

• EDINBURGH •

LICENSING BOARD

NOTICE OF MEETING

MONDAY 30th JULY 2018

START TIME 9.30am

Dean of Guild Room, City Chambers, Edinburgh

AGENDA

1. Minutes of meeting of 25th June 2018
2. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list
3. Update report – Preparing Statement of Licensing Policy
4. Update report – Assessment of Overprovision
5. Scottish Government Consultation – Renewal Fee for Personal Licences
<https://consult.gov.scot/criminal-justice/alcohol-personal-licence-renewal-fee/>

Nick Smith
Clerk of the Licensing Board

◆ EDINBURGH ◆

LICENSING BOARD

Licensing Board membership:

Councillor Lezley Marion Cameron	Councillor Gillian Gloyer
Councillor Mary Campbell	Councillor David Key
Councillor Nick Cook	Councillor Callum Laidlaw
Councillor Cammy Day	Councillor Joanna Mowat
Councillor Cathy Fullerton	Councillor Norman Work (Convener)

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

• EDINBURGH •

LICENSING BOARD

MINTUES OF MEETING

MONDAY 25th JUNE 2018

ITEM No.

1

Members present: Councillors Norman Work (Convener); Cathy Fullerton; Nick Cook; Gillian Gloyer; Callum Laidlaw; Joanna Mowat; Cammy Day;

Apologies: Councillors David Key; Mary Campbell; Lesley-Marion Cameron

Police Officer: Sergeant John Young

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

NHS Lothian: Jim Sherval

Depute Clerk: Nick Fraser; Morag Leck (item 5)

1. Minutes of meeting of 28th May 2018

The minutes of the meeting of 28th May 2018, together with the decision list, were agreed.

Decision: minutes and decision list agreed.

2. Minimum Unit Pricing in Edinburgh – LSO Report

Tom Veitch presented a report on the work being carried out by the Council's LSOs, following the introduction of Minimum Unit Pricing. He advised that there had been no specific problems reported in the Edinburgh area to date, but that LSOs would continue to monitor the operation of premises to ensure compliance with the new mandatory conditions of licence.

Decision: details of report and LSO actions noted

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

The Board considered seven applications for variation of premises licences, nine applications for 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

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

NHS Lothian representations:

- | | | | |
|----|-----------------------|-------------------|--------------------------|
| 1. | Continued Provisional | Bruce Taverns Ltd | 223 Canongate |
| 2. | New Provisional | Yue Bi | 14-18 Lady Lawson Street |
| 7. | New Provisional | Linden Wilkinson | 31 Market Street |

4. Request for Extension of Provisional Period – 121 Great Junction Street, Edinburgh – continued

The Depute Clerk referred to a report continued from the 28th May 2018 meeting, when the Board had requested further information to enable consideration of the request for extension of provision period, made by Macdonald Licensing on behalf of the licence holder. Alistair Macdonald was present with his client and provided a detailed account of events to date, advising that it was hoped that a one year extension of the provisional period would allow sufficient time for the various works, etc to take place to have the premises ready for confirmation.

The Board heard from Colin McCulloch who advised that works were underway at the premises. The premises were not considered safe for use as licensed premises and Building Standards would continue highlighting that, in the event of any applications for occasional licences being made in the meantime.

The Board agreed to a 12 month extension of the provisional period, to 25th August 2019. The Board noted the concerns expressed by Building Standards regarding interim use of the premises, agreeing that applications for occasional licences in the intervening period would be unlikely to find favour unless Building Standards were satisfied about the safety of the premises.

Decision: provisional period extended by one year

5. General Data Protection Regulation and Data Protection Officer

The Depute Clerk advised of the details of a report, setting out information about the EU General Data Protection Regulation. She confirmed that GDPR required the Board to have Privacy Notices in place, providing information about how the Board handled personal information. The Board also had to ensure that a Data Protection Officer was appointed. The Board agreed to appoint the Council's DPO to act in that capacity.

Decision: Council's DPO appointed as DPO for the Board. Privacy Notices to be published on the Board's website.

Councillor Norman Work
Convener of the Licensing Board

DECISION LIST – 25 JUNE 2018

CONTINUED VARIATION OF PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	382096	Mr Russell Stuart Campbell Glass	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	2 Dundas Street, Edinburgh, EH3 6HZ	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 at its meeting on 26th September 2016, as an amendment to its Policy, amend on sale hours of premises, amend children and young persons access to premises, add and amend activities of the premises, add seasonal variations and substitute newlayout plan for the premises.	GRANTED after amendment to confirm Fri-Sat 0000, Sun-Thur 2300; new amplified music condition; outdoor drinking until 2200

DECISION LIST – 25 JUNE 2018

VARIATION OF PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	384528	Metrogrow Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	129 Fountainbridge, Edinburgh, EH3 9QG Akva	No	No	Yes	7/6/18	To amend the commencement of on and off sales for a Sunday and to also submit an amended layout out plan to outline the outdoor drinking area.	GRANTED
2.	384544	Edinburgh International Conference Centre Limited	Pinsent Masons 141 Bothwell Street, GLASGOW, G2 7EQ	150 Morrison Street, Edinburgh, EH3 8EE EICC	Yes	No	No	7/6/18	Increase terminal hour to 03:00 hrs daily	GRANTED subject to amendment of operating plan to confirm 0300 terminal hour to be used for pre-booked, pre-ticketed events only
3.	384648	EUSACO Premises Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	42-76 Pleasance, Edinburgh, EH8 9TJ	No	No	Yes	7/6/18	To amend on-sale hours for a Sunday. Edinburgh University student society	GRANTED

DECISION LIST – 25 JUNE 2018

4.	384901	Punch Partnerships (PTL) Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	63-65 Henderson Street, Edinburgh, EH6 6ED Sofi's Bar	No	No	Yes	7/6/18	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, to change the commencement of on and off sale core hours on a Sunday, reword the terms of seasonal variations, to change the description of the premises and amend activities.	Amendment to amplified music condition REFUSED. Application otherwise GRANTED – outdoor drinking until 2200
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DECISION LIST – 25 JUNE 2018

5.	384679	Fortuna Properties (Scotland) Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	9 Victoria Street, Edinburgh, EH1 2HE	Yes	No	No	7/6/18	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, to add televised sports an activity, for occasional showing of events in this restaurant, to increase the capacity, to substitute a new layout plan and to also substitute a new premises manager.	GRANTED Capacity 366 New amplified music condition
6.	379985	Spirit Pub Company (Managed) Limited	Belhaven Pubs Atrium House, 6 Back Walk, Stirling, Stirlingshire, FK8 2QA	Unit 1, 130 Dundee Street, Edinburgh, EH11 1AF McCowans	No	No	Yes	7/6/18	Amend details of on and off sales to the premises and amend details of children and young persons access to premises.	GRANTED

DECISION LIST – 25 JUNE 2018

CONTINUED PROVISIONAL PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	381502	Bruce Taverns Limited	Inn Business (Scotland) Limited Forsyth House, Lomond Court, Castle Business Park, Stirling, FK9 4TU	223 Canongate, Edinburgh, EH8 8BJ	No	No	Yes	10/05/18	The premises is in a retail unit within a purpose built new development. The property is located within a food and beverage retail development area.	GRANTED, subject to on-sales Mon-Sat 1000 start; final cut-off time for children and young persons attending function 0100; new amplified music condition; outdoor drinking 2200; capacity 173

DECISION LIST – 25 JUNE 2018

PROVISIONAL PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	384694	Holyrood Aparthotel (Edinburgh) Limited	Harper Macleod LLP The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE	1 Nether Bakehouse, Edinburgh, EH8 8PE	Yes	No	No	7/6/18	The premises are an existing 7 storey property located on Nether Bakehouse which provides serviced apartments for short and long stay guests. . The premises provide accommodation 59 serviced apartments. Alcohol to be sold from the reception areas on level 2 to residents of the serviced apartments for consumption within the apartments.	GRANTED New amplified music condition Capacity 168

DECISION LIST – 25 JUNE 2018

2.	384494	Mr Yue Bi	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	14-18 Lady Lawson Street, Edinburgh, EH3 9DS	No	No	Yes	7/6/18	Restaurant on ground floor of tenement property located on Lady Lawson Street	GRANTED New amplified music condition Capacity 62
3.	383910	Ms Natalie Florance	Ms Natalie Florance 1f1, 50 Spottiswoode Street, Edinburgh, EH9 1DG	15 Roseneath Street, Edinburgh, EH9 1JH	No	No	Yes	7/6/18	Restaurant with option to sit-in or takeaway.	GRANTED, subject to locality plan being provided; new amplified music condition; outdoor drinking 2200; Sunday 1100 start; capacity 20; C & YP 2300
4.	384350	Mr Cetin Dermin Orgun	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	32c Broughton Street, Edinburgh, EH1 3SB	No	No	Yes	7/6/18	Restaurant premises located on Broughton Street.	GRANTED New amplified music condition; Capacity 15
5.	384681	Mellis Cheese Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	6 Baker's Place, Edinburgh, EH3 6SY	No	Yes	No	7/6/18	Retail business operating from a premises in Baker's Place, Stockbridge, Edinburgh	GRANTED New amplified music condition; capacity 8.1m

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6.	383895	Hanam's Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	63 Cockburn Street, Edinburgh, EH1 1BS	No	No	Yes	7/6/18	Restaurant located over two floors on Cockburn Street, at the junction with Fleshmarket Close.	GRANTED New amplified music condition; capacity 36
7.	377987	Mr Linden Scott Wilkinson	Mr Linden Scott Wilkinson 2f2, 14 Kirk Street, Edinburgh, EH6 5EY	31 Market Street, Edinburgh, EH1 1DF	Yes	No	No	7/6/18	A themed horror attraction offering a guided tour with bar to be installed at the end of the experience. The bar will offer a selection of themed cocktails and soft drinks.	CONTINUED – no attendance by applicant
8.	383897	Mr Craig Bonnar	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	18 Craigmillar Park, Edinburgh, EH16 5PS	Yes	No	No	7/6/18	Three storey guest house located in terrace of similar properties on Craigmillar Park, Edinburgh	GRANTED New amplified music condition; outdoor drinking 2200 Capacity 20

PERSONAL LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Comments	Decision
1.	377185	Roslyn Margaret Grady		CC CONTINUED from April & May	REFUSED

DECISION LIST – 25 JUNE 2018

2.	381519	Antonia McFaulds	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	CC CONTINUED from May	CONTINUED – final time
3.	381806	Matthew Doverty		CC CONTINUED from May	CONTINUED – final time

ITEM No. 2

THE CITY OF EDINBURGH LICENSING BOARD

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

30 JULY 2018

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
10.	387332	Mr Gianpiero Crolla	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	38a George Street, Edinburgh, EH2 2LE	No	No	Yes	12/07/18	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, to amend on-sales hours, to add off-sale hours, to amend activities and to submit a new layout plan and to transfer the premises licence holder. CC LSO O x1	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	387219	V1 Group Ltd	Mr Andrew Donald Williams 24 Canning Street, Edinburgh, EH3 8EG	171 Bruntsfield Place, Edinburgh, EH10 4DG	Yes	No	No	12/07/18	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, to amend core licensed hours, to add seasonal variations, to amend activities, to amend Children and Young person's access to premises, to increase to capacity, to add deliveries, to allow outdoor drinking, to change the layout and submit new layout plan of the premises.	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
									CC LSO BSR	
2.	387331	Civerinos Homeslice Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	81-85 St Leonard's Street, Edinburgh, EH8 9QY	No	No	Yes	12/07/18	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, to amend on and off sale hours, to amend activities, to add takeaways and deliveries, to amend Young Persons access to premises and to change description of premises. CC LSO O x3	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	386504	Cafe Andaluz Restaurants Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	9A and 10-11 George IV Bridge, EH1 1EE	No	No	Yes	12/07/18	To add Outdoor Drinking as an activity. CC LSO	
4.	386604	Van Restaurants Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Unit 54, Ocean Terminal, 98 Ocean Drive, Edinburgh, EH6 6JJ	No	No	Yes	12/07/18	To provide that the premises may be used as a venue for dance and music events during which time temporary bars and food outlets may be provided, and the capacity increased, to up to 1000. CC LSO BSR	

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	377987	Mr Linden Scott Wilkinson	Mr Linden Scott Wilkinson 2f2, 14 Kirk Street, Edinburgh, EH6 5EY	31 Market Street, Edinburgh, EH1 1DF	Yes	No	No	7/6/18	A themed horror attraction offering a guided tour with bar to be installed at the end of the experience. The bar will offer a selection of themed cocktails and soft drinks. CC LSO BSR NHS	

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005

NOTICE OF APPLICATIONS - New PREMISES LICENCE APPLICATIONS

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	387259	Las Delicias Ltd	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	47 Great Junction Street, Edinburgh, EH6 5HX	No	Yes	No	12/7/18	Ground Floor delicatessen specialising in Spanish and South American produce. CC LSO BSR	

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	385699	Seeds for the Soul Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	167 Bruntsfield Place, Edinburgh, EH10 4DG	No	No	Yes	12/07/18	Small café premises located on the ground floor and lower ground floor of a building in Bruntsfield Place, on the South side of Edinburgh. CC LSO BSR	
2.	386427	Rustom Restaurant Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	2 Grosvenor Street, Edinburgh, EH12 5EG	No	No	Yes	12/07/18	Licensed restaurant located on corner site of Grosvenor Street and Clifton Terrace, in former bank premises. CC LSO BSR O x6	

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	386703	Mr Zahid Iqbal	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	34 Ferry Road Drive, Edinburgh, EH4 4BR	No	Yes	No	12/07/18	Small shop located on the ground floor of a building on Ferry Road Drive. CC LSO BSR O x12	
4.	387696	Sof-11 Erskine House Investment Lux Sarl	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	68-73 Queen Street, Edinburgh	No	No	Yes	12/07/18	A hotel with bar and dining facilities situated in the city centre of Edinburgh. CC LSO BSR	

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	387388	The Holyrood Distillery Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	71-73 St Leonard's Hill, Edinburgh, EH8 9SB	No	No	Yes	12/07/18	The premises will operate as a specialist whisky shop providing specialist whisky's for sale for consumption off the premises and tasting sessions on the premises. CC LSO BSR NHS	

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
6.	385401	Martin McColl Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	8 Salamander Place, Edinburgh, EH6 7JW	No	Yes	No	12/07/18	Convenience store trading under company own format serving those locally and further afield. The store will operate outside of the core hours selling newspapers, magazines, grocery products, cold drinks etc. CC LSO BSR	

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

30 JULY 2018

No	Reference	Applicant	Agent Details	Comments	Decision
1.	381519	Antonia McFaulds	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	CC CONTINUED from May & June	
2.	381806	Matthew Doverty		CC CONTINUED from May & June	
3.	384031	Dillon John Anderson	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	CC	
4.	385601	Paul Gardner		CC	