

◆ EDINBURGH ◆

LICENSING BOARD

NOTICE OF MEETING

MONDAY 27th MAY 2019

START TIME 9.30am

Dean of Guild Room, City Chambers, Edinburgh

AGENDA

1. Licensing Board change of membership
2. Personal Licence Renewals - Update
3. Minutes of Meeting of 29th April 2019
4. Request for Extension of Provisional Licence (continued) – Lidl, 234-246 Easter Road
5. Request for Extension of Provisional Licence – 85/87 South Bridge
6. Request for Extension of Provisional Licence – 120 Dundas Street
7. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list
8. Review of premises licence – Oceana Bar, 145 Ferry Road, Edinburgh – verbal update
9. Personal Licence – section 83 hearing – Murray Duncan
10. Scottish Government Consultation – Draft Guidance – Licensing (Scotland) Act 2005
11. Scottish Government Consultation – Occasional Licences – fees and duration
12. Licensing Board Equalities Policy and Equalities Outcomes

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

Councillor Steve Burgess	Councillor Gillian Gloyer
Councillor Lezley Marion Cameron	Councillor David Key
Councillor Nick Cook	Councillor Callum Laidlaw
Councillor Cammy Day	Councillor Joanna Mowat
	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/licencing_board

MINUTES OF MEETING

MONDAY 29th APRIL 2019

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

Apologies: Councillors David Key; Steve Burgess

Police: Sergeant John Young

NHS Lothian: Jim Sherval

Council Officers: Tom Veitch (Licensing Standards Officers Team Leader); Keith Clark (Building Standards); Nick Fraser (Depute Clerk)

1. Personal Licence Renewals – Update

The Depute Clerk provided the Board with an update on numbers of personal licence holders whose licences were due to expire later in the year unless applications for renewal were submitted in time. The first significant date was 31st May 2019 for personal licences which were due to expire as at 31st August 2019. The following details were noted:-

Renewal applications received/granted as at 26th April:

- 399 x Personal Licence Renewal applications received.
- 254 x applications granted.

The maximum number of expected renewals for all Personal Licenses expiring this year is as follows:

- Licenses due to expire on 31st August 2019 (renewals received no later than 31st May): 910 (259 received)
- 30 September 2019 (30th June): 249 (58)
- 31 October 2019 (31st July): 443 (56)
- 30 November 2019 (31st August): 134 (20)
- 31 December 2019 (30th September): 20 (6)

Total **1,756** **(399)**

2. Best Bar None Awards – 2018/19

Tom Veitch advised the Board about the National Best Bar None awards, and the role the scheme played in rewarding the successful operation of licensed premises according to particular criteria. The Board recognised the achievements of those involved in the awards scheme and congratulated the

efforts of the Black Rose Tavern for winning the National Best Bar None award for 2018/19.

3. Minutes of Meeting of (a) 25th March 2019; (b) 2nd April 2019

The minutes of the meetings of 25th March and 2nd April 2019 were noted and approved.

4. Request to extend provisional period – 234-246 Easter Road

The Board heard from Andrew Hunter on behalf of Lidl, the licence holder. He advised that progress continued to be made towards being able to apply for confirmation of the provisional premises licence. He asked the Board to continue the provisional period for a further month to allow work to continue towards a confirmation application being submitted.

The Board agreed to extend the provisional period to 27th May 2019.

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

The Board considered three applications for transfer and variation of premises licence, fourteen applications for variation of premises licences, one application for premises licence and seven applications for provisional premises licences, the decisions for which are as detailed in the list appended to these minutes.

Declarations of interest: None

Divisions:

New Variations

1. 101 Ocean Drive Atlas Hotels (Edinburgh Waterfront) Ltd

Councillor Work, seconded by Councillor Gloyer, moved that the application be granted, on the terms agreed by the applicant, but with an 1100 commencement for on sales. Councillor Cook, seconded by Councillor Fullerton, moved an amendment that the application be granted on the terms as agreed by the applicant. Following a division, the motion for grant with an 1100 commencement for on sales was carried.

5. 32-36 Shandwick Place Sainsbury's Supermarkets Ltd

Councillor Cook, seconded by Councillor Fullerton, moved grant of the application. Councillor Gloyer, seconded by Councillor Day, moved as an amendment that the application be refused. Following a division the motion for grant was carried.

8. 46 Stanley Place Bellfield Brewery Ltd

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Councillor Gloyer, seconded by Councillor Mowat, moved grant of the application but with the terminal hour for alcohol sales being 2200 Sunday – Thursday and 0000 Friday - Saturday. Councillor Fullerton, seconded by Councillor Cook, moved an amendment that the application be granted with a terminal hour of 2300 Monday – Thursday, 0000 Friday - Sunday. Following a division the motion was carried, with the terminal hour for alcohol sales being 2200 Sunday – Thursday and 0000 Friday - Saturday.

New Provisional premises licences

1. 1 Ferrymuir Gait, South Queensferry Shell UK Oil Products Ltd

Councillor Work, seconded by Councillor Laidlaw, moved that the application for premises licence could proceed to grant, on the basis that the premises were not excluded premises, in terms of section 123(5) of the 2005 Act. Councillor Gloyer, seconded by Councillor Mowat, moved an amendment that the premises were excluded premises and could not proceed for a decision on grant. Following a division Councillor Work used his casting vote and the application was granted.

2. 19-21 Glasgow Road Shell UK Oil Products Ltd

Councillor Work, seconded by Councillor Laidlaw, moved that the application for premises licence could proceed to grant, on the basis that the premises were not excluded premises, in terms of section 123(5) of the 2005 Act. Councillor Gloyer, seconded by Councillor Mowat, moved an amendment that the premises were excluded premises and could not proceed for a decision on grant. Following a division the motion was carried and the application was granted.

NHS Lothian representations:-

Variations

1. 101 Ocean Drive Atlas Hotels (Edinburgh Waterfront) Ltd
5. 32-36 Shandwick Place Sainsbury's Supermarkets Ltd
9. 50 Nicolson Street JD Wetherspoon (Scot) Ltd
13. 10 Annfield Cleveden 2016 Ltd
14. Unit 8, 61 Leith Street Stonegate Pub Company Ltd
(representation withdrawn)

Provisionals

1. 1 Ferrymuir Gait Shell UK Oil Products Ltd
2. 19-21 Glasgow Road Shell UK Oil Products Ltd
4. 38 St Andrews Square GH 230817 Ltd
7. 152 Morrison Street QMK Edinburgh Ltd

6. Section 82 Review of personal licence – Michelle McDonagh

The Depute Clerk advised of a requirement to review Michelle McDonagh's personal licence on the basis of a notification of conviction. The Board heard

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

from Alistair Macdonald on his client's behalf. After due consideration the Board agreed to endorse the personal licence.

7. Section 84 Review of personal licence – Narinder Singh

The Board noted from Alistair Macdonald that Narinder Singh's personal licence had been surrendered, and no further action was required.

8. Section 84 Review of personal licence – Umar Afzal

The Depute Clerk advised of a requirement to review Umar Afzal's personal licence, following a premises licence review hearing held at the Board's meeting on 2nd April 2019. The Board agreed to revoke Mr Afzal's personal licence.

9. Section 84 Review of personal licence – Mohammed Afzal

The Board noted from Alistair Macdonald that Mohammed Afzal's personal licence had been surrendered, and no further action was required.

10. Section 84 Review of personal licence – Abbas Afzal

The Depute Clerk advised of a requirement to review Abbas Afzal's personal licence, following a premises licence review hearing held at the Board's meeting on 2nd April 2019. The Board heard from John Young on behalf of Police Scotland and from Alistair Macdonald on behalf of Mr Afzal.

Following consideration of the representations made, the Board decided that it would take no action with the personal licence.

11. Letter from Local Government and Communities Committee

The Depute Clerk advised of a letter received from the Scottish Parliament's Local Government and Communities Committee, which invited responses from the Board to a number of themes set out in the letter. The Board agreed it would be preferable to provide a response to the letter if time allowed, noting the requested date for responses of 13th May 2019.

12. Scottish Government Consultation – Draft Guidance – Licensing (Scotland) Act 2005

The Depute Clerk advised the Scottish Government was carrying out a consultation on the terms of its proposed new draft guidance, for the Licensing (Scotland) Act 2005. The new draft guidance took account of amendments which had been made to the 2005 Act, since its commencement in 2009.

The Board noted the date by which responses to the consultation should be made was 11th June 2019.

13. Equality Act 2010 – Licensing Board Policy and Equality Outcomes – update

The Board noted that an update would be provided at the 27th May meeting and agreed to continue this matter.

Councillor Norman Work
Convener of the Licensing Board

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DECISION LIST – 29th APRIL 2019

APPLICATIONS FOR TRANSFER AND VARIATION OF PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	406309	Mr Daniyal Karamat	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	30 Craigentenny Road, Edinburgh, EH7 6LT	No	Yes	No	To increase the off-sale capacity to 25lm, to transfer the licence to a new licence holder, to appoint a new designated premises manager and to submit a new layout plan to show the changes to the capacity.	GRANTED

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2.	406505	Fierce Beer Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	167 Rose Street, Edinburgh, EH2 4LS	No	No	Yes	Transfer, 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, add TV Sport as an activity and change premises manager.	GRANTED “no audible nuisance” music condition
3.	406416	Mr Asif Iqbal Hussain	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3 Clovenstone Park, Edinburgh, EH14 3BG	No	Yes	No	Transfer, increase capacity and substitute new layout plan.	GRANTED

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APPLICATIONS FOR VARIATION OF PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	406466	Atlas Hotels (Edinburgh Waterfront) Limited	Gosschalks Solicitors Queens Gardens, Hull, HU1 3DZ	101 Ocean Drive, Edinburgh, EH6 6JJ	Yes	No	No	To amend the on sale hours of the premises, to add activities, to amend the capacity, to amend children and young persons access, to also change the description of the premises showing an increase in bedrooms.	Application amended to confirm 1100 on sales commencement GRANTED (on a division)

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2.	406626	Still Properties Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	119 High Street, Edinburgh, EH1 1SG	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 wording to seasonal variations, allow certain activities outwith core hours and amend statement regarding these activities and amend details to children and young persons access to premises.	Application amended to remove amendment to amplified music and vocals condition Amendment to children and young persons' access – confirming no unaccompanied access beyond 2200 (agent to provide amended operating plan) GRANTED
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3.	405666	The Terrace Hotel Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	17-22 Royal Terrace, Edinburgh, EH7 5AQ	No	No	Yes	To amend Sunday on-sale licensed hours to 11am-1am, to amend Sunday off-sale licensed hours to 11am-10pm, to add seasonal variations, to provide that accommodation is to be provided both during and outwith core licensed hours, to allow for certain activities to be provided outwith core licensed hours, to add "gym" to other activities provided, to amend details of children and young persons entry to the premises and to increase capacity	Application amended to remove seasonal variations; capacity unchanged at 539; outdoor drinking area not used beyond licensed hours. GRANTED No outdoor drinking beyond 2200
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4.	406529	B & B Edinburgh Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3 Rothesay Terrace, Edinburgh, EH3 7RY	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, add recorded music, bar meals, theatre, live performances and TV sport as activities and to provide that accommodation is available at all times, commence Sunday hours at 12 noon and change premises manager.	Amplified music and vocals condition to remain unchanged GRANTED, but with theatre and live music performances restricted to Festival period as specified by Board policy and with performances to be completed by 2100 (agent to amend operating plan)
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5.	405494	Sainsbury's Supermarkets Limited	Shepherd & Wedderburn 5th Floor, 1 Exchange Crescent, Conference Square, Edinburgh, EH3 8UL	32-36 Shandwick Place, Edinburgh, EH2 4RT	No	Yes	No	To increase off-sale capacity.	GRANTED (on a division)
6.	403621	The Bonham Hotel Edinburgh Limited	Nordic Legal Services Limited Office 1, 67 Delapre Drive, Banbury, Oxfordshire, OX16 3WS	34-36 Drumsheugh Gardens, Edinburgh, EH3 7RN	No	No	Yes	Approve internal reconfiguration and increase capacity.	GRANTED

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7.	406624	Omni Taverns Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	4-6 North Bank Street, Edinburgh, EH1 2LP	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, to amend the wording in regards to seasonal variations, to amend activities out with core hours and to amend statement regarding these, to amend children and young persons access.	GRANTED, but with amendment to children and young persons' access – confirming no unaccompanied access beyond 2200 (agent to provide amended operating plan)
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8.	405054	Bellfield Brewery Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	46 Stanley Place, Edinburgh, EH7 5TB	No	Yes	No	Add on sales, seasonal variations, conference facilities, bar meals, receptions club or other group meetings recorded music, live performances theatre, films, indoor/outdoor sports, televised sports, outdoor drinking facilities, add additional activities to the operating plan, outwith those already listed in section 5f, allow certain activities outwith core hours, allow children and young persons access to premises, increase capacity, approve internal reconfiguration and amend description of premises.	GRANTED, subject to terminal hour Sunday – Thursday 2200 Friday – Saturday 0000 No outdoor drinking beyond 2200 (on a division)
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All statutory references to Licensing (Scotland) Act 2005, unless stated otherwise

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9.	405677	JD Wetherspoon (Scot) Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	50 Nicolson Street, Edinburgh, EH8 9DT	No	No	Yes	Increase on sale hours, add off sales, add seasonal variations, restaurant facilities, receptions, club meetings and televised sports as activities, allow certain activities outwith core hours, amend details to children and young persons access to premises, increase capacity, remove premises managers details, change layout and amend name and description of premises.	<p>Application amended:-</p> <ul style="list-style-type: none"> • 1100 commencement for on sales, Monday – Sunday • off sales hours deleted • recorded music and live performances deleted • Capacity 400 <p>GRANTED, and with children and young persons access only until 2200</p>
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10.	406176	IP Partnership Limited	Inn Business (Scotland) Limited Springfield House, Laurelhill Business Park, Stirling, FK7 9JQ	52 West Port, Edinburgh, EH1 2LD	No	No	Yes	Increase on and off sale hours, add receptions, club & group meetings, dance facilities, theatre and films and indoor/outdoor sports as activities, allow certain activities outwith core hours, allow children and young persons access to premises.	CONTINUED for site visit
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11.	406235	Punch Partnerships (PTL) Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	57-59 Roseburn Terrace, Edinburgh, EH12 5NQ	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 details to seasonal variations, allow premises to open from 8am for breakfasts, teas, coffees etc, amend details to children and young persons access to premises and approve internal reconfiguration.	CONTINUED for site visit and redisplay of site notice
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12.	405665	Punch Partnerships (PTL) Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	6 Johnston Terrace, Edinburgh, EH1 2PW	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, to amend children and young persons access to the premises and to submit a new layout plan following an internal reconfiguration of the premises.	GRANTED
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13.	404630	Cleveden 2016 Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Annfield Bar, 10 Annfield, Edinburgh, EH6 4JF	No	No	Yes	To amend on sale hours, to standardise the wording of their seasonal variations, to add activities, to add wording after activities to include breakfasts from 9am, home deliveries, to decrease the off sale capacity, to increase the on sale capacity, to amend times for children & young persons and submit a new layout plan following an internal reconfiguration and inclusion of the existing outdoor area to be within the licensed footprint.	Agent confirming on sales commencement changing from 0900 to 1100 Monday to Sunday Amending application onsales terminal hour 0000 Sunday – Thursday, 0100 Friday – Saturday GRANTED No outdoor drinking after 2200 Condition that alcohol deliveries only to be with provision of food
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14.	402415	Stonegate Pub Company Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	Unit 8, 61 Leith Street, Edinburgh, EH1 3AU	No	No	Yes	To add receptions as an activity on the operating plan and to also amend children and young person's access to the premises.	GRANTED
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APPLICATIONS FOR PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	404404	Own Label Company Scotland Ltd	Own Label Company Scotland Ltd Unit 2A, Newbridge Industrial Estate, Edinburgh, EH28 8PJ	21 Swanfield, Edinburgh, EH6 5RX	No	Yes	No	The premises is situated within the Swanfield Industrial Estate, Leith, Edinburgh. It is a light industrial premises.	GRANTED

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APPLICATIONS FOR PROVISIONAL PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	406268	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	1 Ferrymuir Gait, South Queensferry, EH30 9QU	No	Yes	No	Petrol station located by convenience store	GRANTED (on a division)
2.	406266	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	19-21 Glasgow Road, Edinburgh, EH12 8HW	No	Yes	No	Convenience store located on petrol forecourt.	GRANTED (on a division)
3.	406451	Vida1 Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	276 Canongate, Edinburgh, EH8 8AA	No	No	Yes	Cafe premises located over ground floor and basement on the Canongate	GRANTED "no audible nuisance" music condition Capacity – 20 persons

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4.	406511	GH 230817 Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	38 St Andrews Square Edinburgh, EH2 2AD	No	No	Yes	Hotel located in St Andrews Square set out over 5 floors and a basement offering gym facilities.	Agent confirming amendment – non-resident children’s access until 2300, young persons’ until 0100 GRANTED No outdoor drinking beyond 2200 “no audible nuisance” music condition Condition - 0200 terminal hour for non-residents only when having meal in restaurant, otherwise 0100.
5.	406450	Mr Mohammad Nazim Ahmed	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	81 Fountainbridge, Edinburgh, EH3 9PU	No	No	Yes	Restaurant premises located on ground floor of a building on Fountainbridge, with storage area in basement, accessible by hatch.	CONTINUED to June meeting, for redisplay of site notice

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6.	406307	Fiocchi Di Neve Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	93 Dalry Road, Edinburgh, EH11 2AB	No	Yes	No	Delicatessen with limited seating located on the ground floor of a tenement on Dalry Road. There is a lower ground floor which is not accessible to the public.	GRANTED “no audible nuisance” music condition
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7.	406699	QMK Edinburgh Limited	Harper Macleod LLP The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE	152 Morrison Street, Edinburgh, EH3 8EB	No	No	Yes	The premises are a hotel property located at 152 Morrison Street, Edinburgh. The premises comprise of ground floor with public areas, kitchen, office, servery, counter and reception. The premises have accommodation bedrooms located over ground, lower ground and first, second, third and fourth floor. The premises have accomodation for 289 guests.	GRANTED "no audible nuisance" music condition Capacity – 318 On sales commencement 1100 Monday – Sunday
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APPLICATION FOR VARIATION OF PREMISES LICENCE
(CONTINUED FROM MEETING OF 29th APRIL 2019)

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	406176	IP Partnership Limited	Inn Business (Scotland) Limited Springfield House, Laurelhill Business Park, Stirling, FK7 9JQ	52 West Port, Edinburgh, EH1 2LD	No	No	Yes	10/04/19	Increase on and off sale hours, add receptions, club & group meetings, dance facilities, theatre and films and indoor/outdoor sports as activities, allow certain activities outwith core hours, allow children and young persons access to premises. CC LSO O x1	

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APPLICATION FOR TRANSFER AND VARIATION OF PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	408672	Mrs Prithpal Pooja Kaur Singh	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	123 Morrison Street, Edinburgh, EH3 8AJ	No	Yes	No	8/5/19	To increase Off Sale hours, add recorded music as an activity, to amend description of activities provided on premises and to transfer the licence holder. CC x2 LSO BSR	

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APPLICATIONS FOR VARIATION OF PREMISES LICENCES

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	407319	Heart of Midlothian Football Club	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	1 Tynecastle Terrace, Edinburgh, EH11 2NL	No	No	Yes	Increase capacity, approve internal reconfiguration, submit new layout plans and add following conditions 1. Kiosks will not be used during match days 2. Off sales will not be transacted during match days. Premises form the stands of Tynecastle Stadium, a football stadium, situated just off Gorgie Road between McLeod and Wheatfield Street in the West End of the City.	

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2.	408747	The Co-Operative Group Food Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	141 St John's Road, Edinburgh, EH12 7SD	No	Yes	No	Amend licence description to: "Convenience store, part of a national chain, selling a broad range of products for consumption off the premises".	
3.	407865	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	Increase capacity, approve internal reconfiguration and submit new layout plan.	

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4.	408677	Miss Helena Novotna	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	155 Dundee Street, Edinburgh, EH11 1BP	No	Yes	No	To increase off sales capacity, to provide that the premises may be open after the terminal hour. It may also open prior to the commencement of the licensed hours but not earlier than 6am. This would be for the sale of newspapers, rolls and general groceries. After 10pm products other than alcohol would continue to be sold. If the premises were to remain open after 11pm, this would be in conjunction with a Late Hours Catering Licence, to also submit a new layout plan showing the repositioning of the counter and the new alcohol display area.	
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5.	408956	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	19 Blair Street, Edinburgh, EH1 1QR	No	No	Yes	Increase on and off sale hours.	
6.	408467	Nanyang Restaurant Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	3-5 Lister Square, Edinburgh, EH3 9GL	Yes	No	No	To extend the licensed area to include a catering van, to add retail sales, to increase core hours, to change the wording in Q5 of the operating plan, include theatre as a permitted activity, to include takeaway food, to change the layout on the first floor from a restaurant to a shop.	

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7.	407385	CLGM LIC Ltd	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	43b Frederick Street, Edinburgh, EH2 1EP	Yes	No	No	Increase on sale hours, amend details to seasonal variations, allow certain activities outwith core hours, add takeaways private and corporate events, charity nights, tastings, product sampling events, product launches, meetings displays exhibitions and/or Edinburgh Festival activities as activities, allow children and young persons access to premises and show external area in basement as licensed.	
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8.	408658	J & L Leisure Limited	ADW Licensing 24 Canning Street, Edinburgh, EH3 8EG	48 Raeburn Place, Edinburgh, EH4 1HL	No	No	Yes	Increase on sale hours, add Seasonal Variations, Restaurant Facilities and Receptions as activities during and outwith core hours, amend details to Children and Young Persons access to premises, increase capacity, approve internal reconfiguration, submit new layout plan and amend description of premises to Wine Cafe.	
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9.	407624	Sirius Leisure Limited	<p>TLT LLP</p> <p>Gf, 80 Hanover Street, Edinburgh, EH2 1EL</p>	<p>50 Mortonhall Gate, Edinburgh, EH16 6TJ</p>	No	No	Yes	<p>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 sale hours, to amend off sale hours, to add seasonal variations, to add and amend activities, to allow outdoor drinking, to amend children and young persons access, to submit a new layout plan showing the additions of the external courtyard to the licensed footprint.</p>	
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10.	407626	The Speratus Group Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Gf, 107 George Street, Edinburgh, EH2 3ES	No	No	Yes	To amend terms in which children and young persons are allowed entry.	
11.	408741	John Lewis PLC	John Gaunt & Partners Units 39-41, Haslar Marine Technology Park, Haslar Road, Gosport, Hampshire, PO12 2AG	John Lewis, 60 Leith Street, Edinburgh, EH1 3SP	No	No	Yes	To increase off sale capacity and change basement level layout plan.	
12.	407961	Select Service Partner Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	Unit 9, Princes Mall, 3 Waverley Bridge, Edinburgh, EH1 1BQ	No	Yes	No	Increase capacity, approve internal reconfiguration and submit new layout plan.	

27th MAY 2019

APPLICATION FOR NEW PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	407233	Edinburgh River Life Limited	Hadden Rankin Solicitors 24 Haddington Place, Edinburgh, EH7 4AF	84 Dalry Road, Edinburgh, EH11 2AX	Yes	No	No	Riverlife Restaurant 84 Dalry Road Edinburgh EH11 2AX	

27th MAY 2019

APPLICATIONS FOR PROVISIONAL PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	408350	Diageo Scotland Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	146 Princes Street, Edinburgh, EH2 4BL	No	No	Yes	Visitor centre related to the craft heritage of Johnnie Walker Scotch Whisky brand with retail shop, exhibition spaces, events space and bar areas comprise of basement and further six floors at the corner of Princes Street and Hope Street.	
2.	407960	The Holyrood Distillery Ltd	Brunton Miller Herbert House, 22 Herbert Street, GLASGOW, G20 6NB	19 St Leonard's Lane, Edinburgh, EH8 9SH	No	No	Yes	The premises will operate as a working distillery including exhibition and tasting areas and associated retail areas with use of external yard for community amenity space and occasional open air market or other events.	

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3.	408671	1A PSQ Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1a Parliament Square, Edinburgh, EH1 1RF	No	No	Yes	Tourist hostel premises located over six floors in a historical building to the East side of Parliament Square.	
4.	408676	Elliott's Cafe Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	27 Sciennes Road, Edinburgh, EH9 1NX	No	No	Yes	Small cafe/restaurant located on the ground floor of a tenement building on Sciennes Road.	

27th MAY 2019

APPLICATIONS FOR OCCASIONAL LICENCES – REFERRAL BY CONVENER

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	407689 (31/5/19 – 13/6/19)	Mr Scott Clearie	Macdonald Licensing BF, 21 Rutland Square, Edinburgh, EH1 2BB	4 Market Street	No	No	Yes		CC LSO	
2.	407690 (14/6/19 – 27/6/19)	Mr Scott Clearie	Macdonald Licensing BF, 21 Rutland Square, Edinburgh, EH1 2BB	4 Market Street	No	No	Yes		CC LSO	

**SCOTTISH GOVERNMENT CONSULTATION – DRAFT REVISED GUIDANCE –
LICENSING (SCOTLAND) ACT 2005****1. Purpose**

- 1.1 To consider the terms of a response to the Scottish Government's consultation on its draft revised guidance for the Licensing (Scotland) Act 2005.
- 1.2 Subject to any amendments considered necessary by the Board, to submit a response to the consultation.

2. Main Report

- 2.1. The Scottish Government is consulting on the terms of a new draft of the guidance to the Licensing (Scotland) Act 2005. Section 142 of the Act requires licensing boards to have regard to the terms of the guidance, when carrying out their statutory functions. The consultation period opened on 19th March and closes on 11th June 2019.
- 2.2. The consultation seeks views on the terms of the new draft guidance, which has been prepared having taken account of a number of statutory changes, since the original guidance was issued in 2007.
- 2.3 The Board was advised at its meeting on 29th April that the consultation had commenced and it was agreed that a draft response would be prepared for the Board's consideration at its next meeting. The details of the draft response are attached. Board members will note that the consultation has not focused on particular questions, instead inviting (1) comments on any areas within the draft guidance which are considered to be unclear and (2) comments on other issues which should be taken into account within the guidance.
- 2.4 It is suggested that it is welcome that the guidance has been updated, considering the significant changes to the 2005 Act since its commencement in September 2009 and the Board may wish to emphasise this point. The guidance provides a detailed source of support for the Board in carrying out its functions in terms of the Act. As the Board must have regard to it when carrying out its functions, it is important to ensure that there is a familiarity with its terms. This consultation provides an opportunity to the Board to highlight any areas of the guidance which require clarification. A link to the guidance document is provided at the foot of this report (Paragraph 4 below).
- 2.5 It is recognised though, that the time available to the Board to digest and comment upon what is a very detailed document is limited. However with regard to the terms of the draft revised guidance, particular attention is drawn to the following as potentially being of significance to the Board:-
 - Statements of Licensing Policy (Chapter 4)
 - The Overprovision Assessment (Chapter 5)
 - Premises Licence (Chapter 8)

SCOTTISH GOVERNMENT CONSULTATION – DRAFT REVISED GUIDANCE – LICENSING (SCOTLAND) ACT 2005

- Occasional Licence (Chapter 9)

There is a separate consultation being conducted on the operation of occasional licences, which is the subject of a separate report.

2.6 The Board has already had some experience of dealing with part of the amended guidance, in its assessment of overprovision as part of the Board's licensing policy preparation. In considering reports on overprovision the Board had regard to current guidance on overprovision, as well as extracts from the new draft which had been provided as an additional support in carrying out this work.

2.7 Subject to any comments the Board may wish to make about the terms of the new draft guidance, or any areas which the Board considers are not sufficiently covered, it is suggested that a short response is submitted in support of its terms.

3. Recommendation

3.1 The Board is asked to note the terms of the consultation, and agree to the terms of a response.

4. Background Papers

<https://www.gov.scot/publications/consultation-licensing-scotland-act-2005-section-142-draft-revised-guidance-licensing-boards/>

Depute Clerk of the Licensing Board

SCOTTISH GOVERNMENT CONSULTATION – OCCASIONAL LICENCE APPLICATIONS

1. Purpose

- 1.1 To advise the Board of a consultation being carried out by the Scottish Government on occasional licences.
- 1.2 To agree arrangements for providing a response to the consultation.

2. Main Report

- 2.1. The Scottish Government is conducting a consultation on the licensing regime for occasional licences. In particular the Scottish Government is inviting comments on the current arrangements for application fees, and seeking views on whether there should be a limit in place for the number and duration of occasional licences. The consultation period opened on 23rd April 2019 and closes on 16th July 2019.
- 2.2 Details of the consultation are attached to this report. The list of specific consultation questions is reproduced below for ease of reference.
- 2.3 In order to allow sufficient time for consideration of the new draft guidance, it is suggested that the Board agrees to instruct the depute clerks to prepare a further report taking account of Board comments, with a view to a response being considered and then submitted on the Board's behalf at its next meeting, on 24th June 2019.

3. Recommendation

- 3.1 The Board is asked to note the terms of the consultation, and agree to a further report being prepared to include a response on the Board's behalf, taking account of Board members' comments on the draft guidance.

4. Background Papers

<https://consult.gov.scot/criminal-law/occasional-licences/>

Depute Clerk of the Licensing Board

SCOTTISH GOVERNMENT CONSULTATION – OCCASIONAL LICENCE APPLICATIONS

Fees

1. Do you agree that the fee for an occasional licence should be increased from the current level of £10?

Yes / No

2. Why?

3. Do you agree that £50 is an appropriate new fee level?

Yes / No

4. Why?

5. Do you agree that £75 is an appropriate new fee level?

Yes / No

6. Why?

7. Do you agree that £100 is an appropriate new fee level?

Yes / No

8. Why?

9. If you do not think that any of the proposed fee levels are appropriate, what do you believe would be a suitable fee level?

10. What evidence, based on cost recovery, can you supply for an appropriate fee level for occasional licences?

Limits

11. Do you agree that limits should be placed on the number and duration of occasional licences for holders of a premises licence and holders of a personal licence?

Yes / No

12. Why?

SCOTTISH GOVERNMENT CONSULTATION – OCCASIONAL LICENCE APPLICATIONS

13. What do you think would be an appropriate limit on the **number** of occasional licences that could be issued to the same **applicant** in a 12 month period, and why?

14. What do you think would be an appropriate limit on the **number** of occasional licences that could be issued to the **same premises** in a 12 month period, and why?

15. What do you think would be an appropriate limit on the **number of days** that occasional licences issued to the **same applicant** in a 12 month period could have effect, and why?

16. What do you think would be an appropriate limit on the **number of days** that the occasional licences issued in relation to the **same premises** in a 12 month period could have effect?

17. What do you think would be an appropriate limit on the **number of continuous days** that a series of occasional licences can have effect in relation to the **same premises**?

18. Are there any other comments you wish to make that relate to the occasional licence?