd
287692	14-16 North West Circus Place	Edinburgh	EH3 6SX	500	Mr Michael Gordon
259171	15 New Mart Road	Edinburgh	EH14 1RL	900	Nuffield He Epsom Gateway
256292	159a-163a Bruntsfield Place	Edinburgh	EH10 4DG	700	Montpeliers (Edinburgh) Limited
306453	16-18 Minto Street	Edinburgh	EH9 1RQ	500	Connect Bars Ltd
308721	169 Glasgow Road	Edinburgh	EH12 9BG	900	The Royal Bank Of Scotland
251845	17 Dalry Road	Edinburgh	EH11 2BQ	280	Foysof Choudhury
252716	17 Portland Place	Edinburgh	EH6 6LA	220	Earl Antoni Havelock House
250030 Unit 3	17f South Gyle Crescent	Edinburgh	EH12 9EB	280	Mr Gupta Nitin
253380	18-24 Deanhaugh Street	Edinburgh	EH4 1LY	280	Mr Jing Shen
272379	192a Rose Street	Edinburgh	EH2 4AZ	280	Unicorn Tr: Flat 33
250910	199-201 Leith Walk	Edinburgh	EH6 8NX	280	Stockstride 4th Floor
250428	2 Bonaly Avenue	Edinburgh	EH13 0ET	220	Mr Khurram Haroon Khan
250308	2 Bridge Road	Edinburgh	EH13 0LF	500	Mr Michael John Fraser
253976	2 Liberton Gardens	Edinburgh	EH16 6JR	220	Mr Shaïd Nademm
271962 Gf	200 Mayfield Road	Edinburgh	EH9 3BE	500	Mr Leonard C/O Braidburn Inn
258936	201 Gogar Station Road	Edinburgh	EH12 9SB	500	The Royal Bank of Scotland
252290	20a Inverleith Row	Edinburgh	EH3 5LR	900	Sodexo Limited

312982 Bf	21 Clerk Street	Edinburgh	EH8 9JH	220	Greenman Catering Limited
250052	21 George Iv Bridge	Edinburgh	EH1 1EN	280	Gonzalo Serrat
305759	21 Old Fishmarket Close	Edinburgh	EH1 1RW	280	Rutland Management Resource Limited
276651	22 Brougham Place	Edinburgh	EH3 9JU	280	Mrs Yun Cl 2f
252842	229 Morningside Road	Edinburgh	EH10 4QT	220	Mr Stuart Ian Dinning
319194	230-232 Gorgie Road	Edinburgh	EH11 2PN	280	MLCG Limited
335194 Flat 1	235 Cowgate	Edinburgh	EH1 1JN	180	MORO Leis Flat 4
335963	235 Gogar Station Road	Edinburgh	EH12 9SB	180	The Royal Bank Of Scotland
252773	237 Cowgate	Edinburgh	EH1 1JQ	280	MORO Leis Flat 4
253201	239 Gogar Station Road	Edinburgh	EH12 9SB	180	The Royal Bank of Scotland
272528	24-26 Calton Road	Edinburgh	EH8 8DP	500	MGD (Edin Curriehill Crossing
308613	26 Howe Street	Edinburgh	EH3 6TG	280	Black Stag ' 1f1
333316	27 Lanark Road	Edinburgh	EH14 1TG	500	Lanark We: Suite 1 Beaverhall House
252456	28 Clerk Street	Edinburgh	EH8 9HX	220	Ms Su Woa Flat 3
272456	28 Granton Road	Edinburgh	EH5 3QS	220	Partnership Of Rossano And Antonella Marcantonio
322968	29-31 William Street	Edinburgh	EH3 7NG	280	The Voyage Caledonia House
315910	3 Hunter Square	Edinburgh	EH1 1QW	500	Hunter Square Lease Ltd
252698	3 Southhouse Broadway	Edinburgh	EH17 8DR	280	Mrs Surria Flat 1
254109	30 Canonmills	Edinburgh	EH3 5LH	280	Mako Property Limited
252097	30 Cramond Glebe Road	Edinburgh	EH4 6NU	500	Mr Thomas Suite 240
299195	30-32 Bridge Road	Edinburgh	EH13 0LQ	280	Partnership of Anupam Mathur & Sabkit Mathur
253088	31 Prestonfield Avenue	Edinburgh	EH16 5EG	220	Nasem Iqbal & Mohammed Ibrahim Trading A Store
250403	318 Portobello High Street	Edinburgh	EH15 2DA	220	Mr Abdul Jabbar
252686	32 Victoria Street	Edinburgh	EH1 2JW	220	Demijohn Limited
250106	340 Gorgie Road	Edinburgh	EH11 2QU	220	Wojciech B Flat 12
252378	35-36 St Andrew Square	Edinburgh	EH2 2AD	900	Royal Bank of Scotland
251843	367 Broomhouse Road	Edinburgh	EH11 3TA	220	Mr Tahir Javaid
323179	36c Warriston Gardens	Edinburgh	EH3 5NE	180	Carlton Bridge Club
253268 Bf1	37-39 Frederick Street	Edinburgh	EH2 1EP	500	Eteaket Ltd The Meridian
262092	38 Mayfield Gardens	Edinburgh	EH9 2BY	220	Delhi Diner Kitchen Limited
252820	4 Newhalls Road	South Queens	EH30 9TA	700	Ms Pamela Emiline Anderson
314962	42-44 Howe Street	Edinburgh	EH3 6TH	220	Ms Sari Alb Flat 2
323075	43 Assembly Street	Edinburgh	EH6 7BQ	220	Khubla Khans Limited

306458	44 Biggar Road	Edinburgh	EH10 7BJ	180	Apres Rest: Bilston
250874	44 Ratcliffe Terrace	Edinburgh	EH9 1ST	280	Mr Peter Kwok
254020	4-5 Bruntsfield Place	Edinburgh	EH10 4HN	280	Leith Portfolio Ltd
284032	47-52 Princes Street	Edinburgh	EH2 2DF	900	House of Fi Granite House
253364	49 Lothian Road	Edinburgh	EH1 2DJ	500	Mr Zahid Iqbal
286001	5 Hunter Square	Edinburgh	EH1 1QW	280	Civerinos E Flat 9
251787	51 Restalrig Road	Edinburgh	EH6 8BE	220	Mr Nisar Al 1f2
251854	53 Ferry Road	Edinburgh	EH6 4AF	220	Mr Europe Singh
312169	53 Muirhouse Gardens	Edinburgh	EH4 4TD	220	Mr Urfan Hussain
252643	542 Gorgie Road	Edinburgh	EH11 3AL	220	Mr Muharr 1f3
252253	57 George Iv Bridge	Edinburgh	EH1 1EW	900	TheTrustee The Royal Scots Club
280234 Bf1	5a Union Street	Edinburgh	EH1 3LT	280	The Sicilian Restaurant Limited
312257	6 New Market Road	Edinburgh	EH14 1RJ	500	China Red 1 2f3
305972	6 Shandwick Place	Edinburgh	EH2 4RN	500	Barburitto
334701	604 Lanark Road	Juniper Green	EH14 5EN	280	GBL Hospitality Limited
251433	6-8 Morningside Drive	Edinburgh	EH10 5LY	280	Mr Stephen Harper
252457	68-70 Walter Scott Avenue	Edinburgh	EH16 5RL	220	Mr Faqir M Flat 1
252730	Usher Hall 69 Lothian Road	Edinburgh	EH1 2EA	180	The City Of Waverley Court
269268	69-71 Bread Street	Edinburgh	EH3 9AH	280	Mr Paola Crolla
289648	6b Biggar Road	Edinburgh	EH10 7BQ	280	Mr Mohammed Kashif Imran
292371	7 North Bridge Arcade	Edinburgh	EH1 1QL	280	Intu Leatherwear Limited
250223	70-72 Rose Street North Lane	Edinburgh	EH2 3DX	280	DFT (Scotland) Limited
252201	7-8 Baxter's Place	Edinburgh	EH1 3AF	180	Mr Ian Bell
287697	Newliston 78-82 Main Street	Kirkliston	EH29 9AB	280	Partnership of Sarah and David Gray
252770	7a Frederick Street	Edinburgh	EH2 2EY	700	Hotel Chocolat
331249	7a Inverleith Row	Edinburgh	EH3 5LP	180	Sodexo Limited
252830	8 St Mary's Street	Edinburgh	EH1 1SU	280	Mr Osman Flat 6
287374	83 Hanover Street	Edinburgh	EH2 1EE	280	La Lanterna Restorante Limited
332055	87 Hanover Street	Edinburgh	EH2 1EE	280	Damas Edinburgh Limited
309274	9 Shandwick Place	Edinburgh	EH2 4RG	500	Cairnsouth Limited
250978	90 Hanover Street	Edinburgh	EH2 1EL	500	The Partnership of Isabelle Hamilton and Angelo Pontone
318768	9a Antigua Street	Edinburgh	EH1 3NH	280	Ms Gunes Kamber
252444	9a West Maitland Street	Edinburgh	EH12 5DS	280	Mr Pierre Pelletier

250181	West Prin Princes Street	Edinburgh	EH2 2EG	180	Scotts Catering of Edinburgh Limited
263649	20-24 Grosvenor Street	Edinburgh	EH12 5EG	700	Hilton UK 1 Maple Court, Central Park
253371	25-26 Elm Row	Edinburgh	EH7 4AH	220	Mr Hadayat Ullah
327073	53 Tower Street	Edinburgh	EH6 7BN	220	Wine Dine Relax Limited
304484	87a Giles Street	Edinburgh	EH6 6BZ	280	The Scottish Malt Whisky Society Limited
316988	88 Haymarket Terrace	Edinburgh	EH12 5LQ	280	Aroma Edir Flat 5
321061	137 George Street	Edinburgh	EH2 4JY	500	Gourmet B Suite C
263304	7-9 Rothesay Place	Edinburgh	EH21 7EX	500	The Cheste Blenheim House

APPLICATION FOR LICENSED PREMISES GAMING MACHINE PERMIT (FOR MORE THAN 2 CATEGORY C OR D MACHINES)

In its Statement of Licensing Principles, the Board has indicated that it will decide applications on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect an applicant to satisfy the Board that there will be sufficient measures to ensure that under-18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Board that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be helpful. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets or helpline numbers for organisations such as GamCare.

- 2.6. Any gaming machine permit granted by the Licensing Board requires the holders to comply with the Code of Practice for gaming machine permits, laid down by the Gambling Commission. It is not open to the Board to attach conditions to gaming machine permits.
- 2.7. The details of what has been applied for are set out in the attached appendix to this report.

3. Recommendation

- 3.1 The Board is requested to consider and determine the application received.

4. Background Papers

- 4.1 Gambling Commission – Guidance to Licensing Authorities 5th Edition – September 2015 (available on Gambling Commission website or in Licensing offices)
- 4.2 City of Edinburgh Licensing Board – Gambling Statement of Principles adopted 14th December 2015

Depute Clerk of the Licensing Board