

◆ EDINBURGH ◆
LICENSING BOARD

NOTICE OF MEETING

MONDAY 26 February 2024

Start time: 9.30am

DEAN OF GUILD COURTROOM

AGENDA

NOTE: Items 1-2 below will be webcast and considered by the Board from 9.30am. The remainder of the meeting will not be webcast.

1. Convenor's Update
2. Minutes of meeting of 22 January 2024, decisions and matters arising
3. Applications – major variations, new provisionals/ premises licences, etc. – details as set out in separate list
4. Occasional Licence Referrals
5. Provisional Premises licence extension requests
6. Premises Licence Review Hearing – 79 Restalrig Road South

***Nick
Smith Clerk of the
Licensing Board***

Licensing Board membership:

Councillor Chas Booth	Councillor Margaret Graham
Councillor Lezley Marion Cameron	Councillor David Key
Councillor Pauline Flannery	Councillor Jason Rust (Vice-Convenor)
Councillor Catherine Fullerton	Councillor Norman Work
	Councillor Louise Young (Convenor)

General information about the Licensing Board's meeting dates, Policies, etc. is available online:-

<https://www.edinburgh.gov.uk/licences-permits/edinburghs-licensing-board/1>

MINUTES OF MEETING

MONDAY 22 JANUARY 2024

Board members present: Councillors Louise Young (Convenor); Jason Rust (Vice-convenor); Chas Booth; Pauline Flannery; Catherine Fullerton; Margaret Graham; David Key; Norman Work

Apologies: Councillor Lezley Marion Cameron

Police: Sergeant Barry Mercer

Council Officers: Veronica McMillan (Regulatory Team Leader); Colin McCulloch (Senior Building Standards Surveyor); Nick Fraser (Depute Clerk); Gerry Mays (Depute Clerk)

In its consideration of items 1 to 3 below the Board deliberations were broadcast using the Council's webcast system. A copy of the webcast can be viewed [here](#).

1. Convenor's Update

Statement of Licensing Policy – the Convenor thanked everyone involved for the work done in ensuring the Board's new policy was completed and published. She acknowledged the requirement for the Board to assess overprovision, noting there was a report on the agenda to start that work.

Occasional licence referrals – with the Board's policy in place, the Convenor advised it was likely that referrals would form a regular agenda item. The priority would be firstly to focus on extended use of occasionals with no underlying provisional licence, and after that extended use of occasionals where there was a provisional in place.

Scheduling additional meetings – “fast-track Fridays” – the Convenor advised the Board there was a backlog of applications which would require to be considered by the Board. On that basis she was suggesting the trialling of a fast-track option for applications where it was considered they were more straightforward, where there were no objections and where statutory consultees had highlighted no issues. Until the summer, the Board would schedule additional meetings every month to deal with these applications, to be conducted using Teams.

The proposal was discussed in some detail and the Board agreed the proposal should be investigated further with a view to scheduling additional meetings on a trial basis.

2. Licensing Policy Statement – Assessment of Overprovision

The depute clerk narrated the terms of the report prepared for the Board on its requirement to carry out an assessment of overprovision. The Board noted the terms of the report and discussed how matters would be progressed. The Board agreed the following:-

- (a) to consider the details of licensed premises in the Board's area as provided by the Place Licensing Service;

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LICENSING BOARD

- (b) to consider the details of representations received on overprovision during earlier policy consultations, from police and health representatives;
- (c) having previously agreed to do so, to carry out a consultation for an agreed period, inviting comment from statutory consultees and all other interested parties on the extent of licensed premises and capacities of premises provided by Place Licensing; and
- (d) to note that a follow up report will be required on the outcome of that consultation.

In addition, the Board agreed:-

- (e) to invite those who have submitted a representation already to determine whether they wish to update their remarks
- (f) to ensure community councils, the Licensing Forum, and any bodies who responded to the policy consultation, are advised proactively of the over-provision consultation starting; and
- (g) to delegate to the convenor and clerk to agree on the consultation questions which will be shared with members prior to going live for their comments, and to include a question on the level of geography and a reminder of licensing objectives.

3. Minutes of meeting of 27 November 2023, decisions and matters arising

The minutes of the meeting of 27 November 2023 were agreed.

4. Applications

The Board considered applications for major variations, new provisional premises licences, personal licences, occasional licences and provisional premises licence extension requests, all as detailed in the decision list appended to these minutes

5. Premises Licence Review Hearing – 48 Ferry Road Drive

The Board held a hearing on the terms of an application for review of premises licence submitted by Police Scotland. The Board heard from Sergeant Mercer, noted the terms of an LSO report provided by Veronica Macmillan and then heard from Alistair Macdonald on behalf of the licence holder.

The Board agreed at the conclusion of the hearing to issue the licence holder with a written warning and attach a condition of licence requiring the presence of an experienced staff member or personal licence holder on the premises during times when alcohol was being sold.

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	495372	Buzzworks Hospitality Limited	Black Hay Solicitors 45/47 Main Street, Prestwick, Ayrshire, KA9 1AF	1/7, Port Edgar, Shore Road, South Queensferry, EH30 9SQ	No	No	Yes	To add to section 5 of the operating plan - hot beverages, food and non alcoholic drinks can be purchased at the facility known as "Outboard" before core times. During core times alcohol may be purchased within the "Outboard" area. Operation of the Outboard area will be under the supervision of management and staff on duty. To add Plan B showing the location and extent of the "Outboard" area. Plan A is the existing premises licence approved plan CC LSO BSR	CONTINUED to Licensing Board meeting 25th March 2024 (at agent's request) Previously part-heard at 25 September meeting (Cllrs Young, Rust, Booth, Flannery, Fullerton, Graham, Work)

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	504420	Scottish Midland Co-operative Society Limited	Anderson Strathern LLP 1 Rutland Court, Edinburgh, EH3 8EY	140-144 Saughtonhall Drive, Edinburgh, EH12 5TT	No	Yes	No	Amendment to Question 5(f) to vary the hours of opening from 08:00 and 22:00 daily to 07:00 and 22:00 daily i.e. to read as follows: "The store will open for the sale of general convenience goods between the hours of 07:00 and 22:00 daily. These are the maximum hours during which the premises will be open to members of the public and are subject to customer demand." CC	GRANTED

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	503163	Scottish Midland Co-Operative Society Limited	Anderson Strathern LLP 1 Rutland Court, Edinburgh, EH3 8EY	55 The Loan, South Queensferry, EH30 9SD	No	Yes	No	To add at the bottom of Section 5(f) of the Operating Plan: "Home delivery of groceries, including alcohol will be available subject to demand." CC	GRANTED
3.	504774	Scottish Midland Co-Operative Society Limited	Anderson Strathern LLP 1 Rutland Court, Edinburgh, EH3 8EY	55 The Loan, South Queensferry, EH30 9SD	No	Yes	No	Add at Section 5(c) – Recorded music YES, YES, YES. 2. Add at "Where you have answered YES in respect of any entry in column 4 above, please provide further details below." – "recorded music may be played outwith core licensing hours." 3. To amend Section 5(f) – to amend the hours to "between the hours of 0700 and 2200 hours daily. " CC	GRANTED

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	504777	Scottish Midland Co-operative Society Limited	Anderson Strathern LLP 1 Rutland Court, Edinburgh, EH3 8EY	9 Scotstoun Grove, South Queensferry, EH30 9PH	No	Yes	No	To amend Q5(f) – to “between the hours of 0630 - 2200 hours Monday to Friday (inc). At 0730 to 2200 hours on Saturday and Sunday”. To add additional text to recorded music activity, "recorded music may be played outwith core licensing hours". CC	GRANTED

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	504204	The Porty Pub Co. LTD	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	187 Portobello High Street, Edinburgh, EH15 1EU	No	No	Yes	To amend the operating plan: Question 4 to YES for seasonal variations and inc "We shall apply for, or take grant of extension to licensing hours during any local, national and international festivals and/or holidays as and when applicable, in accordance with the Edinburgh Licensing Board's policies/guidelines. We may also apply for extensions for special events i.e. sporting events, functions, charity evenings etc" Question 5a to YES in columns 2 and 3 for Live Performances Question 5a to YES in columns 2 and 3 for Dance Facilities Question 5f to add Karaoke and Discos to the list of activities. CC LSO	GRANTED after amendment – licence holder agreed to remove summer festivals period from seasonal variation Amended Operating plan to be provided

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	504621	HIN JB Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	1-3 Baxter's Place, Edinburgh, EH1 3AF	No	No	Yes	Major variation to layout plan to account for the inclusion of the terraced area on Level 05 in the licensed footprint, per proposed layout plan 140318 L31-105. There is no change to the capacity figure. CC LSO BSR	GRANTED Outdoor drinking – 2200 terminal hour

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	502422	Scots Guards Association Club Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	2 Clifton Terrace, Edinburgh, EH12 5DR	No	No	Yes	To delete additional conditions 3&4 To delete the current condition on amplified music and vocals, and to replace it with the new condition. To commence on sale hours at 9am each day, except Sunday 11am. To add off sales. To delete the current wording in Seasonal Variations and provide that the premises would like to take advantage of general extensions granted by the Licensing Board. To add Restaurant Facilities, and Indoor/ Outdoor Sports as Activities. To provide that certain Activities may take place outwith core hours. To add Tastings as an Activity. To amend access by children and young persons. To substitute new Layout Plans, showing the additional outside area, and various changes to the layout of the premises, particularly on the top floor. To add premises manager CC LSO BSR	GRANTED Outdoor drinking – 2200 terminal hour

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	505611	Mr Jun-Hay Au	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	27 Sciennes Road, Edinburgh, EH9 1NX	No	No	Yes	Transfer application. To introduce on sale licensed hours on Sunday from 11am to 9.45pm and off sales to 10pm. To increase the on sale licensed hours on Monday to Thursday to 9.45pm and on Sunday to 10pm. To substitute a new layout plan showing a slightly larger outside area. To change the name of the premises to Pomello. To change the premises manager. CCx2	Operating plan amended to reflect correct premises name – Pomelo. GRANTED

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	477275	Mr Adnan Majeed	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	16 Newkirkgate, Edinburgh, EH6 6AD	No	Yes	No	Retail unit located within the Newkirkgate Shopping Centre, at the foot of Leith Walk. CCx2 LSO BSR	CONTINUED to Licensing Board meeting 29th April 2024 (at agent's request)
2.	488669	Chorrito Sauce Co	Chorrito Sauce Co The Old School House, Ground Floor, Krowji, West Park, RedRuth, Cornwall, TR15 3AJ	126 Leith Walk, Albion, Edinburgh, EH6 5DT	Yes	No	No	Chorrito Sauce Cantina is a Hot Sauce production kitchen and Cantina is a small Mexican inspired 12 seater cafe (4x table seat and 8 bar stool) that's provides hot and cold food breakfast / lunch / dinner for consumption on and off the premises, with a small alcohol offering for consumption on premises with food only. CCx2 LSO BSR	GRANTED Capacity of 12 persons Amplified music condition - no audible nuisance

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	503919	The Linton Collection Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	19-21 Blackfriars Street, Old Town, Edinburgh, EH1 1NB	No	No	Yes	Restaurant within converted church building with accommodation above CCx2 LSO BSR Ox1	Operating plan amended by agent to remove reference to outdoor drinking GRANTED Capacity of 74 persons Amplified music condition - no audible nuisance Off sales of alcohol to be provided with food only
2.	503288	T.J Morris (Scot) LTD	Gosschalks Solicitors Queens Gardens, Hull, HU1 3DZ	7 Moray Park, Meadowbank, Edinburgh, EH7 5TS	No	Yes	No	Retail Store CCx2 LSO BSR	GRANTED Capacity 50.4 linear metres Amplified music condition - no audible nuisance
3.	504048	Mr Ugur Yavuz	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	54 West Port, Edinburgh, EH1 2LD	No	No	Yes	Small coffee/shop cafe located on the ground floor of a building on West Port. CCx2 LSO BSR Ox1	Address confirmed as 54 West Port Application amended by agent to remove seasonal variations (amended operating plan to be provided) GRANTED Capacity of 20 persons Amplified music condition - no audible nuisance

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

22 January 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	504186	Mr Mohammed Din	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	42-44 South Bridge, Old Town, Edinburgh, EH1 1LL	No	No	Yes	Restaurant/Takeaway on ground floor and basement of premises on South Bridge, Edinburgh CCx2 LSO BSR	GRANTED Capacity of 90 persons (with maximum 60 in lower ground level) Amplified music condition - no audible nuisance
5.	504032	Pizza Dalry Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	148-150 Leith Walk, Edinburgh, EH6 5DT	No	No	Yes	Restaurant/takeaway unit located on the ground floor of a building on Leith Walk, with outside seating area CCx2 LSO BSR	GRANTED Capacity of 30 persons Off sales of alcohol to be provided with food only Amplified music condition - no audible nuisance Children to be accompanied by an adult at all times Outdoor drinking – 2200 terminal hour

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

OCCASIONAL LICENCE APPLICATIONS
22 January 2024

No	Reference	Premises	Dates and times	Comments	Decision
1.	517532	99 Leith Walk, Edinburgh	29/01/2024 - 11/02/2024 On sales: 1100 - 0100 Off Sales: 1100 - 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED (Fridays and Saturdays only) Board to be updated further by April 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations) and noting agent's undertaking to amend applications to seek Friday/Saturday only
2.	515604	65 Cowgate, Edinburgh	30/01/2024 – 12/02/2024 On sales: 1100 - 0100 (Mon-Sat) 1230 – 0100 (Sun)	Represented by TLT LLP Conditions accepted	GRANTED Board to be updated further by March 2024 meeting (or July 2024 if major variation is submitted to include area in licensed footprint of neighbouring premises) Applications to be considered by delegated authority in the meantime, noting Board minded to grant

					(provided no representations)
3.	517578	59-63 George IV Bridge, Edinburgh	29/01/2024 - 11/02/2024 On sales: 1000 - 2200 (Mon-Sat) 1100 – 2200 (Sun)	Represented by Alistair Macdonald Conditions accepted	GRANTED Board to be updated further by March 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations) Provisional licence period extended to 31 st March 2024
4.	516920	215 St John's Road, Edinburgh	31/01/2024 – 13/02/2024 On sales: 1100 – 2300 (Sun-Thu) 1100 – 0000 (Fri-Sat) Off sales: 1100 – 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED Board to be updated further by February 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations) Provisional licence period extended to 29th February 2024

5.	517786	110A Dalry Road, Edinburgh	26/01/2024 – 10/02/2024 Off sales: 1000 - 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED Board to be updated further by February 2024 meeting (unless further information is provided by agent which may result in Board seeking an update by March 2024 meeting) Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations)
6.	517644	Cask Smugglers, Waverley Mall, 3 Princes Street, Edinburgh	29/01/2024 – 11/02/2024 On sales: 1100 - 0100 Off Sales: 1100 - 2200	Represented by TLT LLP Conditions accepted	GRANTED Board to be updated further by March 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations) Provisional licence period extended to 31st March 2024

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

22 January 2024

New Applications

No	Reference	Applicant	Agent Details	Comments	Decision
1.	505931	Mr Kieran Sime	Macdonald Licensing	CC (Continued - September 2023 and October 2023 Licensing Board)	GRANTED (On a division: 1 st Cllr Young, 2 nd Cllr Fullerton – grant (supported by Cllr Graham, Cllr Flannery, Cllr Key) Motion to continue: 1 st Cllr Booth, 2nd Cllr Rust)
2.	512627	Mr Jing Shen	Macdonald Licensing	CC	GRANTED (On a division: 1 st Cllr Fullerton, 2 nd Cllr Flannery – grant (supported by Cllr Key, Cllr Young, Cllr Rust) Motion to refuse: 1 st Cllr Booth, 2nd Cllr Graham)

APPLICATIONS TO EXTEND PROVISIONAL PREMISES LICENCES

- 1.1 Fat Hippo, 95 George Street – continued to 26 February 2024 meeting (noting current expiry date is 31 March 2024)
- 1.2 Cask Smugglers, Waverley Mall, 3 Princes Street – extended to 31 March 2024
- 1.3 8 Salamander Place – continued to 26 February 2024 meeting (noting current expiry date is 29 February 2024)
- 1.4 32 South Clerk Street – extended to 29 February 2024
- 1.5 Mimi's, 1 Market Street – extended to 29 February 2024
- 1.6 120 Dundas Street - extended to 30 June 2024
- 1.7 3 Elm Row – extended to 30 June 2024
- 1.8 49 Forrest Road – extended to 30 June 2024
- 1.9 59/63 George IV Bridge – extended to 31 March 2024
- 1.10 59 Great Junction Street – extended to 30 April 2024
- 1.11 57/59 South Clerk Street – extended to 30 April 2024
- 1.12 215 St John's Road – extended to 29 February 2024
- 1.13 86 Walter Scott Avenue – extended to 30 April 2024 to allow licence holder to attend
- 1.14 37a/37b Warrender Park Road – extended to 30 April 2024
- 1.15 60b Ford's Road – extended to 30 April 2024
- 1.16 165 Lothian Road – extended to 30 June 2024
- 1.17 47-49 Duke Street – extended to 30 April 2024
- 1.18 Mortonhall Farm Shop – extended to 29 February 2024

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	506163	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	115 Broughton Street, Edinburgh, EH1 3RZ	No	No	Yes	To amend Q(5) to YES in columns 2&3 for live performance and recorded music. CC LSO	
2.	503549	Partnership of Katherine M Ness & G Ness	Partnership of Katherine M Ness & G Ness 83 Provost Milne Grove, South Queensferry, EH30 9PL	12 Barclay Terrace, Edinburgh, EH10 4HP	No	No	Yes	To add off sales so alcohol can be sold on and off the premises CC LSO	
3.	506686	Mr Benjamin James Abbot	Mr Benjamin James Abbot 21-25 Duke Street, Edinburgh, EH6 8HH	21-25 Duke Street, Edinburgh, EH6 8HH	No	No	Yes	Extend times during which children and young persons will be allowed entry from 9pm to 10pm. CC LSO	

Applications called for 10:30

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	504087	Mitchells & Butlers Retail Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	47-49 Deanhaugh Street, Edinburgh, EH4 1LR	No	No	Yes	To amend Operating Plan Q6(d) to read: "From the time at which the premises opens until 22:00 hours." CC	
5.	506759	BP Oil UK Limited	Harper Macleod LLP The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE	10 Builyeon Road, South Queensferry, EH30 9YJ	No	Yes	No	Amend Q5(c) to include the activity recorded music during and outwith core hours. The premises will play recorded background music in store. CC	

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	499938	Mr Michael John Fraser	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	2 Bridge Road, Edinburgh, EH13 0LF	No	No	Yes	To increase on sale hours from 11.30am to 11 pm Sun-Thu, and 11.30am to Midnight Fri-Sat. To add off sales. To add Seasonal Variations, and to provide that certain Activities may take place during that period. To provide that the premises may sell some of their own products to customers. To add Deliveries and Takeaways as Activities, which may include alcohol with food. To provide that Children and Young Persons may have access if accompanied by an adult who is dining. Children and Young Persons will have access to all public areas. Children must vacate by 11 pm unless attending a private pre-booked function in which case they may remain until the end of the function or 1am whichever is earlier. Young persons must vacate the premises by 1 am CC LSO BSR	

Applications called for 10:30

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	509226	Mezcal Edinburgh Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	3 Shandwick Place, Edinburgh, EH2 4RG	No	No	Yes	Addition of outdoor drinking both within and outwith core hours Amendment to free text box to include: "Service of food and soft drinks may occur prior to the commencement of core hours in the external area". Amendment to Children's and Young Persons access to include reference to the external area "Children and young persons will have access to the external area until 10pm". Increase in capacity from 10 to 18 persons. Inclusion of remote external area into licensed footprint. CC LSO	

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	512930	Thistle Peat Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	11 Lister Square, Edinburgh, EH3 9GL	No	No	Yes	To amend the description of the premises. To amend on sales terminal hr to 00:00 Sun-Thu. To add Seasonal Variations and add description to Q4. To amend Q5(a-c) to add restaurant facilities, receptions, club & group meetings & live performances as activities to be provided during & outwith core licensed hours. To amend Q5(a,c-d) to add recorded music, bar meals, & outdoor drinking as activities outwith core licensed hours. To amend and add wording to Q5 additional information box & Q5(f) text box (activities). To amend and add wording to Children & Young Persons Section Q6(b-e)- terms, ages, times & parts of the premises. CC LSO BSR	

Applications called for 11:00

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
9.	506388	Vida1 Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	276 Canongate, Edinburgh, EH8 8AA	No	No	Yes	To increase on sale hours to 11pm Sunday to Thursday and midnight Friday & Saturday. CC LSO Ox1	

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
10.	507672	Mr Matthew Charles Gordon Jackson	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	1 Haddington Place, Edinburgh, EH7 4AE	No	No	Yes	Increase capacity to 50. To amend the definition of the outside drinking facility, as this will now include an area on the pavement as well, as shown on the new Layout Plan. It will not be used for the consumption of food or drink after 10pm. To extend the premises by including downstairs area. To delete the reference to only platters being available. The premises may open from 8am for snacks, coffees, soft drinks etc but no alcohol will be sold or supplied until the commencement of licensed hours. Activities including the provision of food, background music, and the use of the outside areas may take place during this. To provide that Children and Young Persons must vacate the premises by 11pm. To substitute new Layout Plans. To change the description of premises. CC LSO BSR	

Applications called for 11:00

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
11.	505570	Signature Pubs Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	100-102 Rose Street, Edinburgh, EH2 2NN	No	No	Yes	To amend Q5(c) to add theatre as an activity during core hours and to add indoor/outdoor sports as an activity within and outwith core hours. To amend wording in Q5 additional information box to include 'indoor/outdoor sports'. To amend Q5(f) wording. To amend Q6(d) to read "Children will be allowed entry to the premises until 11pm when accompanied by an adult. Young persons will be allowed entry until 1am." CC LSO	

Applications called for 11:30

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
12.	505571	Signature Pubs Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	Precinct, 110-114 Rose Street, New Town, Edinburgh, EH2 3JF	No	No	Yes	In Q5(c)amend live performance as an activity to: within and out with core hours, and add theatre, films and indoor/outdoor sports as activities to be provided during core hours. To amend wording in Q5(f) activities. To amend wording in Q6 (b-e) "Children will be allowed into the premises, but only if accompanied by an adult. They must vacate the premises by 11pm. Young persons will be permitted access to the premises until 1am". Age range for children and young persons entry will be from 0-17 years, access will be to all public parts but not adjacent to bar area. CC LSO	

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26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
13.	505572	Signature Pubs Limited	TLT Solicitors Gf, 80 Hanover Street, Edinburgh, EH2 1EL	15 Frederick Street, Edinburgh, EH2 2EY	No	No	Yes	Q5 – To add indoor/outdoor sport as an activity within and out with core hours. Q5 – To add wording as follows “Indoor/outdoor sports – may be available out with the core hours.” To amend Q5(f) – other activities permitted on the premises. To amend Q6(d)“Children aged 5 and over are permitted access to the premises when accompanied by an adult until 11pm. Young persons are permitted access accompanied by an adult until 1am.” CC LSO	

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26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
14.	505574	Signature Pubs Limited	TLT Solicitors Gf, 80 Hanover Street, Edinburgh, EH2 1EL	49 Frederick Street, Edinburgh, EH2 1EP	No	No	Yes	Q5-To add receptions, club meetings, indoor/outdoor sports and outdoor drinking facilities as activities out with core hours. Q5-To add wording to read "Receptions and club meetings may happen on the premises out with core hours, but no alcohol will be sold. The external area may be used prior to core hours for the consumption of teas, coffees, breakfasts etc." To amend Q5(f) – other activities to be permitted on the premises. To amend wording in Q6 – terms of Children and Young Persons access. CC LSO	

THE CITY OF EDINBURGH LICENSING BOARD
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26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
15.	505599	Signature Pubs Limited	TLT Solicitors Gf, 80 Hanover Street, Edinburgh, EH2 1EL	10a-12a Broughton Street, Edinburgh, EH1 3RH	No	No	Yes	Q5 – To add live performances, indoor/outdoor sports and televised sport as an activity within and out with core hours. Q5 – To add theatre as an activity within core hours. To amend Q5 to read, “The premises may open prior to core hours for the provision of teas, coffees, soft drinks and snacks and the outdoor area may be used but no alcohol will be sold. Receptions and club meetings may take place, but no alcohol will be sold at these times. Live performances and indoor/outdoor sports may take place prior to core hours but no alcohol will be sold. Recorded music and televised sport may be provided for the benefit of staff and customers.” To amend Q5(f)to read, “DJ’s, live music, Table tennis, pool, juke box, charity nights, quiz nights, community events, music, magicians, auctions, themed events,	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
								<p>wine/beer tastings, samplings, promotional evenings, cabaret, live entertainment, comedy. darts playing, including electronic darts and other variations of the game of darts. Deliveries pursuant to online/internet sales (point of dispatch)/general retail and takeaway of food and drink (including alcohol), "click and collect" collections. To amend Q6 – terms of Children and Young Persons access.</p> <p>CC LSO</p>	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
16.	515359	Buck's Bar West End Ltd	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	32-34 Grindlay Street, Edinburgh, EH3 9AP	No	No	Yes	To add off sales Monday to Sunday 11:00-22:00. To amend Q5(d) to add outdoor drinking as an activity during and outwith core hours. To amend wording in Q5(f) to read " Takeaways (restricted to 2am during the week). Deliveries, including alcohol and other beverages. Addition of external area". Footprint of layout will increase to include an external area. CC LSO BSR	

Applications called for 12:00

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

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	508205	TJX UK	Gosschalks LLP 61 Queens Gardens, Kingston Upon Hull, HU1 3DZ	2 Kinnaird Park, Edinburgh, EH15 3RD	No	Yes	No	Retail Homeware Store. CCx2 LSO BSR	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	502652	Miss Susan Jane Hunt	Miss Susan Jane Hunt 4 Saughton Crescent, Edinburgh, EH12 5SH	24 Forth Street, Broughton, Edinburgh, EH1 3LH	No	No	Yes	An office within a business centre. No direct access to the public CCx2 LSO BSR	
2.	513023	Ragu Pasta Ltd	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	92 George Street, New Town, Edinburgh, EH2 3DF	Yes	No	No	Restaurant premises situated at ground mezzanine and basement level in commercial building in centre of Edinburgh CCx2 LSO BSR Ox1 (support)	
3.	504375	La'Telve Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	163-165 Morningside Road, Morningside, Edinburgh, EH10 4AX	No	No	Yes	Café bistro/Deli located on the ground floor of a building on Morningside Road. CCx2 LSO BSR	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	505975	Mr Michael Antony Notarangelo	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	7 Brighton Place, Edinburgh, EH15 1LH	No	Yes	No	Retail/Takeaway premises located on the ground floor of a building on Brighton Place, Portobello CCx2 LSO BSR	
5.	506298	Mr Kashif Ali	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	54 Glenalmond Place, Sighthill, Edinburgh, EH11 4FF	No	Yes	No	Retail unit within development on Glenalmond Place. CCx2 LSO BSR	
6.	506533	Mr Muhammad Umar Maqsood	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	45-47 Shandwick Place, New Town, Edinburgh, EH2 4RG	No	Yes	No	Retail premises located in the ground floor of a building on Shandwick Place. CCx2 LSO BSR	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

26 February 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	507590	Mr Muhammad Kaleem	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	21 West Bowling Green Street, Edinburgh, EH6 5PG	No	Yes	No	Retail unit at the corner of West Bowling Green Street and Anderson Place in residential block. CCx2 LSO BSR	
8.	507194	UoE Accommodation Limited	Shepherd & Wedderburn 5th Floor, 1 Exchange Crescent, Conference Square, Edinburgh, EH3 8UL	1 Lauriston Place, Edinburgh, EH3 9EF	No	No	Yes	The premises is a multi functional teaching and event space with outdoor space and a cafe spanning five floors. CCx2 LSO BSR	

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

OCCASIONAL LICENCE APPLICATIONS
26 February 2024

No	Reference	Premises	Dates and times	Comments	Decision
1.	515566	3-5 Cranston Street, Edinburgh	04/03/2024 - 17/03/2024 On sales: 1100 – 2300	Conditions accepted	
2.	518426	20 Marshall Street, Edinburgh	06/03/2024 – 19/03/2024 On sales: 1100 - 2300 Off sales: 1100 – 2200	Conditions accepted	
3.	518508	8-10 North Bridge Arcade, Edinburgh	07/03//2024 – 20/03/2024 On sales: 1100 - 0100 Off sales: 1100 – 2200	Represented by Alistair Macdonald Conditions accepted	
4.	518627	29-30 South Bridge, Edinburgh	26/02/2024 – 10/03/2024 On sales: 1100 – 0000 Off sales: 1100 – 2200	Represented by Alistair Macdonald Conditions accepted	
5.	518717	58 South Clerk Street, Edinburgh	06/03/2024 – 19/03/2024 On sales: 1200 – 0100	Conditions accepted	
6.	519122	215 St John's Road, Edinburgh	28/02/2024 – 12/03/2024 On sales: 1100 – 2300 (Sun-Thu) 1100-0000 (Fri-Sat) Off Sales: 1100 – 2200	Represented by Alistair Macdonald Conditions accepted	

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7.	519841	110a Dalry Road, Edinburgh	08/03/2024 – 21/03/2024 Off Sales: 1000 - 2200	Represented by Alistair Macdonald Conditions accepted	
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THE CITY OF EDINBURGH LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

PERSONAL LICENCE APPLICATIONS

26 February 2024

New Applications

No	Reference	Applicant	Agent Details	Comments	Decision
1.	505424	Mr Abbas Ali Afzal		CC (Continued - October 2023 Licensing Board)	
2.	505052	Mr King Low	Macdonald Licensing	CC (Continued - September 2023 Licensing Board)	
3.	518892	Mr Simon Mandhla Nkosi Mabasa Bergstrom		CC	

APPLICATIONS TO EXTEND PROVISIONAL PREMISES LICENCES

1. Purpose

- 1.1 To ask the Board to consider applications to extend the duration of provisional premises licences.

2. Main Report

- 2.1. A number of requests for extension of provisional premises licences have been received.
- 2.2. A provisional premises licence is granted for a period of four years from the date of issue of the licence. If not confirmed before the end of the provisional period, the licence is revoked. Confirmation is obtained upon receipt by the Licensing Board of clear [Section 50](#) certificates (Planning, Building Standards and, where necessary, Food Hygiene).
- 2.3. 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.
- 2.4. In granting such an extension, the Board must be satisfied in terms of [Section 45\(8\)](#) of the 2005 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.
- 2.5. Details of premises for which requests have been made will be attached to this report. Provisional licence expiry details will be confirmed at the Board meeting, if not set out as attached.
- 2.6. In some instances, the premises for which extensions have been requested have been operating by means of occasional licences issued by the Board, as permitted by the Act. The Board may wish to seek further information from licence holders and their agents, in the event of there being longer term use of occasionals, in line with the terms of the Board's newly adopted policy.

3. Recommendation

- 3.1 In the event 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 for each of the requests.

4. Background Information

- 1.1 Fat Hippo, 95 George Street – extended by Board August 2023 (current expiry is 31st March 2024)
- 1.2 32 South Clerk Street – extended by Board January 2024 (current expiry is 29th February 2024)
- 1.3 Mimi's, 1 Market Street – extended by Board January 2024 (current expiry is 29th February 2024)

LICENSING BOARD

- 1.4 215 St John's Road – extended by Board January 2024 (current expiry is 29th February 2024)
- 1.5 Mortonhall Farm Shop – extended by Board January 2024 (current expiry is 29th February 2024)
- 1.6 151-153 Lothian Road – extended by Board July 2023 (current expiry is 26th February 2024)
- 1.7 227 Portobello High Street – extended by Board July 2023 (current expiry is 26 February 2024)

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW HEARING – 79 Restalrig Road South, Edinburgh

1. Purpose

- 1.1 To advise the Board of the requirement to hold a hearing on a premises licence review application for the premises at 79 Restalrig Road South, Edinburgh.
- 1.2 To set out the options available to the Board, if it considers it necessary for the purposes of the licensing objectives, to take any action with the premises licence at the conclusion of the hearing.

2. Main Report

- 2.1. The grounds for review of a premises licence are:-
 - (a) that one or more of the licensing conditions has been breached;
 - (b) that having regard to the licensing objectives the premises licence holder is not a fit and proper person to hold the licence; or
 - (c) any other ground relevant to the licensing objectives:-
 - preventing crime and disorder,
 - securing public safety,
 - preventing public nuisance,
 - protecting and improving public health, and
 - protecting children and young persons from harm.
- 2.2. The Board may reject an application for review if it is considered that it is vexatious or frivolous, or that it fails to disclose matters relevant to the statutory grounds for review. The Board's Statement of Licensing Policy delegates this decision to the Convenor. The Convenor considered the application and agreed it should proceed to a review hearing.
- 2.3. The application has been submitted by Licensing Standards. The premises licence holder is Battista Property Ltd. A copy of the review application has been sent to them.
- 2.4. In carrying out the review hearing, the Board should first hear from the Licensing Standards as the applicant for review. The Board would then hear from the licence holder or their agent in response. At the conclusion of the hearing if the Board is satisfied that it is necessary or appropriate for the purposes of any of the licensing objectives the Board can take any of the following steps:-
 - (a) issue a written warning;
 - (b) make a variation of the licence;
 - (c) suspend the licence for such period as the Board may determine;
 - (d) revoke the licence.

3. Recommendation

- 3.1 The Board is required:-
 - (a) to hold a premises licence review hearing;

PREMISES LICENCE REVIEW HEARING – 79 Restalrig Road South, Edinburgh

- (b) to decide at the conclusion of the hearing what action requires to be taken, having regard to the licensing objectives;

4. Background Papers

- 4.1 Application for review of premises licence, dated 15 February 2024

Depute Clerk of the Licensing Board