

• EDINBURGH •

LICENSING BOARD

NOTICE OF MEETING

MONDAY 26th JUNE 2017

START TIME 9.30am

Council Chamber, City Chambers, Edinburgh

AGENDA

1. Appointment of Convener
2. Licensing Board Rules and Meeting Dates – 2017/18
3. Minutes of meeting of 24th April 2017
4. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list
5. Section 43 Notification – Asda Stores Limited
6. Section 82 Notification – Elizabeth Smith
7. Requirement to Publish Annual Financial Report

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

Councillor Lezley Cameron
Councillor Mary Campbell
Councillor Nick Cook
Councillor Cammy Day

Councillor Cathy Fullerton
Councillor Gillian Gloyer
Councillor David Key
Councillor Callum Laidlaw
Councillor 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/licensing_board

REPORT – RULES AND SCHEDULE OF MEETINGS – 2017/18

ITEM No.

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1. Purpose

- 1.1 To ask the Board to note the terms of its existing Rules for Board meetings and draft schedule of meeting dates for 2017/18 as listed in the appendix to this report;
- 1.2 To ask the newly-established Board whether it wishes to adhere to the attached arrangements;
- 1.3 In the event that the Board considers any changes are required, to seek agreement on their terms with a view to reporting back to the Board at a later date.

2. Main Report

- 2.1. The 2005 Act allows the Board to make, and publish, rules for its meetings. Paragraph 12, schedule 1 deals specifically with proceedings at Board meetings.
- 2.2. To date the Edinburgh Licensing Board has agreed rules for its meetings, setting the frequency of meetings (monthly) and generally on the last Monday in each month other than during holiday months, particularly July and December.
- 2.3. To ensure a co-ordination between meeting dates scheduled for the Licensing Board and the City of Edinburgh Council and its committees, dates of meetings are agreed annually, several months in advance. A schedule of meetings date for the 2017/18 period was presented to the Board in January 2017.
- 2.4. It was agreed that as the Board required to be reconstituted following the local authority elections in May 2017, a further report would be provided after that date in order that the new Board could consider the proposed arrangements, and decide whether any amendments to those arrangements may be necessary.
- 2.5. As this is the first opportunity for the new Board to consider this matter, it is suggested that if amendments to existing arrangements are sought, a further report can be provided to the Board at a future meeting.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) To ask the Board to note the terms of its existing Rules for Board meetings and draft schedule of meeting dates for 2017/18 as listed in the appendix to this report;
 - (b) To ask the newly-established Board whether it wishes to adhere to the attached arrangements;

REPORT – RULES AND SCHEDULE OF MEETINGS – 2017/18

(c) In the event that the Board considers any changes are required, to seek agreement on their terms with a view to reporting back to the Board at a later date.

4. Background

4.1 Licensing (Scotland) Act 2005 Schedule 1, Paragraph 12

4.2 City of Edinburgh Licensing Board - Rules for Meetings

Depute Clerk of the Licensing Board

REPORT – RULES AND SCHEDULE OF MEETINGS – 2017/18

CITY OF EDINBURGH LICENSING BOARD

RULES 2017/18

1. The Board will meet during 2017/18 on the last Monday of every month except in March, June and December. The dates for the meetings up to and including July 2017 were previously agreed (*italics below*). Meetings will commence at 9.30am
2. These Rules will take effect on 30th January 2017 and will continue in force until revoked.

Meeting dates 2017	Meeting dates 2018
<i>30 January 2017</i>	29 January 2018
<i>27 February 2017</i>	26 February 2018
<i>27 March 2017</i>	26 March 2018
<i>24 April 2017</i>	30 April 2018
<i>No meeting in May – local government elections</i>	28 May 2018
<i>26 June 2017</i>	25 June 2018
<i>31 July 2017</i>	
28 August 2017	
25 September 2017	
30 October 2017	
4 December 2017	

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LICENSING BOARD

MINUTES OF MEETING

MONDAY 24th APRIL 2017

ITEM No.

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Members present: Councillors Eric Milligan (Convener); Jeremy Balfour; Gavin Barrie; Chas Booth; Mike Bridgman; Nick Cook; 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); Muir Somerville (Building Standards Team Manager); Colin McCulloch (Building Standards)

Depute Clerk: Nick Fraser (Morag Leck for Item 7)

1. Minutes of meeting of 27th March 2017 for approval

The minutes of the Board's meeting of 27th March 2017 together with the decision list for that meeting, were presented for approval.

Decision: Minutes and decision list approved

2. Extended Hours – Seasonal Variations – Festival 2017

The Depute Clerk reported to the Board that in terms of its Statement of Licensing Policy, the Board would have to designate the period during which premises licences which included seasonal variations in their operating plans would be able to benefit from additional on-sales trading hours during the 2017 Festival period.

Decision: The Board agreed that the Festival Extended Hours period would operate between 4th and 28th August 2017 inclusive.

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 eighteen applications for variation of existing premises licences, four 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: none

NHS Lothian representations: none

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

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

4. Premises Licence Review Hearing – 155-157 Restalrig Road (Restalrig Post Office)

The Depute Clerk advised the Board of the requirement to hold a review hearing, following its decision at its 27th March meeting to agree to hold a hearing on the review application submitted by the Home Office Immigration Service for the premises licence held by Zahid Iqbal. Simon Myszker was present from the Immigration Team and Alistair Macdonald was in attendance with Zahid Iqbal and his brother Sajid Iqbal, the premises manager.

The Board heard from Mr Myszker on the terms of the review application and noted the terms of an LSO report provided by Tom Veitch. The Board heard from Alistair Macdonald on behalf of Zahid and Sajid Iqbal.

Following consideration of the representations made, the Board agreed that it was necessary for the purposes of the licensing objectives, and having particular regard to the mandatory conditions of licence, to issue the premises licence holder with a written warning.

Decision: premises licence holder issued with a written warning

5. Premises Licence Review – Update – 260/262 Leith Walk (Woodland Creatures)

The Depute Clerk referred the Board to its decision at its meeting on 30th January 2017 to further continue the review hearing for the Woodland Creatures premises, for a further period of mediation between the parties involved. The Board received a report from Tom Veitch, confirming the up to date position with the mediation.

The Board heard from the review applicant, Elaine McIntosh and from Alistair Macdonald on behalf of the licence holder. Mr Macdonald was accompanied by Chelsea Ward, from the premises.

The Board noted that it had not been possible for the parties to reach agreement through the mediation process. The Board noted that the licence holder was prepared to agree to curtail the use of the outside area to the rear of the premises. The Board agreed that, having regard to the licensing objective of preventing public nuisance, it was necessary to vary the premises licence, confirming the terminal hour for the outside area would be:-

1st June – 31st August (inclusive) – 21:00

Remainder of the year (1st September – 31st May) – 20:00

Decision: the Board agreed to vary the premises licence, adding a condition controlling the use of the external area to the rear of the premises.

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

6. Premises Licence Review Hearings – Unpaid Annual Fees – 2016/17

The Depute Clerk advised the Board that, having agreed at the meeting of 27th March to make review proposals in respect of a number of premises where the annual fees for 2016/17 remained outstanding, it was necessary to hold review hearings for each.

The Board noted the details of the various premises and that the Council's LSOs had carried out visits to the premises in each case. The Board was advised of the individual circumstances of premises where fees remained outstanding.

The following premises were noted as no longer operating:-

17f South Gyle Crescent – Gupta Nitin
340 Gorgie Road – Wojciech Banaszek
10 Halmyre Street – Mohammed Aslam
7-8 Baxter's Place – Ian Bell
11a-15a William Street – Tourist Services (Edinburgh) Limited
229 Morningside Road – Stuart Dinning
139 Bruntsfield Place – Gourmet Kitchens (Edinburgh) Limited
28 Granton Road – Partnership of Rossano and Antonella Marcantonio
30-32 Bridge Road – Partnership of Anupam Mathur and Sabkit Mathur
230-232 Gorgie Road – MLCG Limited
53 Tower Street Edinburgh – Wine Dine Relax Limited
318 Portobello High Street – Abdul Jabbar
31 Prestonfield Avenue – Nasem Iqbal & Mohammed Ibrahim
30 Canonmills – Mako Property Limited
200 Mayfield Road – Leonard Jack
26 Howe Street – Black Stag Whisky Limited
27 Lanark Road – Lanark West Limited
44 Biggar Road – Apres Restaurants Limited

and in each case the Board agreed that it was necessary to revoke the premises licence.

The Board was then advised of the individual details of the following premises where the annual fees remained outstanding, but the LSOs were able to confirm that the premises were still operating:-

44 Ratcliffe Terrace – Peter Kwok
6-8 Morningside Drive – Stephen Harper
367 Broomhouse Road – Tahir Javaid
17 Dalry Road – Foysoil Choudhury
9a West Maitland Street – Pierre Pelletier
542 Gorgie Road – Muhammed Asim Arian
132 Gorgie Road – Chaudhery Mohammed Nasir
69-71 Bread Street – Paola Crolla
126 Nicolson Street – Christine Longstaff

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and in each case the Board agreed that it was necessary to **suspend** the premises licence for four weeks, or until payment of the annual fee was confirmed as having been made, whichever was earlier.

Decision: The Board agreed having regard to the licensing objectives and information about breaches of the mandatory conditions of licences (1) to revoke the premises licences referred to above where the premises were confirmed as no longer operating, and (2) to suspend a number of premises licences referred to above as still operating, for a four week period or until payment of the outstanding fees was confirmed as having been made.

7. Equality Act 2010 – Licensing Board Policy and Equality Outcomes

The Depute Clerk referred to the terms of a report, advising the Board of its obligations as a public authority in terms of the Equality Act 2010. The Board noted the requirement to publish an update on progress in achieving its previously agreed Equality and Rights Outcomes.

The Board considered the terms of the report and agreed the recommendations contained therein.

Decision: the Board agreed the following:-

- (a) To note the terms of the ~~Licensing Board~~ Equality and Rights Outcomes 2017 Update
- (b) To approve the terms of the draft licensing questionnaire, to be made available to applicants and others involved in the liquor licensing process
- (c) To authorise the Clerk to publicise the Equality and Rights Outcomes 2017 Update, by publishing these on the Council's website

Councillor Eric Milligan
Convener of the Licensing Board

LICENSING (SCOTLAND) ACT 2005

CONTINUED VARIATION OF PREMISES LICENCE APPLICATIONS

24 April 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	351383	Heriot's Cricket Club	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	109 Inverleith Row, Edinburgh, EH3 5QL	Yes	No	Yes	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	GRANTED Outdoor drinking to cease at 2200 Condition – amplified music and vocals – no audible nuisance Board noted that minor variation application has been lodged to make corrections to layout plan for premises.

TRANSFER & VARIATION OF PREMISES LICENCE APPLICATIONS

24 APRIL 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	351197	The Jupiter Artland Company Limited	Macdonald Licensing, 21a Rutland Square, Edinburgh	"Bonnington House", Bonnington, Kirknewton, EH27 8BB	No	No	Yes	To increase capacity, amend on & off sale hours, add dance facilities, provide a retail area, add additional activities, amend the layout, change the premises description	GRANTED Condition – amplified music and vocals – no audible nuisance
2.	353948	Earthwire Limited	Earthwire Limited C/o Nka Accountants Lynedoch Place, Glasgow, G3 6AB	16 Drummond Street, Edinburgh, EH8 9TX	No	No	Yes	To amend the licence holder of the premises, to amend the description of the premises, to amend the premises manager and to amend children's and young person's access.	GRANTED Children, accompanied until 2300; young persons until 0100

VARIATION OF PREMISES LICENCE APPLICATIONS

24 APRIL 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	351803	Historic Environment Scotland Enterprises Limited	Ms Kathleen Rock Longmore House, 12 Salisbury Place, Edinburgh, EH9 1SL	Edinburgh Castle, 362 Castlehill, Edinburgh, EH1 2NG	No	Yes	No	To increase capacity.	GRANTED The Board noted that the layout plan would be corrected to show the offsales area as a continuous display area

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DECISION LIST

2.	353978	Punch Partnership Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	58 Constitution Street, Edinburgh, EH6 6RS	No	No	Yes	To remove the current music conditions on amplified music and vocals and to replace it with the new condition, to amend on sale hours on Sunday, to add bar meals and outdoor facilities as activities, to provide that the premises may be open prior to core hours, to amend childrens access and to provide internal reconfiguration.	GRANTED AS AMENDED:- Applicant amended application, removing "to amend childrens access" Outdoor drinking to cease at 2200 Condition – amplified music and vocals – no audible nuisance
3.	353794	The Restaurant Group (UK) Limited	Pinsent Masons 141 Bothwell Street, GLASGOW, G2 7EQ	Unit 3, 130 Dundee Street, Edinburgh, EH11 1AF	No	No	Yes	To add live performaces as activities, to amend the capacity and to replace the layout plan	GRANTED

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4.	353945	Mr James Roderick Gammell	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Foxhall, Foxhall, Kirkliston, EH29 9ER	No	No	Yes	To delete the current condition on amplified music and vocals and to replace it with the new condition agreed by the Board, to change the name of the premises, to add dance facilities, theatre, films gaming, add indoor/outdoor sports as activities, to add seasonal variations for the Festive period only, to provide for a barbeque and a dispense bar in the outside area and to amend the layout plan	GRANTED Condition – amplified music and vocals – no audible nuisance Board noted applicant had amended operating plan to confirm children and Young persons access would not be extended during seasonal variations.
5.	353984	Troy Management Services (George) Limited	Brodies LLP 15 Atholl Crescent, Edinburgh, EH3 8HA	15-25 George Street, Edinburgh, EH2 2PA	No	No	Yes	To increase off sale capacity and to add a new bar on ground floor	GRANTED

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DECISION LIST

6.	353510	Miss Celena Collins	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	103 High Riggs, Edinburgh, EH3 9RP	Yes	No	No	To delete the current condition on amplified music and replace it with the new condition, to increase the on sale hours to 10pm Sunday to Thursday and 3am on Friday and Saturday, to amend the seasonal variation provision, to add films as an activity and to provide that children and young persons will require to vacate the premises by 10pm.	GRANTED AS AMENDED:- applicant amending terminal hour on Friday and Saturday to 10pm. Condition – amplified music and vocals – no audible nuisance Capacity - 30
7.	351593	Savour Cafe Ltd	Savour Cafe Ltd 1 Brassey Road, Shrewsbury, Shropshire, SY3 7FA	1 Lister Square, Edinburgh, EH3 9GL	Yes	No	No	Add receptions, recorded music and live performances as activities.	GRANTED Condition – amplified music and vocals – no audible nuisance

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8.	353923	Surgeons Lodge Limited	Mr Andrew D Williams WS 24 Canning Street, Edinburgh, EH3 8EG	Surgeons Hall & Campus, Nicolson Street, Edinburgh	Yes	No	No	Surgeons Hall and Campus, including the Prince Philip Building, Surgeon Hall and the Queensferry Building To add off sale hours, to increase the capacity of the premises, to increase the licensed area, to change the postal address of the premises, and to change the discription of premises.	CONTINUED to 26 th June 2017
9.	351537	Queensberry Bowling Club	Queensberry Bowling Club 16 Pilton Drive North, Edinburgh, EH5 1NX	16 Pilton Drive North, Edinburgh, EH5 1NX	No	No	Yes	To add seasonal variations and include under 5 year old children access to premises.	GRANTED
10.	354372	GTS Solutions CIC	TLT LLP 140 West George Street, Glasgow, G2 2HG	7a Randolph Place, Edinburgh, EH3 7TE	No	No	Yes	To amend on sale hours, to add restaurant, bar meals club meetings, outdoor drinking, conference facilities, dance, theatre and TV Sport as activities, to add food and wine dinnes as other activities and to provide that the premises may open prior to core hours but not before 7.30am	GRANTED AS AMENDED:- amendment by applicant – no seasonal variation for Thursdays, Fridays and Saturdays Outdoor drinking to cease at 2200

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DECISION LIST

11.	353712	Trust Inns Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	49 Rose Street, Edinburgh, EH2 2NH	No	No	Yes	To amend on and off sale hours, to add Receptions and Indoor/Outdoor Sports as activities and to provide that certain activities may take place during Seasonal Variations or with the benefit of an Extension of Permitted Hours.	GRANTED
12.	352381	Whitbread Group Plc	John Gaunt & Partners Omega Court, 372-374 Cemetery Road, Sheffield, S11 8FT	64-66 Rose Street, Edinburgh, EH2 2NN	Yes	No	No	Increase on sale hours, add films and outdoor drinking as activities and submit new layout plans.	GRANTED Outdoor drinking to cease at 2200 Capacity 318
13.	353938	Fuller Thomson Heritable Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	22-26 South Clerk Street, Edinburgh, EH8 9PR	No	No	Yes	To delete the current condition on amplified music and vocals and to replace it with the new condition and to add TV Sport, Indoor/Outdoor sports and films as activities.	GRANTED Condition – amplified music and vocals – no audible nuisance

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14.	351322	Wagamama Limited	Pinsent Masons, 141 Bothwell Street, Glasgow, G2 7EQ	Unit 5, South St Andrew Square, Edinburgh, EH2 2BD	No	No	Yes	To add live performances, to add outdoor drinking facilities, to increase the capacity, to allow activities outwith core hours, to add sale of cookery books and other cooking related items and all other activities related to the normal operation of the premises as a restaurant and to replace the existing layout plan.	GRANTED Outdoor drinking to cease at 2200 Capacity - 225
15.	353519	Sabod Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1 York Place, Edinburgh, EH1 3EB	No	No	Yes	To delete the current condition on amplified music and vocals and replace it with the new condition, to increase the on sale hours, to add outside drinking and TV sport as activities and to substitute a new layout plan.	GRANTED Outdoor drinking to cease at 2200 Condition – amplified music and vocals – no audible nuisance

PROVISIONAL PREMISES LICENCE APPLICATIONS

24 APRIL 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	353682	Mr Mark Kerr	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	4 Canaan Lane, Edinburgh, EH10 4SY	Yes	No	No	Guesthouse / Boutique Hotel located on two floors	GRANTED Outdoor drinking to cease at 2200 Condition – amplified music and vocals – no audible nuisance Capacity - 12
2.	353686	Mr Sivan Kobani	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	97-101 Morrison Street, Edinburgh, EH3 8BX	No	No	Yes	Restaurant premises located in the ground floor and basement (no public access in the basement) of a tenement building	GRANTED Condition – amplified music and vocals – no audible nuisance Takeaways during licensed hours Capacity - 40

3.	353658	Partnership of Zak Hanif and Aytac Gul	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	65 Shore, Edinburgh, EH6 6RA	No	No	Yes	Cafe premises located on corner site on The Shore, on ground floor, with mezzanine level, in a tenement building	<p>GRANTED as amended by applicant</p> <p>Sun – Thurs – 2300 closing</p> <p>Fri – Sat – 0000 closing</p> <p>Condition – amplified music and vocals – no audible nuisance</p> <p>Capacity - 40</p>
4.	353906	Devils Advocate Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	41-42 St Andrew Square, Edinburgh, EH2 2AD	No	No	Yes	Cafe/Bar/Restaurant located on ground floor and lower ground floor and forming part of a major building.	<p>GRANTED</p> <p>Condition – amplified music and vocals – no audible nuisance</p> <p>Capacity - 200</p>

PERSONAL LICENCE APPLICATIONS

24 April 2017

No	Reference	Applicant	Agent Details	Decision
1.	350512	Susan Margaret Charlton	Training Information Centre, Egerton House, 2 Tower Road, Birkenhead, CH41 1FN	CONTINUED – 26 th June 2017
2..	354991	Roueïn Madai Hajirpirlou	Training Information Centre, Egerton House, 2 Tower Road, Birkenhead, CH41 1FN	GRANTED
3.	355172	Cristian Scarlat		REFUSED

ITEM No. 4

THE CITY OF EDINBURGH LICENSING BOARD

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

24 June 2017

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

26 JUNE 2016

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	353923	Surgeons Lodge Limited	Mr Andrew D Williams WS 24 Canning Street, Edinburgh, EH3 8EG	Surgeons Hall & Campus, Nicolson Street, Edinburgh	Yes	No	No	6 th June 2017	Surgeons Hall and Campus, including the Prince Philip Building, Surgeon Hall and the Queensferry Building To add off sale hours, to increase the capacity of the premises, to increase the licensed area, to change the postal address of the premises, and to change the discription of premises. CC BSR O	9.30

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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	358712	Rafael Torrubia to Radici (Edinburgh) Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	2 Deanhaugh Street, Edinburgh, EH4 1LY	No	No	Yes	6 th June 2017	To transfer the premises licence, to delete the current condition on amplified music and vocals and replace it with the new condition, to increase the on sale hours, to add off sale hours, to add seasonal variations, to add receptions, club meetings, live performances and TV sport as activities. Amend children and young persons access. CC LSO O	09.30

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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
2.	358427	The Partnership of Osteria Di Domenica to MarcoRossi Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	30 Sandport Street, Edinburgh, EH6 6EP	Yes	No	No	6 th June 2017	Transfer, increase on sale hours, add off sales, seasonal variations, and deliveries as activities, allow activities outwith core hours, to provide that takeaways may include alcohol, permit children under 5 access to premises CC LSO	

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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	358561	The Partnership of Chris Grierson and Holly Grierson to Black Moon Events Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	11 St Vincent Street, Edinburgh, EH3 6SW	No	No	Yes	6 th June 2017	Transfer the licence, 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, increase on sale hours, allow certain activities. Amend children and young persons access. CC LSO O	


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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	358705	Dudley Bowling Club	Mr Peter Whitten 8 Dudley Terrace, Edinburgh, EH6 4QH	1 Dudley Grove, Edinburgh, EH6 4QP	No	No	Yes	6 th June 2017	Increase on sale hours and allow children and young persons access to premises CC LSO O	09.30
2.	358567	Mitchells & Butlers Retail Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	131-133 High Street, Edinburgh, EH1 1SG	Yes	No	No	6 th June 2017	City centre public house catering for local customers and tourists. Amend Access for Children. CC	

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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	358354	Mr Giovanni Crolla	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	15-16 Teviot Place, Edinburgh, EH1 2QZ	No	Yes	No	6 th June 2017	To add on sale hours, to add seasonal variations, to provide an on sale capacity of 66, to add restaurant facilities, receptions, clubs or other group meetings, recorded music, live performances. Amend children and young persons access CC LSO	
4.	358888	Lidl UK Gmbh	Lidl UK Gmbh 19 Worple Road, London, SW19 4JS	160 West Granton Road, Edinburgh, EH5 1PE	No	Yes	No	6 th June 2017	To add seasonal variations and to increase the capacity. CC NHS	

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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	358383	Partnership of Neil Clapperton & Alan C Murray	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	172 Canongate, Edinburgh, EH8 8DF	No	Yes	No	6 th June 2017	To increase the off sale hours, to include recorded music as an activity, to include tastings, sales by telephone and internet and tutorials groups as other activities, to increase the capacity and to amend the home address of the DPM. CC LSO	
6.	358827	Spirit Pub Company (Managed) Limited	Belhaven Pubs Atrium House, 6 Back Walk, Stirling, Stirlingshire, FK8 2QA	19 West Register Street, Edinburgh, EH2 2AA	No	No	Yes	6 th June 2017	To amend in sale hours, to amend off sale hours, to add conference facilities as an activity and to amend any other activities to specify we may provide a range of activities such as quiz nights, networking, charity nights or similar. CC	

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

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
7.	358685	Wemyss Vintage Malts Limited	Wemyss Vintage Malts Limited 4 Melville Crescent, Edinburgh, EH3 7JA	1f, 4 Melville Crescent, Edinburgh, EH3 7JA	No	Yes	No	6 th June 2017	Increase in display area for alcohol. Expand licensed area by including ground floor. CC	
8.	355029	DM Stewart Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	232 Canongate, Edinburgh, EH8 8DQ	No	No	Yes	6 th June 2017	To increase on sale hours, add indoor/outdoor sports as an activity, increase children's access to premises and delete current conditions on amplified music and replace with new condition agreed by the Licensing Board. CC LSO	


 EDINBURGH LICENSING BOARD

10.00am

THE CITY OF EDINBURGH LICENSING BOARD
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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
9.	358780	Starvale Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	24-26 Shore, Edinburgh, EH6 6QN	No	No	Yes	6 th June 2017	To include new outdoor drinking area and former Police Box within licensed footprint, submit new layout plan and delete current condition on amplified music and vocals and replace with new condition agreed by the Licensing Board on 26 September 2016 CC LSO BSR	
10.	358488	Loch Ness Coffee Company Ltd	Loch Ness Coffee Company Ltd Birnam, East Leniston, Drumnadrochit, Inverness, IV63 6UJ	2-6 Spottiswoode Road, Edinburgh, EH9 1BQ	Yes	No	No	6 th June 2017	To increase on sale hours, add off sales, seasonal variations as activities, amend children and young persons access to premises, allow activities outwith core hours and change DPM. O	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
11.	358429	Punch Partnership Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	266 Canongate, Edinburgh, EH8 8AA	No	No	Yes	6 th June 2017	Internal reconfiguration; include outside drinking area; amend commencement hour On & Off sales to 10:00 hrs; allow premises to open from 09:00 hrs for breakfasts; tea, coffee etc; amend children's access; allow restaurant facilities, outdoor drinking. Amend music condition CC LSO O	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
12.	358707	Caygill & Smith Ltd	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	27-31 West Port, Edinburgh, EH1 2JA	No	No	Yes	6 th June 2017	Amend Sunday commencement to 11:00 hrs Include restaurant facilities Include Films Allow access for children. Allow meals; snacks, soft drinks and hot beverages to be sold prior to and during core hours. CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
13.	358820	Victors of Edinburgh Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	29 Melville Terrace, Edinburgh, EH9 1LP	No	Yes	No	6 th June 2017	To add on sales, add seasonal variations, restaurant facilities, receptions, club or other group meetings, live performances, outdoor drinking, art exhibitions, product launches, tastings, private corporate functions as activities, to delete reference to premises providing delicatessen facility, remove basement from licence, allow children and young persons access to premises, capacity of 49, allow activities outwith core hours, amend description of premises, substitute new layout plans. Amend music condition CC LSO BSR	 <p style="font-size: small; margin: 0;">LICENSING BOARD</p>

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
14.	358726	Fishers in the City Ltd	Mr John Graeme Lumsden Flat 1, 3 Murrayfield Avenue, Edinburgh, EH12 6AU	3 Shore, Edinburgh, EH6 6QW	Yes	No	No	6 th June 2017	Include outside seating area within licensed footprint. CC LSO	
15.	358472	Mitchells & Butlers Retail Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	30-34 Candlemaker Row, Edinburgh, EH1 2QE	No	No	Yes	6 th June 2017	Amendment to access for children City Centre Bar with food facilities catering for local customers and tourists. CC	
16.	358660	Troia (UK) Restaurants Limited	Brodies LLP 15 Atholl Crescent, Edinburgh, EH3 8HA	3-8 St Andrews Square, Edinburgh	No	No	Yes	6 th June 2017	Amend description of premises, allow activities outwith core hours, amend details of children and young persons access to premises; amend capacity, approve internal reconfiguration and remove the delicatessen /shop area LSO	10.30

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
17.	354235	Mr Zaheer Aslam	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	40 Cockburn Street, Edinburgh, EH1 1PB	No	Yes	No	6 th June 2017	Increase capacity, add recorded music as an activity and substitute new layout plan CC LSO	
18.	358713	Investment Interests Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	43 Rose Street, Edinburgh, EH2 2NH	No	No	Yes	6 th June 2017	Increase on and off sale hours, change the amplified music condition to new version agreed by the Board in September 2016, change premises managers address, and confirm that company has change its name and registered address. CC LSO	
19.	358597	Mitchells & Butlers Retail Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	435 Lawnmarket, Edinburgh, EH1 2NT	No	No	Yes	6 th June 2017	Amend access for children.	


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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
20.	358849	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	47 Lothian Street, Edinburgh, EH1 1HB	No	No	Yes	6 th June 2017	To remove the music condition from the licence and replace with the amended condition. CC LSO O	
21.	344092	True Thai Cuisine Ltd	True Thai Cuisine Ltd 49-51 Causewayside, Edinburgh, EH9 1QF	49-51 Causewayside, Edinburgh, EH9 1QF	Yes	No	No	6 th June 2017	Increase on sale hours and add off sale, add club/ group meetings as an activity and allow activities outwith core hours. CC	
22.	358858	Punch Partnership Limited	TLT Hobart House, 80 Hanover Street, Edinburgh, EH2 1EL	58 Constitution Street, Edinburgh, EH6 6RS	No	No	Yes	6 th June 2017	Allow access for Children and Young Persons. CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
23.	358684	Landmark Pub Company	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	58 Shore, Edinburgh, EH6 6RA	No	No	Yes	6 th June 2017	To increase on and off sale hours, add seasonal variations, restaurant, indoor/outdoor sports as activities, allow activities outwith core hours, allow children of any age access to premises, change amplified music condition to new version and change DPM. CC LSO	 LICENSING BOARD
24.	358740	John Lewis PLC	Blake Morgan LLP New Kings Court, Tollgate, Chnadlers Ford, Eastleigh, Hampshire, S053 3LG	69 St James Centre, Edinburgh, EH1 3SP	No	No	Yes	6 th June 2017	To increase off sale capacity during the periods of 1st November - 5 January and 17 January - 14 Feruary and submit new layout plan. CC NHS	


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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
25.	349518	Ferranti Edinburgh Recreation Club	Mrs Elizabeth Bowie 145 Telford Road, Edinburgh, EH4 2PX	7 Arboretum Place, Edinburgh, EH3 5NY	No	No	Yes	6 th June 2017	Amend commencement hour to 11:00 hrs Monday to Friday & 11:00 hrs Sunday Amend Terminal houe - Monday 22:00 hrs and Friday and Saturday 01:00 hrs Include televised sport Amend rules for children. CC	
26.	358880	Sneaky Pete's Limited	TLT Hobart House, 80 Hanover Street, Edinburgh, EH2 1EL	73 Cowgate, Edinburgh, EH1 1JW	Yes	No	No	6 th June 2017	Amend commencement hour for on sales to 12:00 hrs Amend wording for other activities, no activities will take place outwith core licensed hours CC	
27.	358489	Mitchells & Butlers Retail Ltd	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	74-78 Grassmarket, Edinburgh, EH1 2JR	No	No	Yes	6 th June 2017	Amend access for children. CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
28.	358779	JD Wetherspoon (Scot) Limited	JD Wetherspoon (Scot) Limited Wetherspoon House, Reeds Crescent, Watford, WD24 4QL	7a Duke Street, Edinburgh, EH6 8HG	No	No	Yes	6 th June 2017	Amend access for children & young persons until 22:00. CC	
29.	358339	Monkey Barrel Comedy Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	9-11 Blair Street, Edinburgh, EH1 1QR	No	No	Yes	6 th June 2017	To add Dance Facilities, Theatre, In door/Outdoor Sports and TV Sports as activities, to provide a temporary bar during the festival period, to delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Board. CC LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
30.	358583	Punch Partnership Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	Barony Bar, 81-85 Broughton Street, Edinburgh, EH1 3RJ	No	No	Yes	6 th June 2017	Amend commencement hour to 11:00 hrs on Sundays for both On and Off Sales Allow children Allow premises to open from 08:00 hrs for sale of breakfasts; teas; coffees etc Amend music condition. CC LSO O	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
31.	358921	McKenzie Eagleson Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	Tolbooth Tavern, 167 Canongate, Edinburgh, EH8 8BN	Yes	No	No	6 th June 2017	To amend the on sale hours, to amend children and young persons access, to provide that recorded music, meals, breakfasts, snacks, hot and cold non alcoholic beverages can be served before start of and during core hours and change the DPM. CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
32.	358550	DJED Development Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	West Princes Street Gardens, Princes Street, Edinburgh	No	No	Yes	6 th June 2017	Increase on sale hours, add off sales, 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, submit new layout plans. CC LSO	

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NOTICE OF APPLICATIONS – PROVISIONAL PREMISES LICENCE APPLICATIONS

26 JUNE 2017

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	358760	Polcom Hotels Edinburgh Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	Heriot-Watt University, The Avenue, Currie, EH14 4AS	No	No	Yes	6 th June 2017	Hotel over 5 levels with bar/restaurant/function facilities. CC LSO BSR	
2.	358698	G1 Group PLC	Inn Business (Scotland) Limited Forsyth House, Lomond Court, Castle Business Park, Stirling, FK9 4TU	7 Clerk Street, Edinburgh, EH8 9JH	No	No	Yes	6 th June 2017	The premises is within a five storey building located in a mixed residential and commercial area within the City of Edinburgh CC LSO BSR O	
3.	358800	Snowball Turnip Ltd	Mr Edward Murray 1f3, 16 Easter Road, Edinburgh, EH7 5RG	92 Commercial Street, Edinburgh, EH6 6LX	No	No	Yes	6 th June 2017	Ground floor restaurant/cafe with small outdoor seating area in comunal area to the rear CC LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
4.	358874	Intercontinental Catering Ltd	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1 Dean Bank Lane, Edinburgh, EH3 5BS	No	No	Yes	6 th June 2017	Long established restaurant premises located in a building in Dean Bank Lane and Hamilton Place ground floor and basement. CC LSO BSR	
5.	358818	City District Ltd	Mr Alexander Buchan 15 Atholl Crescent, Edinburgh, EH3 8HA	100 George Street, Edinburgh, EH2 3DF	No	No	No	6 th June 2017	Brazilian bar & restaurant situated in Edinburgh City Centre CC LSO BSR	
6.	358384	Hortobagy Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	62 Haymarket Terrace, Edinburgh, EH12 5LA	No	No	Yes	6 th June 2017	Cafe premises located in the corner of Haymarket Terrace and Coates Gardens, on ground floor, with basement which includes the toilets. CC LSO BSR	


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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
7.	358441	Quiet Man Taverns 2 Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	48 Howe Street, Edinburgh, EH3 6TH	Yes	No	Yes	6 th June 2017	Restaurant premises in lower ground floor of building in Howe Street with outside area at same level. CC LSO BSR	
8.	358708	Stockbridge Indian Limited	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	4-8 Lochrin Buildings, Edinburgh, EH3 9NB	No	No	Yes	6 th June 2017	Restaurant located on the ground floor and basement in Lochrin Buildings, part of Gilmore Place, Edinburgh CC LSO BSR O	
9.	358686	Newhaven Fishmarket Limited	GilsonGray 29 Rutland Square, Edinburgh, EH1 2BW	23 Pier Place, Edinburgh, EH6 4LP	No	No	Yes	6 th June 2017	Fish and chip restaurant and takeaway. CC LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
10.	358783	Rose Theatre Company Ltd	Mr Alexander Buchan 15 Atholl Crescent, Edinburgh, EH3 8HA	204 Rose Street, Edinburgh, EH2 4AZ	Yes	No	No	6 th June 2017	Converted Church operating as a Theatre with cafe/bars and performance facilities. CC LSO BSR O	
11.	358369	Noodles 'N' Ice	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	24-25 South Bridge, Edinburgh, EH1 1LL	No	No	Yes	6 th June 2017	Restaurant premises located on ground floor and first floor of tenement property on South Bridge. CC LSO BSR	

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PERSONAL LICENCE APPLICATIONS

26 June 2017

No	Reference	Applicant	Agent Details	Comments	Decision
1.	350512	Susan Margaret Charlton	Training Information Centre, Egerton House, 2 Tower Road, Birkenhead, CH41 1FN	Continued CC	
2..	359432	Emma Elizabeth Baillie	MacDonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	CC	

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. A premises licence holder has a duty to inform the Licensing Board if they are convicted for a relevant offence. The 2005 Act provides a definition of what is considered to be a "relevant offence". The Chief Constable is required to provide the Board with a notice confirming the conviction details, or otherwise and 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 but containing no recommendation, the Board has a discretion to decide whether it is considered necessary to make a review proposal, or to note the details and take no action.
- 2.3. Where the Board receives a notice from the Chief Constable confirming the conviction details and the Chief Constable has made a recommendation, it must make a proposal for review of the relevant premises licence(s). When considering the details of the Chief Constable's notice, the Board should consider the following:-
- (a) Whether it discloses that one or more of the conditions to which the premises licence(s) are 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.
- 2.4. 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
- 2.5. 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.

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

2.5 The Chief Constable has made no recommendation in his report. On that basis this matter is reported to the Board to consider whether it is necessary to make a review proposal and hold a hearing at a later date, or note the details of the conviction but take no further action.

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 30th March 2017

4.2 Copy letter from Police Scotland dated 17th April 2017

Depute Clerk of the Licensing Board

PERSONAL LICENCE REVIEW – ELIZABETH SMITH

ITEM No.

6

1. Purpose

- 1.1 To advise the Board of the requirement to hold a hearing for the review of Elizabeth Smith's personal licence, following notification of her conviction for a relevant offence.

2. Main Report

- 2.1 Elizabeth Smith holds a Personal Licence issued by the Edinburgh Licensing Board. 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 Ms Smith notified the Board of her conviction details by email dated 2nd May 2017.

- 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.

- 2.5 The Board is required to hold a hearing on the personal licence and then decide what action, if any, is considered necessary for the purpose of the licensing objectives. Ms Smith has been invited to attend.

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.

4. Background Papers

- 4.1 Letter from Police Scotland dated 31st May 2017

Depute Clerk of the Licensing Board

REPORT – REQUIREMENT TO PUBLISH ANNUAL FINANCIAL REPORT

1. Purpose

- 1.1 To ask the Board to note the requirement to publish an annual financial report.
- 1.2 To seek agreement on arrangements for publication of a report, at a future meeting.

2. Main Report

- 2.1. A recent amendment to the Licensing (Scotland) Act 2005 has introduced a new duty upon Licensing Boards to prepare, and publish no later than 3 months after the end of the financial year, an annual financial report. The report is required to include:-
 - A statement of the amount of liquor licensing income received by the Board during the financial year
 - A statement of the expenditure incurred by the Board during the same period
 - An explanation of how the amounts in the statement were calculated
- 2.2. Whilst the amendment to the 2005 Act provides some detail as to what is required of Boards to comply with this duty, the Scottish Government has not issued guidance on the specifics at this stage. The format of a financial report has been left to individual Councils and Boards. Further detail on the arrangements for publishing a report, together with the report itself, will be provided to the Board at a future meeting.
- 2.3. The Board is therefore asked to note the position at this stage, on the basis that further information will be provided at a later meeting.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) to note the requirement to publish an annual financial report;
 - (b) to agree that a financial report will be provided to the Board at a future meeting.

4. Background

- 4.1 Licensing (Scotland) Act 2005 section 9A

Depute Clerk of the Licensing Board