

Notice of meeting and agenda

Licensing Board

9.30 am Monday, 25th November, 2019

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend

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Full Meeting Papers - Licensing Board - 25 November 2019

Laurence Rockey

Head of Strategy and Communications

Committee Members

Councillor Norman Work (Convener), Councillor Steve Burgess, Councillor Lezley Marion Cameron, Councillor Nick Cook, Councillor Cammy Day, Councillor Gillian Gloyer, Councillor Derek Howie, Councillor David Key, Councillor Callum Laidlaw and Councillor Joanna Mowat.

Information about the Licensing Board

The Licensing Board consists of 10 Councillors and is appointed by the City of Edinburgh Council. The Licensing Board usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Nick Fraser, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4424 / 0131 529 4304, email nicholas.fraser@edinburgh.gov.uk / morag.leck@edinburgh.gov.uk.

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/cpol.

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NOTICE OF MEETING

MONDAY 25th NOVEMBER 2019

START TIME 9.30am

Dean of Guild Room, City Chambers, Edinburgh

AGENDA

1. Preliminary matters
2. Minutes of Meeting of 28th October 2019
3. Requests for extension of provisional period
 - 120 Dundas Street, Edinburgh
 - 85/87 South Bridge, Edinburgh
 - 20/30 Cockburn Street, Edinburgh
 - 36 Castle Terrace, Edinburgh
4. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list
5. Annual Financial Report – 2018/19

Nick Smith
Clerk of the Licensing Board

Licensing Board membership:

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

MONDAY 28th OCTOBER 2019

Members present: Councillors Norman Work (Convener); Gillian Gloyer; Joanna Mowat; Steve Burgess; Callum Laidlaw; Derek Howie; Lezley-Marion Cameron

Apologies: Councillors Nick Cook; Cammy Day; David Key

Police: Sergeant John Young

NHS Lothian: Jim Sherval

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

1. Preliminary matters

The Depute Clerk confirmed the terms of the Board's festive extended hours policy, namely that between 18th December 2019 and 3rd January 2020 inclusive, seasonal variations would take effect. Applications for temporary extended hours during that period for premises which did not already have seasonal variations would be considered in the context of the policy.

2. Minutes of Meeting of 28th October 2019

The minutes of the meeting of 28th October 2019 and associated decision list (attached below) were approved.

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 twelve applications for variation of premises licences, five applications for provisional premises licences and six application for personal licences, the decisions for which are as detailed in the list appended to these minutes.

Declarations of interest: None

Divisions:

Variations – 8. – 121 Great Junction Street (Himalayan Centre Edinburgh Ltd)

Councillor Cameron, seconded by Councillor Work, moved grant of the application. Councillor Gloyer, seconded by Councillor Howie, moved as an amendment that the application be granted but with the terminal hour for Fridays and Saturdays of 0100, and 2330 for the rest of the week. Following a division, the AMENDMENT was agreed.

NHS Lothian representations:-
Marked on decision list below

Councillor Norman Work
Convener of the Licensing Board

DECISION LIST – 28 OCTOBER 2019

APPLICATIONS FOR VARIATION OF PREMISES LICENCE

CONTINUED FROM 30 SEPTEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	417496	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	142 Dundas Street, Edinburgh, EH3 5DQ	No	No	Yes	To add Bar Meals, Outdoor Drinking, Children and Young Person's Access, to change the Premises Manager and to substitute a new layout plan. CC LSO	GRANTED Outdoor drinking until 2200

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DECISION LIST – 28 OCTOBER 2019

APPLICATIONS FOR VARIATION OF PREMISES LICENCE

28 OCTOBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	419532	The Edinburgh Woolen Mill Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	137-141 High Street, Edinburgh, EH1 1SG	No	Yes	No	To amend activities. CC; LSO; Ox1	GRANTED Music condition – “no audible nuisance”
2.	417834	RW Greenside Place Limited	RW Greenside Place Limited 2 Greenside Place, Edinburgh	2 Greenside Place, Edinburgh, EH1 3AA	Yes	No	No	Increase on sale hours. CC; LSO	GRANTED
3.	417444	Buzz Group Limited	Eversheds Sutherland LLP 70 Great Bridgewater Street, Manchester	2 Moray Park, Edinburgh, EH7 5TS	Yes	No	No	To provide gaming outwith core licensed hours. CC; LSO	GRANTED
4.	419711	Granton Food and Wines (Partnership)	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	201-203 West Granton Road, Edinburgh, EH5 1PD	No	Yes	No	To amend layout, to increase off-sale capacity, to amend activities provided outwith core licensed hours and to add recorded music as an activity. CC; LSO; BSR	Application amended to confirm capacity of 81m of shelving (removal of area marked on layout plan as 4 shelves 2800mmX400mm) GRANTED Music condition – “no audible nuisance”

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DECISION LIST – 28 OCTOBER 2019

5.	418102	Star Pubs & Bars Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	30 Longstone Road, Edinburgh, EH14 2BH	No	No	Yes	<p>To delete current Condition on amplified music and vocals & replace with new Condition per Board Policy. Increase on & off sale hours, add seasonal variations, conference facilities, restaurant facilities, karaoke and quiz nights as activities, allow the premises to open from 8am for the provision of breakfasts, coffees, teas etc, amend details to children & young persons access increase capacity approve internal reconfiguration & amend details to description of premises.</p> <p>CC; LSO; BSR; NHS</p>	CONTINUED at request of agent, for redisplay of Site Notice
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DECISION LIST – 28 OCTOBER 2019

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6.	419845	Gaicho Licensing Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow	3-8 St Andrew Square, Edinburgh, EH2 2BD	No	No	Yes	To add off sales to the premises. CC; NHS	GRANTED Off sales to be with provision of food only
7.	418836	SYHA (Trading) Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	9 Haddington Place, Edinburgh	Yes	No	No	Add outdoor drinking as an activity and also allow this activity outwith core hours but not before 7am. Also approve internal reconfiguration. CC; LSO	GRANTED Layout plan amended Outdoor area for provision of teas and coffees from 0700, but no alcohol until 1100 – terminal hour for outdoor area 2200 Music condition – “no audible nuisance”
8.	419709	Himalayan Centre Edinburgh Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Dr Bell's Swimming Pool, 121 Great Junction Street, Edinburgh, EH6 6JB	Yes	No	No	To increase on- sale hours, to amend activities provided on premises outwith core licensed hours. CC; LSO; Ox1	Division on terminal hour for on sales – following vote, GRANTED 0100 Friday and Saturday; Sunday – Thursday remain 2330

DECISION LIST – 28 OCTOBER 2019

9.	419418	Scottish Rugby Union PLC	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Murrayfield Stadium, 102a Roseburn Street, Edinburgh, EH12 5PJ	No	No	Yes	To amend description of premises, to amend activities outwith core licensed hours, to amend other activities carried out on premises, add off sale capacity for SRU shop. To allow for more customers standing than seated and music exceeding 85dB after 1am. CC; LSO; BSR	CONTINUED at request of agent
9.	419531	The Edinburgh Woolen Mill Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Unit 1, 139 Princes Street, Edinburgh, EH2 4BL	No	Yes	No	To amend activities. CC; LSO	GRANTED Music condition – “no audible nuisance”
11.	419631	Iceland Frozen Foods	Iceland Frozen Foods 2nd Avenue, Deeside Industrial Park, Deeside, Clywd, CH5 2NW	Unit 37, Westside Plaza Shopping Centre, 6 Westside Plaza, Edinburgh, EH14 2SW	No	Yes	No	To add recorded music as an activity outwith core hours, to amend activities and to remove reference to children and young persons access. CC; LSO	GRANTED Music condition – “no audible nuisance”

DECISION LIST – 28 OCTOBER 2019

APPLICATIONS FOR PROVISIONAL PREMISES LICENCES

28 OCTOBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	419635	Chez Roger Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	11 Colinton Road, Edinburgh, EH10 5DP	No	No	Yes	Retail shop with ancillary alcohol offer set within a promenade of shops in a mixed commercial and residential area CC; LSO; BSR	Application amended – onsales commencement 1100 Sunday GRANTED Music condition – “no audible nuisance” Condition – onsales to be used only in connection with paid for tastings
2.	419184	Diageo Scotland Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	12 Lochside Place, Edinburgh, EH12 9HA	No	No	Yes	Office premises containing shop and a bar area together with external licensed area. CC; LSO; BSR	GRANTED Outdoor drinking until 2200 Music condition – “no audible nuisance”
3.	419427	Mr Jaspal Gill	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	24 Glasgow Road, Edinburgh, EH12 8HL	No	Yes	No	Small takeaway premises located in the ground floor of a building on Glasgow Road. CC; LSO; BSR	GRANTED Music condition – “no audible nuisance”

DECISION LIST – 28 OCTOBER 2019

4.	418571	WeWork Community Workspace UK Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	80 George Street, Edinburgh	Yes	No	No	Office premises accessed from ground floor at 80 George Street comprising floors 1-6 with external area on sixth floor with facilities for provision of alcohol to those working in the office and permitted guests. CC; LSO; BSR	CONTINUED for site visit Part-heard application – Councillors Work; Mowat; Laidlaw; Gloyer; Burgess; Howie
	419185	Travelodge Hotels Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	Land 148 Metres West of 1 Broadway Park, South Gyle Broadway, Edinburgh, EH12 9LR	Yes	No	No	Hotel with cafe bar situated on ground floor with accommodation on ground and further two floors CC; LSO; BSR; Ox1	GRANTED Music condition – “no audible nuisance”

DECISION LIST – 28 OCTOBER 2019

PERSONAL LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Comments	Decision
1.	415085	Charlton Ndebele		CC	GRANTED
2.	412462	Keith Raymond Masters		CC	Not present - CONTINUED

PERSONAL LICENCE RENEWAL APPLICATIONS

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No	Reference	Applicant	Agent Details	Comments	Decision
1.	412320	Mohammed Ahmed		CC	Board noted Mr Ahmed not attending, and no longer seeking renewal of licence, which would expire 31-10-19
2.	410513	David Alexander Kay		CC	Renewal GRANTED. Personal licence endorsed
3.	411648	Dalbir Singh	MacDonald Licensing Bf 21 Rutland Square Edinburgh EH1 2BB	CC	Renewal GRANTED. Personal licence suspended for four weeks
4.	409697	Asif Amir	MacDonald Licensing Bf 21 Rutland Square Edinburgh EH1 2BB	CC	Police letter withdrawn. Application GRANTED

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 120
DUNDAS STREET, EDINBURGH

1. Purpose

- 1.1 To ask the Board to consider an application to extend the provisional period for a provisional premises licence.

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 120 Dundas Street, Edinburgh. The licence was issued by the Board on 27th July 2015 and was due to expire on 27th July 2019. The Board agreed to an application to extend the provisional period at its 27th May 2019 meeting, to 27th January 2020.
- 2.5. The provisional premises licence is for the operation of a premises described as a café/eatery/delicatessen located on the ground floor of a newly developed building.

3. Recommendation

- 3.1 In the event that the Board is satisfied with the reasons given, the Board is asked to reach a decision on the duration of any extension of the provisional premises licence.

4. Background Papers

- 4.1 Letters from Macdonald Licensing dated 1st May 2019 and 29th October 2019.

Depute Clerk of the Licensing Board

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 85/87
SOUTH BRIDGE, EDINBURGH

1. Purpose

- 1.1 To ask the Board to consider an application to extend the provisional period for a provisional premises licence.

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 85/87 South Bridge, Edinburgh. The licence was issued by the Board on 22nd June 2015 and was due to expire on 22nd June 2019. The Board agreed to an application to extend the provisional period at its 27th May 2019 meeting, to 22nd December 2019.
- 2.5. The provisional premises licence is for the operation of a premises described as a boutique hotel consisting of 20 bedrooms, function room, restaurant and bar facilities within a building with main access on South Bridge, extending over 8 floors.

3. Recommendation

- 3.1 In the event that the Board is satisfied with the reasons given, the Board is asked to reach a decision on the duration of any extension of the provisional premises licence.

4. Background Papers

- 4.1 Letter from Macdonald Licensing dated 5th November 2019.

Depute Clerk of the Licensing Board

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 20-30
COCKBURN STREET, EDINBURGH

1. Purpose

- 1.1 To ask the Board to consider an application to extend the provisional period for a provisional premises licence.

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 20-30 Cockburn Street, Edinburgh. The licence was issued by the Board on 26th January 2015 and was due to expire on 26th January 2019. The Board agreed to an application to extend the provisional period at its 26th November 2018 meeting, to 26th January 2020.
- 2.5. The provisional premises licence is for the operation of a premises described as Premises located over 5 floors plus mezzanine, on Cockburn Street, consisting of 29 bedrooms and 5 serviced apartments with ancillary facilities

3. Recommendation

- 3.1 In the event that the Board is satisfied with the reasons given, the Board is asked to reach a decision on the duration of any extension of the provisional premises licence.

4. Background Papers

- 4.1 Letter from Macdonald Licensing dated 6th November 2019.

Depute Clerk of the Licensing Board

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 36
CASTLE TERRACE, EDINBURGH

1. Purpose

- 1.1 To ask the Board to consider an application to extend the provisional period for a provisional premises licence.

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 36 Castle Terrace, Edinburgh. The licence was issued by the Board on 14th December 2015 and is due to expire on 14th December 2019. The licence holder hopes to have obtained confirmation of the licence before that date, but has requested an extension of the provisional period in the event that there is any delay in confirmation being granted.
- 2.5. The provisional premises licence is for the operation of the premises as a restaurant.

3. Recommendation

- 3.1 In the event that the Board is satisfied with the reasons given, the Board is asked to reach a decision on the duration of any extension of the provisional premises licence.

4. Background Papers

- 4.1 Email from Hill Brown Licensing dated 18th November 2019.

Depute Clerk of the Licensing Board

THE CITY OF EDINBURGH LICENSING BOARD

ITEM No. 4

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

25 NOVEMBER 2019

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	418102	Star Pubs & Bars Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	30 Longstone Road, Edinburgh, EH14 2BH	No	No	Yes	9/10/19	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 and off sale hours, add seasonal variations, conference facilities, restaurant facilities, karaoke and quiz nights as activities, allow the premises to open from 8am	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
									<p>for the provision of breakfasts, coffees and teas etc, amend details to children and young persons access to premises, increase capacity, approve internal reconfiguration, and amend details to description of premises.</p> <p>Request to continue to January Board received 18/11/19.</p> <p>CC LSO BSR NHS</p>	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
2.	419418	Scottish Rugby Union PLC	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Murrayfield Stadium, 102a Roseburn Street, Edinburgh, EH12 5PJ	No	No	Yes	9/10/19	To amend description of premises, to amend activities provided outwith core licensed hours, to amend other activities carried out on the premises, to add off sale capacity for SRU shop. To allow for more customers standing than seated and music exceeding 85dB after 1am. CC LSO BSR	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	421515	Mr Majid Valiani	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	183 Bruntsfield Place, Edinburgh, EH10 4DG	No	No	Yes	06/11/19	To add off sales, to amend on sale hours, to amend the amplified music condition, to amend layout incorporating outside area into the licensed premises. To substitute Designated Premises Manager. To add outside drinking, televised sport, live performances, deliveries, takeaways as activities and to amend activities carried out on the premises. CC LSO	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
									NHS	
2.	421196	Gruni Food & Wine Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	214 Gorgie Road, Edinburgh, EH11 2PN	No	Yes	No	06/11/19	To amend layout, to increase off-sale capacity, to change description of premises; to add recorded music, tastings and deliveries as activities, to amend other activities carried out on the premises.	
									CC LSO BSR NHS	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	421193	Ting Thai Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	55-57 Lothian Road, Edinburgh, EH1 2DJ	Yes	No	No	06/11/19	To amend layout reflecting the incorporation of 55 Lothian Road, to amend premises address, to increase capacity, to amend description of premises. CC BSR NHS	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
4.	422088	Licensed Support Services Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	82 Commercial Street, Edinburgh, EH6 6LX	No	No	Yes	06/11/19	To amend on sale hours and add off sales, to amend layout, to add seasonal variations. To add bar meals, conference facilities, live performances, theatre, films, indoor/outdoor sports and televised sport as activities. To amend activities carried out on the premises, to amend Children and Young Persons' access, to increase capacity. CC LSO BSR	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	422084	Malleny LIC Limited	Millar Campbell Solicitors 116 Blythswood Street, Glasgow, G2 4EG	Malleny Arms Hotel, 15 Main Street, Balerno, EH14 7EQ	No	No	Yes	06/11/19	To amend name and description of premises, to amend layout, to increase capacity. To add Accommodation, Theatre and Film to activities; to amend activities carried out on premises. CC LSO BSR	

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

NOTICE OF APPLICATIONS – Continued Provisional PREMISES LICENCE APPLICATIONS

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	418571	WeWork Community Workspace UK Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	80 George Street, Edinburgh	Yes	No	No	9/10/19	Office premises accessed from ground floor at 80 George Street comprising floors 1-6 with external area on sixth floor with facilities for provision of alcohol to those working in the office and permitted guests. CC LSO BSR	

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	420883	Nga Thi Nguyen	ADW Licensing 24 Canning Street, Edinburgh, EH3 8EG	15 Dalry Road, Edinburgh, EH11 2BQ	No	No	Yes	06/11/19	Small ground floor restaurant on one level, on the east side of Dalry Road near the junction with Haymarket. CCx2 LSO BSR NHS	
	421518	Victors of Edinburgh Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	29 Melville Terrace, Edinburgh, EH9 1LP	No	No	Yes	06/11/19	A self contained cafe currently operated in conjunction with the adjacent Victor Hugo delicatessen/cafe. Located on the ground floor of a building on Melville Terrace. CCx2 LSO BSR	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

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Page 32	3.	421382	Turner & Hooch Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3a Merchant Street, Edinburgh, EH1 2QD	Yes	No	No	06/11/19	Restaurant/Bar located in the lower ground floor of a property on Merchant Street, Edinburgh. CCx2 LSO BSR NHS Ox2	
		421381	Monkey Barrel Comedy Ltd	Macdonald Licensing 21 a Rutland Square, Edinburgh, EH1 2BB	98-106 South Bridge, Edinburgh, EH1 1HN	Yes	No	No	06/11/19	Premises consisting of the lower floors of a building on South Bridge, these floors being accessed from Blair Street, which will be used as an entertainment complex. CCx2 LSO BSR NHS	

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

25 NOVEMBER 2019

NEW

No	Reference	Applicant	Agent Details	Comments	Decision
1.	412462	Mr Keith Raymond Masters		CC	Continued from October 2019 Board

RENEWAL

No	Reference	Applicant	Agent Details	Comments	Decision
1.	408923	Mr Kashaf Parvaz	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	CC	AUGUST Renewal
1.	408920	Mr Anwar Ali	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	CC	AUGUST Renewal

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

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	421916 (25/11/19 – 8/12/19)	Mrs Sara Patricia Da Silva	Mrs Sara Patricia Da Silva 294 Leith Walk, Edinburgh EH6 5BX	294 Leith Walk	No	No	Yes		CC LSO	
2.	421917 (9/12/19 – 22/12/19)	Mrs Sara Patricia Da Silva	Mrs Sara Patricia Da Silva 294 Leith Walk, Edinburgh EH6 5BX	294 Leith Walk	No	No	Yes		CC LSO	
	421918 (23/12/19 – 5/1/20)	Mrs Sara Patricia Da Silva	Mrs Sara Patricia Da Silva 294 Leith Walk, Edinburgh EH6 5BX	294 Leith Walk	No	No	Yes		CC LSO	

PUBLICATION OF ANNUAL FINANCIAL REPORT – 2018/19

ITEM No. 5

1. Purpose

- 1.1 To ask the Board to approve the terms of its third annual financial report;
- 1.2 To discharge statutory duties re Licensing Board reporting of income; and
- 1.3 To provide brief information about spend and pressures as advised by the Council's Place Directorate.

2. Main Report

- 2.1. At a previous meeting on 26 June 2017 the Board was advised of a new duty introduced by an amendment to the Licensing (Scotland) Act 2005. Section 9B of the Act requires Boards to prepare and publish no later than three months after the end of the financial year, an annual financial report. The report should 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; and
 - An explanation of how the amounts in the statement were calculated.
- 2.2. Section 9B provides some detail as to what is required of Boards to comply with this duty, but the Scottish Government has not issued guidance on the specifics. The report format has been left to individual councils and Boards to decide. The Council's Place Directorate has prepared the annexed report (Appendix One) on the basis of information obtained from the licensing applications database. The report has been prepared using a similar template to the previous two annual financial reports considered by the Board at its meetings on 4 December 2017 and 26 November 2018.
- 2.3. The annexed report sets out the income and expenditure details calculated for the 2018/19 financial year. Income details have been provided from an assessment of the Council's licensing applications database for all fees gathered between 1 April 2018 and 31 March 2019.
- 2.4. The annexed report explains the basis upon which the expenditure figure has been reached, with an explanation as to why this represents an estimate figure of the total expenditure for the financial year. There was in 2018/19 a small surplus of £31k in the year which is carried forward to the Board's reserve.
- 2.5. The report provides details from the 2018/19 report to allow for comparison. The Place Directorate have also provided supplementary information in this regard as set out below at Paragraphs 2.6 and 2.7.

PUBLICATION OF ANNUAL FINANCIAL REPORT – 2018/19

2.6. Staffing in Licensing Service/Licensing Enforcement teams and associated impact on costs and the outturn for the financial year specifically:

2.6.1. The staffing costs for Licensing Standards Officers were below the figures forecast, 1 FTE Licensing Standards Officer retired at the end of November 2018, and due to recruitment timescales the vacancy was filled on 1 April 2019. In addition, 1 FTE Licensing Standards Officer has been on maternity pay since November 2018, which has also resulted in reduced staffing costs recorded during 2018/19.

2.6.2. Within the Licensing Service a number of Licensing Officer posts have been vacant during the year due to retirement or internal promotion. The overall staffing costs are split across all licence types including liquor and therefore this has contributed to the staffing costs recharged to the Board being less than projected.

2.7. Members are asked to note whilst the current reserve stands at £351k there is work underway to update the ICT system used by the Licensing Service to the most current version of the software. There is also a scoping exercise being undertaken on future developments of that ICT system as it known that further update to that system, beyond the current work, will not be possible without significant investment. The reserve at that level is necessary to ensure that the Board can contribute its share of the costs of these projects. Separately the reserve is necessary to covers risks from legal costs for any appeals against Board decisions.

2.8. Provided that the Board approves the annexed report, the details are required to be published. This will be achieved by publishing the annexed financial report on the Board's webpage on the City of Edinburgh Council website.

3. Recommendation

- 3.1 The Board is asked to:
- a) approve the terms of the annual financial report as annexed; and
 - b) delegate publication of the report to the clerk and his deputes.

4. Appendices

- 4.1 Appendix 1 – Financial Report 2018/19
- 4.2 Appendix 2 - Financial Report 2017/18

PUBLICATION OF ANNUAL FINANCIAL REPORT – 2018/19

5. Background

- 5.1 Reports to Board of 4 December 2017 and 26 November 2018
- 5.2 Licensing Scotland Act 2005 – Section 9B

Morag Leck

Depute Clerk of the Licensing Board

Appendix 1

Licensing (Scotland) Act 2005

City of Edinburgh Licensing Board Financial Report

Year Ending: 31 March 2019

The City of Edinburgh Licensing Board is required under section 9B of the Licensing (Scotland) Act 2005 to publish an annual financial report within 3 months of the end of the relevant financial year.

This report has been prepared using financial data taken on 30th July 2019. The relevant budgets and other finance sources that the data has been extracted from have not yet been audited. Consequently, the figures provided in this report are indicative and cannot be relied upon as an accurate reflection of income and expenditure relative to the exercise of the Licensing Board's functions under the Licensing (Scotland) Act 2005.

The financial statement is as follows:

<u>Income</u> ¹	£
Occasional Licences	-34,481
Personal Licences	-67,092
Premises Licences	-994,453
Total	-1,096,026
<u>Staff Costs</u> ²	
Licensing Services	726,894
Legal Services	53,812
Administrative Support	28,295
Total	809,002
<u>Other Direct Costs</u> ³	
Room Hire & Meetings	3,853
Training	482
Postage	4,023
Printing/Stationery/Photocopying	8,621
Transport	11,940
Other expenses	18,551
Internal Charges	14,887
Total	62,356
<u>Indirect Costs</u> ⁴	
ICT/Telecommunications	22,027
Business Support	19,346
Property	75,653
Corporate & Democratic Core	33,792
Other	42,568
Total	193,386

Net (Surplus)/Deficit

-31,282

Notes:

1. Denotes income from applications and annual fees received in 2018/19 under the Licensing (Scotland) Act 2005
2. Denotes salary, superannuation, national insurance and pension costs associated with the Clerk, Licensing Standards Officers and other Council staff responsible for administrative support under paragraph 8 of Schedule 1 to the Licensing (Scotland) Act 2005.
3. Denotes direct budgetary costs associated with the exercise of the Licensing Board function such as travel and transport costs, stationery, supplies and services etc.
4. Denotes the portion of centralised administrative costs such as ICT, training, property costs etc. that are allocated to the Licensing Board budget. These allocations are derived from the Councils Central Support Cost model and the inputs used to allocate central costs. Please note that through Council transformation that previous direct costs to Licensing are now charged indirectly.

Appendix 2

Licensing (Scotland) Act 2005

City of Edinburgh Licensing Board Financial Report

Year Ending: 31 March 2018

The City of Edinburgh Licensing Board is required under section 9B of the Licensing (Scotland) Act 2005 to publish an annual financial report within 3 months of the end of the relevant financial year.

This report has been prepared using unaudited financial data taken for year ending 31 March 2018. It should be noted that not all expenditure relating to the Licensing Board's functions are separated from general licensing activity. These general costs have therefore been allocated to the Licensing Board based on a best estimate of the expenditure incurred. The report accordingly should not be relied upon as a precise reflection of income and expenditure relative to the exercise of the Licensing Board's functions under the Licensing (Scotland) Act 2005.

The financial statement is as follows:

	Year ending 31 March 2018	Year ending 31 March 2017
<u>Income</u> ¹	£	£
Occasional Licences	33,311	26,134
Personal Licences	49,227	55,953
Premises Licences	1,018,005	952,809
Total	1,100,543	1,034,896
<u>Staff Costs</u> ²		
Licensing Services	753,053	558,513
Legal Services	55,485	48,498
Administrative Support	27,094	26,825
Total	835,632	633,836
<u>Other Direct Costs</u> ³		
Room Hire & Meetings	5,229	4,581
Training	1,880	6,640
Postage	3,810	5,355
Printing/Stationery/Photocopying	4,240	5,275
Transport	13,545	11,755
Other expenses	4,198	6,786
Internal Charges	16,443	17,314
Total	49,345	57,706
<u>Indirect Costs</u> ⁴		
ICT/Telecommunications	28,669	33,659
Business Support	22,133	15,799
Property	84,412	88,701
Corporate & Democratic Core	29,373	35,619

Other	35,556	64,581
Total	200,143	238,359
Net (Surplus)/Deficit	(15,423)	(104,995)

At 31 March 2018 the balance on ring-fenced reserve relating to Licensing Board fees was £318,194.

Notes:

1. Denotes income from applications and annual fees received under the Licensing (Scotland) Act 2005
2. Denotes salary, superannuation, national insurance and pension costs associated with Legal Services/Depute Clerk, Licensing Officers, Licensing Standards Officers and other Council staff responsible for administrative support under paragraph 8 of Schedule 1 to the Licensing (Scotland) Act 2005. Where costs are not directly attributable to the Licensing Board's functions, costs have been allocated based on the proportional share of licensing applications.
3. Denotes direct budgetary costs associated with the exercise of the Licensing Board functions, such as travel and transport costs, stationery, supplies and services etc.
4. Denotes the portion of centralised administrative costs such as ICT, training, property costs etc. that are allocated to Licensing and Licensing Standards relating to the functions of the Licensing Board. These allocations to Licensing and Licensing Standards are derived from the Council's Central Support Cost model.

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