

◆ EDINBURGH ◆

LICENSING BOARD

MINUTES OF MEETING

MONDAY 28th AUGUST 2017

Members present: Councillors Norman Work (Convener); Mary Campbell; Joanna Mowat; Callum Laidlaw; Gillian Gloyer; Lezley Marion Cameron; David Key

Apologies: Councillors Nick Cook; Cammy Day; Cathy Fullerton

Police Officer: Sergeant Hazel Leslie

Council Officers present: Tom Veitch (Licensing Standards Manager); Muir Somerville (Building Standards Team Manager); Colin McCulloch (Building Standards)

NHS Lothian: Jim Sherval

Depute Clerk: Nick Fraser

1. Minutes of meeting of 31st July 2017

Noting that an amendment required to be made to variation application number 3, for 266 Canongate on the decision list to confirm the following:-

“Granted with the following condition: New music condition”, with details of children and young persons’ access confirmed as in the approved operating plan

the Board agreed to approve the minutes of the meeting as being an accurate record.

Decision: Minutes of meeting approved, as amended

2. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc

The Board considered four continued variation applications and one continued provisional premises licence application. In addition, a further eight new variations, five new provisional premises licence applications and one new premises licence application were continued to the Board’s next meeting, on 25th September 2017 following advice from the Depute Clerk about a delay in publishing the application details online. Following consideration of the explanation provided, the Board was satisfied the applications could be considered at the next meeting.

Divisions: none

NHS Lothian representations: none

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

Decision: applications considered, as detailed in the list appended to these minutes.

3. Section 82 Notification – Elizabeth Smith

The Depute Clerk advised the Board of a continued notification of conviction for a relevant offence from Ms Smith. The Board noted she was not present and agreed to continue consideration of the notification one month to allow a final opportunity for Ms Smith to attend.

The Board agreed that if she was not present at the next meeting, it may proceed to consider the notification in her absence.

Decision: Agreed to continue consideration of the notification to the meeting on 25th September 2017.

4. Section 43 Notification – WM Morrison Supermarkets plc

The Depute Clerk advised of a notification made by WM Morrison Supermarkets plc, in their capacity as premises licence holders in the Board's area, of a conviction for a relevant offence.

After considering the detail of the notification, the Board agreed that it was not necessary for the purposes of the licensing objectives to take any action on the premises licences, and agreed to note the details.

Decision: Agreed to note the details of the notification of conviction, with no further action to be taken.

5. Section 43 Notification – Greene King Retailing Limited

The Depute Clerk advised of a notification made by Greene King Retailing Limited, in their capacity as premises licence holders in the Board's area, of a conviction for a relevant offence. Niall Hassard was present on the company's behalf.

Mr Hassard advised the Board of the circumstances leading to the conviction, and the actions taken since, by his clients. After considering the detail of the notification, the Board agreed that it was not necessary for the purposes of the licensing objectives to take any action on the premises licences, and agreed to note the details.

Decision: Agreed to note the details of the notification of conviction, with no further action to be taken.

Councillor Norman Work
Convener of the Licensing Board

DECISION LIST – 28 AUGUST 2017

LICENSING (SCOTLAND) ACT 2005

APPLICATIONS FOR VARIATION OF PREMISES LICENCES (CONTINUED FROM 31 JULY 2017)

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	361610	Mr Philip Ettore Marinello	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Ardmillan Hotel, 9-10 Ardmillan Terrace, Edinburgh, EH11 2JW	No	No	Yes	To amend the current music condition, to update accommodation activities are to be provided outwith core hours, to add gaming and indoor/outdoor sports as activities, to amend children & young persons access	GRANTED – but childrens' access to bar area at premises restricted on matchdays
2.	361611	Mr Sitki Cagritekin	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	192a Rose Street, Edinburgh, EH2 4AZ	No	Yes	No	To Transfer the licence, change the premises manager, add on sale hours, add seasonal variations, add additional activities, change opening hours, amend children and young persons access, change capacity	GRANTED

DECISION LIST – 28 AUGUST 2017

3.	360989	Vapiano Limited	Brodies LLP 15 Atholl Crescent, Edinburgh, EH3 8HA	Vapiano, 8 St Andrew Square, Edinburgh, EH2 2BD	No	No	Yes	Add outdoor drinking and takeaway facility as activities, increase capacity, allow certain activities outwith core hours, approve internal reconfiguration and external seating area	GRANTED
4.	361265	Hong Hai Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Hong Fu Noodle, 5-7 Waterloo Place, Edinburgh, EH1 3BG	No	No	Yes	Increase on and off sale hours, allow children and young persons access to premises and change premises managers address.	CONTINUED for applicant to supply up to date layout plans

DECISION LIST – 28 AUGUST 2017

APPLICATIONS FOR VARIATION OF PREMISES LICENCES (NEW)

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	363346	Indaba Deli Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Indaba Deli, 17 Causewayside, Edinburgh, EH9 1QF	No	Yes	No	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition; Add on sales, provide on sale capacity of 15, add restaurant facilities, receptions, club or other group meetings as activities, allow activities outwith core hours, add seasonal variations, permit children and young persons access, amend description of premises and substitute new layout plan	CONTINUED – site visit

2.	363126	Spirit Pub Company (Leased) Limited	Ms Alison Smith 140 West George Street, Glasgow, G2 2HG	Centurion, 245a St John's Road, Edinburgh, EH12 7XD	No	No	Yes	Allow children and young persons access to premises, 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 and allow activities outwith core hours.	CONTINUED - site visit
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3.	363214	Chaophraya (Edinburgh) Limited	Brodies LLP 15 Atholl Crescent, Edinburgh, EH3 8HA	Chaophraya, 33 Castle Street, Edinburgh	No	No	Yes	Increase on and off sale hours and allow activities outwith core hours	CONTINUED
4.	363166	Mayfly Adventures Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	Lola Lo, 43b Frederick Street, Edinburgh, EH2 1EP	No	No	No	To add bar meals, to decrease the capacity and to remove the fixed seating and installation of kitchen.	CONTINUED
5.	363174	Mitchells & Butlers Retail Ltd	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	Footlights, 7 Spittal Street, Edinburgh, EH3 9DY	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 and approve internal reconfiguration	CONTINUED
6.	363071	Sainsburys Supermarkets Limited	Shepherd & Wedderburn 5th Floor, 1 Exchange Crescent, Conference Square, Edinburgh, EH3 8UL	Sainsbury's 72-78 Causewayside, Edinburgh, EH9 1PY	No	Yes	No	Increase capacity	CONTINUED

7.	363285	Trust Inns Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Dean Bar, 50 Dean Street, Edinburgh, EH4 1LQ	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, amend on and off sale hours, add bar meals as an activity and allow children and young persons access to premises.	CONTINUED - site visit
8.	363241	ABC Cinemas Limited	DLA Piper Scotland LLP Collins House, Rutland Square, Edinburgh, EH1 2AA	Multiplex Cinema, 120 Wester Hailes Road, Edinburgh, EH14 3HR	Yes	No	No	To change the on sale hours and to amend the layout plan.	CONTINUED

APPLICATIONS FOR PROVISIONAL PREMISES LICENCES (CONTINUED FROM 31 JULY 2017)

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	358686	Newhaven Fishmarket Limited	GilsonGray 29 Rutland Square, Edinburgh, EH1 2BW	Newhaven Fishmarket, 23 Pier Place, Edinburgh, EH6 4LP	No	No	Yes	Ground floor restaurant with adjacent restaurant premises situated in Fountainpark, Edinburgh	GRANTED

APPLICATIONS FOR PROVISIONAL PREMISES LICENCES (NEW)

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	363280	Mr Jacob Philip	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Nomad, 2 Haymarket Terrace, Edinburgh, EH12 5JZ	No	No	Yes	Premises located on the ground floor of a tenement at the corner of Haymarket Terrace and Rosebery Crescent with basement storage	CONTINUED - site visit
2.	363208	Hung Feng Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Kweilin, 26-28 Potterrow, Edinburgh, EH8 9BT	No	No	Yes	Restaurant Premises located on ground floor and basement of property in Potterrow, Edinburgh	CONTINUED - site visit

3.	362610	Inverhow Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	Scott's Kitchen, 4-6 Victoria Terrace, Edinburgh, EH1 2JL	No	No	Yes	Cafe restaurant premises located on Victoria Terrace in ground floor	CONTINUED - site visit
4.	362608	BrewDog Retail Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	Brewdog 50 Lothian Road, Edinburgh	No	No	Yes	Ground floor bar premises offering food and an external area situated in former Clydesdale Bank building on corner of Lothian Road and Clydesdale Bank Plaza	CONTINUED - site visit

5.	363158	Standard Life Employee Services Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	6 St Andrew Square, Edinburgh, EH2 2AH	No	No	Yes	The premises are situated in the east of the New town with city centre. The premises forms part of a mixed use development comprising offices, retail and restaurant facilities and will be used for a variety of hospitality events, including lunches and dinners. The area to be licensed comprises of the first and sixth floors.	CONTINUED - site visit
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APPLICATIONS FOR NEW PREMISES LICENCES

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	363136	EV Retail Limited	Joelson Law 30 Portland Place, London, W1B 1LZ	B&M Store, 154 West Granton Road, Edinburgh, EH5 1PE	No	Yes	No	These premises operate a discount retail warehouse selling a range of goods including grocery, confectionery, gardening, health and beauty, electrical, household, soft furnishings and wish to include alcohol. Maximum hours for Premises open to trade 08:00 until 22:00 daily (closed Christmas Day)	CONTINUED - site visit

PERSONAL LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Comments	Decision
1.	362967	Keith John Wallace	Ms Elizabeth Shaw, G1 Group, Hamilton House, 70 Hamilton Drive, Glasgow, G12 8DR	CC	CONTINUED – applicant not present