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LICENSING BOARD

NOTICE OF MEETING  
MONDAY 30 OCTOBER 2023

Start time: 9.30am

**DEAN OF GUILD COURTROOM**

**AGENDA**

NOTE: Items 1-5 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. Annual Financial Report – 2022/23
3. Chief Constable's Annual Report – 2022/23
4. Records Management Plan
5. Minutes of meeting of 25 September 2023, decisions and matters arising
6. Applications – major variations, new provisionals/premises licences, etc – details as set out in separate list
7. Personal Licence Review – Joao Viera
8. Provisional Premises licence extension requests
9. Premises Licence Review Hearing – 15-19 Lochend Road

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>

PUBLICATION OF ANNUAL FINANCIAL REPORT – 2022/23

**1. Purpose**

- 1.1 To ask the Board to approve the terms of this financial report covering year 2022/23;
- 1.2 To discharge statutory duties re Licensing Board reporting of income; and
- 1.3 To provide brief information about spend and pressures.

**2. Main Report**

- 2.1. Section 9B of the 2005 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 previous annual financial reports considered by the Board.
- 2.3. The annexed report sets out the income and expenditure details calculated for the 2022/23 financial year.
- 2.4. Income details have been provided the Council's licensing applications database for all liquor licensing fees gathered between 1 April and 31 March in the period.
- 2.5. The annexed report explains the basis on 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. This model was subject to a review by Internal Audit as part of the Council-wide review of fees and charges in 2019.
- 2.6. Staffing in the Licensing Service/Licensing Standards teams has had an impact on costs and the outturn for the financial year, specifically:
  - 2.6.1. The staffing costs for Licensing Officers and Licensing Standards Officers were lower than the forecast figures. Recruitment remains a challenge in terms of attracting sufficient suitable candidates and whilst the aim has always been to

## PUBLICATION OF ANNUAL FINANCIAL REPORT – 2022/23

maintain a full establishment, the time lag for recruitment has resulted in an underspend.

- 2.6.2. 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 lower than projected.
- 2.7. Appendix 2 sets out the reserve at the end of the period covered by this report.
- 2.8. Members are asked to note that whilst the current reserve stands at £693k this amount has to be considered against a number of potential financial pressures. Once vacancies are filled, combined with the Board contributing circa 20% share of the overall costs of upgrading of the Licensing Service ICT system, the reserve may be completely depleted.
- 2.9. Maintaining a reserve is also necessary in anticipation of legal costs for any appeals against Board decisions and that is a risk for the Board.
- 2.10. Any change considered by the Board in terms of improving service provision must be viewed alongside what service must be reduced in order to introduce additional service.
- 2.11. Provided that the Board approves the annexed report, as required it will be published 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 appended; and
  - (b) delegate publication of the report to the clerk and their deputies.

### **4. Background**

- 4.1 [Licensing Scotland Act 2005 – Section 9B](#)
- 4.2 [Financial reports 2019/20, 2020/21, 2021/22](#)

### **5. Appendices**

- 5.1 Appendix 1 – Financial report 2022/23
- 5.2 Appendix 2 – Reserves with respect to liquor licensing

**Depute Clerk of the Licensing Board**

## Appendix 1

### Licensing (Scotland) Act 2005

### City of Edinburgh Licensing Board Financial Report

### Year Ending: 31 March 2023

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 the closed financial year 2022/23. 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:

<b><u>Income</u></b> <sup>1</sup>	<b>£</b>
Occasional Licences	-277
Personal Licences	-1,012
Premises Licences	-1,335,985
<b>Total</b>	<b>-1,337,275</b>
<b><u>Staff Costs</u></b> <sup>2</sup>	
Licensing Services	796,880
Legal Services	42,198
Administrative Support	20,813
<b>Total</b>	<b>859,890</b>
<b><u>Other Direct Costs</u></b> <sup>3</sup>	

Consultant Fees	1,650
ICT Equipment	17,026
Legal fees	14,472
Operational materials	668
Training	1,860
Postage	4,793
Printing/Stationery/Photocopying	17
Transport	12,075
Property costs	6
Other expenses	5,226
Internal Charges	20,555
<b>Total</b>	<b>78,348</b>
<b><u>Indirect Costs</u></b> <sup>4</sup>	
ICT/Telecommunications	14,697
Business Support	11,653
Property	61,872
Corporate & Democratic Core	28,898
Other	84,231
<b>Total</b>	<b>201,351</b>
<b>Net (Surplus)/Deficit</b> <sup>5</sup>	<b>-197,686</b>

**Notes:**

1. Denotes income from applications and annual fees received in 2022/23 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.
5. To note that surplus income from ringfenced accounts after covering expenses is transferred to reserves. If costs in ringfenced accounts exceed income recovery for the year i.e., a deficit, the equivalent shortfall will be drawn from reserves.

## Appendix 2

### City of Edinburgh Licensing Services – Balance of Reserves

#### Year Ending: 31 March 2023

The end of financial year position for liquor licence costs will determine the action required in respect of reserves adjustments. When full year costs have been established for the respective financial year, if the position shows a surplus of in-year income, the balance will be transferred to the reserves account for Liquor. However, if expenditure exceeds in-year available fee income, a draw from reserves will be required to make sure full year costs are funded. Movement on the reserves can be seen in table 1 (Figures in red represent a surplus).

**Table 1**

Type	21/23 Balance b/f £	22/23 Movement £	22/23 Balance c/f £	Notes
Liquor	495,216	(197,686)	692,902	Transfer to reserves required

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## Licensing Report

### 2022-2023



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**Foreword**

It gives me great pleasure to provide the Annual Licensing Report for 2022/23, in accordance with Section 12(A) Licensing (Scotland) Act 2005.

Police Scotland has continued to achieve success by focussing on prevention, early intervention and enforcement. This has been made far more effective with the continued support of the many active partnerships that exist within the 32 Local Authorities across Scotland.

This collaborative working is vital to ensuring a fair and consistent approach to licensing while focussing on preventing alcohol fuelled violence, disorder and antisocial behaviour.

In the year ahead our approach will remain focused on prevention and collaboration to ensure efficient and effective service delivery. I will continue to encourage officers and staff to utilise the range of options available to improve licensing standards, reduce violence and to positively influence behaviour and attitudes across Scotland.

I would like to take this opportunity to thank our local partnerships and acknowledge their contribution in continuing to drive improvements with the Licensed Trade, and for the communities we all serve.

**Sir Iain Livingstone QPM**

Chief Constable

Police Service of Scotland

## **Police Scotland Licensing Overview –**

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Partnerships Prevention & Community Wellbeing based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2022/2023, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

## **LICENSING BOARD AREA**

The Licensing Board area is policed by Edinburgh (E) Division.

Chief Superintendent Sean Scott is the Divisional Police Commander who has the responsibility for all day-to-day policing functions.

### **Senior Officers**

The senior officers holding responsibility for licensing within the area of E Division are as follows:

Head of Department: Superintendent David Robertson – Specialist Operations

Chief Inspector David Happs – Licensing and Events

The Licensing Department is based at St. Leonard's Police Station and consists of:

Inspector Robert Innes, Acting Sergeant Greig Stephen, 3 Police Constables and 4 Divisional Licensing Administrators.

### **Local Policing Priorities**

Following our public consultation process, the policing priorities for E Division, as set out in our Local Policing Plan 2020-2023 are as follows;

- Addressing violence
- Reducing drug harm and targeting supply
- Tackling housebreaking and acquisitive crime
- Dealing with disorder and antisocial behaviour
- Making our roads safer

In response to the local policing priorities, E Division will continue to address violence, focusing on alcohol related violence, as well as dealing with disorder and antisocial behaviour related to the sale and consumption of alcohol. It is recognised that education, prevention, partnership working and robust policing are all key factors in reducing crime and disorder in this area.

### **Edinburgh Licensing Board Statistics 2022/23**

The Edinburgh Licensing Board area had 7345 personal licence holders and 1950 premises licences as of 31<sup>st</sup> March 2023. This includes 369 on-sale, 481 off-sale and 1100 on and off sale.

## **SUMMARY OF APPLICATIONS, PREMISES AND PERSONAL LICENCE REVIEWS**

### **Application for premises licence**

Each application received from the Licensing Board is scrutinised by the Divisional Licensing Team. Where relevant, objections and representations are made to the Board, paying particular attention to both relevant convictions and the five licensing objectives:

- Preventing crime and disorder.
- Securing public safety.
- Preventing public nuisance.
- Protecting and improving public health.
- Protecting children and young persons from harm.

Within the limits permitted by the legislation, the Chief Constable will highlight all relevant information before the Board to afford the fullest picture of the applicant/application to be considered in any subsequent deliberations.

In the year 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, the following applications were received and processed by the police licensing team for consideration of the Edinburgh Board.

Type of application	No.		No. of Police Representations/Objections	
	21-22	22-23	21-22	22-23
New/Provisional Premises Licence	136	114	61	79
Variations	111	196	94	74

### **Occasional and Extended Hours Licences**

Occasional Licences are traditionally used during the many significant events and festivals held in Edinburgh each year, to allow the use of 'pop up bars' and other spaces not normally licensed to cater for the increase in visitors and tourism in the city.

Extended Hours applications are routinely used when premises seek an extension to their permitted hours to cater for special events or occasions, or special events of local or national significance.

This year, Edinburgh Licensing Board set dates for 'Seasonal Variations' for both the Edinburgh Festival and Christmas and New Year periods. This permitted premises who elected to have seasonal variations to trade for 2 hours longer at the end of their core licensed hours.

Extended hours applications that are out with seasonal variations and that do not fall within Board Policy of only 1 extra hour trading can contribute to increased anti-social

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behaviour (ASB) and increased disruption to residents of the city. Consequently, Police Scotland often object to a high number of extended hours requests that do not fall within Board Policy. Many premises submit several extended hours applications in relation to one event, for example Hallowe'en or St Patrick's Day, where the date itself does not fall on a weekend. Often premises apply for extended trading on the date, as well as days either side, or the full weekend, again increasing the likelihood of ASB and public nuisance, therefore Police Scotland tend to object to this type of application.

In the year 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, the following Occasional and Extended Hours Licences were processed by Police licensing team for consideration of the Edinburgh Board.

Type of application	No.		No. of Police Representations /Objections		Granted		Refused		Withdrawn	
	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23
Occasional/ Extended Hours	5355	5278	3866	3693	5270	5150	5	38	25	11

### Section 72 - Personal Licence Applications

In line with the legislation, close scrutiny is made by the Divisional Licensing team, paying particular attention to relevant convictions and the five licensing objectives. In general, if an applicant has no relevant convictions, the Police will not provide any representation or objection. If the applicant has relevant convictions, Police will either provide a representation confirming those convictions, or they will object to the granting of the licence, based on the nature of the conviction, and whether or not they believe the person to be 'fit and proper' to hold a licence.

In the year 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, the following applications were received and processed by the police licensing team for consideration of the Board.

Type of application	No.		No. of Police Representations		No. of Police Objections		Granted		Refused		Withdrawn	
	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23
Personal Licences	767	839	7	4	4	5	763	827	3	5	1	2

### Crime and Disorder during the Night Time Economy (NTE)

Excessive consumption of alcohol is recognised as a significant factor in levels of crime and disorder, particularly during the NTE. This manifests itself in public space violence and disorder in areas densely populated with licensed premises or private space crime where individuals consume large quantities of cheaper alcohol from off sales.

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Ordinarily, alcohol fuelled crime is most visible at weekends within the City Centre. To manage this, a dedicated policing plan 'Operation Nightguard', is implemented every Friday and Saturday night purely to police the NTE, with officers from outlying areas of the City brought in to the City Centre to resource the operation.

During Operation Nightguard, we continue to work closely with partners to ensure those partaking in Edinburgh's NTE remain safe and have an enjoyable night out.

During the review period, police have carried out joint patrols with City of Edinburgh Council (CEC) Licensing Standards Officers (LSO), Environmental Health Noise Teams, and the Security Industry Authority (SIA) enforcement team.

Throughout this period we also worked closely with partners, including management and staff within CEC's Central Monitoring Facility (CMF) which operates citywide public space CCTV, taxi marshals, and volunteer welfare providers such as Street Assist and Edinburgh Street Pastors. This collaborative approach to keeping people safe is a vital tool in ensuring the continued safety of residents and visitors to Edinburgh.

In August 2022, Police Licensing officers facilitated local Councillors in observing first-hand the NTE 'real-time' in order for them to gain a practical insight into the collaborative working approaches taken to keep people safe during these busy periods, with a specific focus on the licensing and hospitality sectors.

### Drunkness/Disorder Offences

It is important to note that the following figures relate to offences under Licensing (Scotland) Act 2005. Offences in the proximity of, or within licensed premises, that do not fall under Licensing (Scotland) Act 2005 are not included.

It is also pertinent to note that throughout 2021, COVID-19 restrictions affected on sales premises in particular, with the easing of these restrictions undoubtedly being a significant factor in the increase in offences within these premises in this reporting period.

Over the period covering 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 for the Board area, the following licensing offences related to drunkenness and disorder were recorded.

Offence	2021-22	2022-23
Section 111 - Drunk persons entering or in premises on which alcohol is sold	1	2
Section 111(2) -Drunk and Incapable on relevant premises	0	1
Section 112 - Obtaining alcohol by or for a drunk person	0	0
Section 113 - Sale of alcohol to a drunk person	0	0
Section 114 - Premises manager, staff not to be drunk	0	0
Section 115 - Drunk/Disorderly conduct on premises	6	5
Section 116 - Refusal to leave licensed premises	32	59
Section 138 - Obstructing Constable entering premises	0	0
<b>Total</b>	<b>39</b>	<b>67</b>

*The figures in the above table indicate no offences committed by any staff members of premises, and shows the ongoing partnership working and success of the support between the Police and the licensing industry.*

### **Section 94 - Think Twice Bail / Exclusion Orders**

When an individual is charged with a violent offence on licensed premises within the Edinburgh city centre ward, a senior officer will consider the offence and decide whether a 'Think Twice' bail condition is justified, proportionate and necessary in the circumstances. The bail condition prevents the person from entering, or attempting to enter any licenced premises within Edinburgh city centre ward where the licence permits the sale and consumption of alcohol on any part of the premises. A request is made to the Procurator Fiscal seeking a continuance of the conditions until the case is concluded.

The reporting officers also request an exclusion order within the Police report, requesting the accused person be excluded on conviction from licensed premises in the area where the offence was committed, for a period of time the court sees fit.

### **Section 97 - Closure Orders**

There have been no closure orders implemented during the reporting period.

### **Applications for Review of Licence**

#### **Section 36 – Premises**

During the reporting period 2 applications for a premises licence review were made to the Board by Edinburgh Division Licensing Department.

The first review was in relation to a designated premises manager of a premises selling alcohol to two children (aged 13 and 14 years of age) which culminated in the 14 year old child being hospitalised after being found unresponsive in a nearby public park suffering from severe alcohol intoxication.

The Board decided to suspend the premises licence for a two week period.

The second review was in relation to two serious assaults occurring within days of each other at the same premises, whereby on both occasions management and staff showed disregard for a number of the licensing objectives, in particular selling alcohol after permitted hours, not being in control of the premises or patrons within, and failing to report serious crimes to police.

The Board decided to vary the premises licence and reduce their operating hours from a 0100 hours (close) to 2230 hours (close). This review also triggered two personal licence review hearings, however both personal licence holders surrendered their licences prior to the hearing dates.

## **Section 84 – Personal**

During the reporting period 1 application for a review of a personal licence was made to the Board by Police Scotland.

This related to a designated premises manager selling alcohol to children and his casual approach when carrying out the sale, which gave officers serious concerns around his suitability to hold a licence.

The Board decided to revoke his licence, with enquiry also revealing the licence holder had also not completed his mandatory refresher training.

## **Licensed Premises Incidents and Inspections**

Section 138 Licensing (Scotland) Act 2005 allows a police officer entry to any premises licensed under the act to ensure they are operating in a manner consistent with the Licensing Objectives and licensing legislation.

Licensed Premises Inspection Reports are completed by operational police officers who have visited a premises pro-actively, to provide advice and support to staff, addressing any issues identified.

Licensed Premises Incident Reports are also completed by officers in response to calls made by members of the public, or premises staff reporting an ongoing incident.

Inspections and Incidents are recorded on a police IT system called Innkeeper. This allows officers to record their observations following the visit and detail the actions of staff in dealing with incidents that occur. The information is then forwarded to the Police Licensing Department for their information and any subsequent monitoring or action.

Inspections are also carried out by Police Licensing Officers as a supportive measure in response to concerns raised by an initial incident, or inspection report, or as a routine pro-active licensing inspection.

The following table provides information on the number of incidents and inspections recorded on Innkeeper for the reporting period.

<b>Type</b>	<b>2021-22</b>	<b>2022-23</b>
Incident	764	907
Inspection	454	513
<b>Total</b>	<b>1218</b>	<b>1710</b>



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*Police Scotland also records incidents where alcohol has been stolen from a licensed premises, usually recorded as a theft or theft by shoplifting, however the numbers above do not include incidents of theft/theft by shoplifting.*

### Interaction and Intervention

On every occasion an issue or incident at a Licenced Premises is highlighted, the Police Licensing team consider whether a problem solving approach could be implemented that would prevent similar incidents or issues reoccurring. Applying a problem solving approach to licenced premises where issues have arisen can often result in an improvement in standards and practices without recourse to a formal review hearing at a Licensing Board. In addition it ensures Police Scotland have utilised a fair and incrementally evidenced based approach to resolve the problem through a range of options.

On reviewing incidents at licensed premises, Police Scotland consider a range of options depending on several factors. This includes the seriousness or nature of the incident, the number of recent incidents and the action or inaction by staff that may have contributed to the incident. Options available to Police are:

- No Action      This may be considered where the issue was unavoidable and no fault of the premises, or if it is clear the Designated Premises Manager (DPM) or Premises Licence Holder (PLH) has already rectified the issue.
  
- Interaction      Will involve either communication with the PLH or DPM, or attendance at the premises to discuss the issue or incident. Advice and feedback are provided and no further action is deemed necessary.
  
- Monitored      Having examined the circumstances, consideration may be given to grading the premises as 'Monitored'. This may be a result of Police requesting action from the premises to address an issue, or where a tasked inspection regime is deemed necessary to monitor the premises over a set period of time. If the issue is successfully rectified, then the requirement for 'monitored' status is removed.
  
- Intervention    If the issue or incident is serious, then consideration is given to proceeding straight to intervention. Intervention may also result from a culmination or continuation of events whilst the premises is being monitored. A formal meeting takes place with the PLH and/or DPM and any other interested party, including a legal agent, during which the issue or incident is discussed at length and a formal action plan is drawn up to ensure the issue does not persist. Police can share helpful material and advice to support the premises during an intervention period in attempt to prevent the matter progressing to premise licence review hearing. At the end of the intervention period, police can extend, end, or move to a premises licence review request, depending on the progress made throughout.

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**Problematic** After Intervention, if issues cannot be rectified by the premises, it may be deemed necessary to consider a premises to be 'problematic'. In some rare cases, the incident or issue may be serious enough that a premises would be deemed problematic without having gone through an intervention. In either case, this would trigger a premises licence review request to the Licensing Board. All efforts are made by Police Licensing team to prevent the requirement for a premises licence review request, and it is often seen as a last resort should issues or incidents at a premises persist.

During the reporting period four Formal Intervention Agreements (FIA) were entered into with four separate licensed premises. Police worked closely with each of these premises to ensure that the agreed 'action plans' were carried out. These premises were closely monitored for a 12-week period by the Edinburgh Division Licensing Department.

It is important to note that the Edinburgh Division Police Licensing Team often make contact with premises and their staff to highlight and thank them for their efforts, with the vast majority of engagement with licence holders being positive, encouraging them to continue their effective management practices.

### Partnerships

The Edinburgh Division Licensing Team, supported by local policing officers and specialist departments, promote Police Scotland's Policing priorities, in conjunction with the five licensing objectives and the overarching principles and aims of the Licensing (Scotland) Act 2005.

The Licensing Team maintain a positive working relationship with the City of Edinburgh Council's Licensing Standards Officers (LSO's). Both teams meet on a regular basis and have a weekly 'catch up' meeting in order to share information, discuss various licensing issues that may need addressed (individually as organisations or requiring a joint approach), and to arrange joint inspections of licensed premises in the Board area where identified as being appropriate.

Edinburgh Division Licensing Department works in partnership with the following groups and organisations to jointly improve local licensing issues:

- Trading Standards and Enforcement;
- Licensing Standards Officers;
- NHS Lothian;
- Scottish Ambulance Service;
- Scottish Fire and Rescue Service;
- Security Industry Authority; (SIA)
- Edinburgh Alcohol and Drug Partnership;
- Edinburgh Community Safety Partnership;
- Community Alcohol Partnerships (CAP);
- Edinburgh Licensing Forum;

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- Street Assist;
- Edinburgh Street Pastors;
- Safer Nightlife Working Group (SNWG)
- Best Bar None (SBRC/Trading Standards);
- Immigration Enforcement Unit;
- HMRC;
- Gambling Commission;
- Forth Ports;
- Environmental Health – Food, Health & Safety;

### **Bystander Training**

Bystander training aims to provide guidance and support to staff working within licensed premises (including door staff) to enable them to identify where a person may be at risk of harm and/or vulnerable to crime and when to step in and offer them help and assistance.

Many licensed premises and licensing organisations in the city now include Bystander training (or similar) in their staff training programmes, and throughout the reporting period, Edinburgh Police Licensing Department has carried out this training to staff from various premises across the city.

### **Ukraine Refugee Programme**

As part of the UK Home Office 'Homes for Ukraine' programme, the Estonian registered vessel "MS Vitoria I" berthed at Albert Dock, Leith and accommodated Ukrainian families (up to 1700 adults and children) displaced by the current conflict taking place in the country.

To support Forth Ports, the Charter Organiser and hospitality management team on ship, Edinburgh Division Licensing Team assisted in providing local licensing guidance, providing regular dialogue with the Edinburgh Licensing Board Clerks and interested parties, and ensured the correct alcohol licences and licensing arrangements were in place to support staff and those accommodated on ship.

### **Operation Unicorn (death of Her Majesty The Queen)**

Operation Unicorn saw the eyes of the world on Edinburgh and a number of ceremonial proceedings that significantly impacted the City over a 5 day period. This also brought a significant volume of visitors to the City to pay their respects to Her Majesty Queen Elizabeth II and condolences to the Royal Family.

Edinburgh Division Licensing Team worked in conjunction with partner agencies, licensees, premises managers and civic licence holders, to ensure no licensing activities presented a risk to public safety or prevented the safe delivery of the Operation.

## **Security Industry Authority (SIA)**

In December 2022, Operation Nightguard officers carried out joint patrols alongside colleagues from the SIA to ensure licensing compliance in relation to door stewards on duty at various licensed premises in the city centre of Edinburgh during the NTE.

19 operatives were checked in total with 18 found to hold valid and active SIA licenses.

One male was found to be working unlicensed and was issued with a Section 3 Warning Letter under the Private Security Industry Act 2001 (PSIA) by the SIA staff. The security company employing him was subsequently issued with a Section 5 Warning under the PSIA 2001.

## **PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE**

Police Scotland can make a positive impact on the future outcomes for children and families by addressing the sale and supply of alcohol to young persons via problem premises or by proxy (agent purchase). Working with our partners, we take appropriate action to address both the potential and actual misuse of alcohol within early years.

Edinburgh Community Alcohol Partnerships (CAPs) have continued to expand and grow across the Division, with all four locality areas in the Division now having active CAPs. Throughout the reporting period, each CAP has continued to promote key messaging around reducing alcohol harm among children and young people, in particular with their continued support of the National Proxy Campaign, "It'll Cost You!"

The "It'll Cost You!" programme is a collaboration between Police Scotland, local authorities and alcohol producers and retailers and aims to raise awareness of the damaging effects and criminal nature of buying alcohol for under 18s. The campaign was launched in Edinburgh in June 2022, bringing together representatives from Scottish Government, Police Scotland, the Scottish Grocers Federation, Scotmid, and the national CAP in support this important initiative.

Delivery of the campaign took place in the lead up to (and during) school holidays in June and July 2022. Police and partners engaged with premises to raise awareness of the issue of adults buying alcohol for children and young people. This involved provision of education, support and advice to premises, as well as using local and social media to highlight the impact on communities, in an effort to reduce proxy purchases in the division.

Police Scotland has the capability to carry out test purchase operations on an intelligence led basis. When intelligence is received about premises selling alcohol to persons under 18, the first stage in the process is to issue a warning to the premises. This is usually carried out by a member of the Police Licensing Team who will inspect the premises and discuss expectations regarding responsible sale of alcohol with the licensee. Only when intelligence continues to be received should a test purchase operation be implemented.

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During the reporting period, as a result of intelligence received, Test Purchasing initiatives were carried out along with the Edinburgh Trading Standards Team (Lead Agency) to identify premises suspected of selling 'vapes' and tobacco products to under 18's. Edinburgh Division Licensing Team carried out 'follow-up' inspections at premises also licensed to sell alcohol and failed test purchasing. No alcohol licensing offences were identified at any of these premises after inspection.

Edinburgh Division has a cadre of 12 School Link Officers (SLOs). They are seen as one of the main links between the police and children and young people in Edinburgh. Through partnership working they aim to enhance the wellbeing of all pupils.

Edinburgh Licensing Department, as well as the Prevention, Interventions and Partnerships team, continue to work with School Link Officers across Edinburgh to provide education and support to students around the dangers of alcohol, both on their health and to their community. During the reporting period, all SLOs received training and education packs from Alcohol Education Trust to assist them when delivering inputs in schools and further education establishments.

To support the "It'll Cost You!" campaign, SLOs also created a survey which canvassed opinion from school children at 5 secondary schools in the city, asking a range of questions focusing on proxy sales, the results of which were shared nationally with the campaign organisers.

Over the reporting period 2022-23 for the Board area the following licensing offences relating to the Sale or Supply of Alcohol to Children or Young People were recorded:

Offence	2021-22	2022-23
Section 102 – Sale of alcohol to a child or young person	1	2
Section 103 – allowing the sale of alcohol to a child or young person	0	0
Section 104 – buy alcohol for a child or young person	3	14
Section 105 – Purchase of alcohol by or for a child or young person	0	0
Section 106 – Consumption of alcohol by a child or young person	0	2
<b>Total</b>	<b>4</b>	<b>18</b>

## TACKLING SERIOUS AND ORGANISED CRIME

Serious and organised crime has far reaching consequences that affect a large proportion of society and the economy. Those involved have spread their activity into an increased variety of criminal enterprises including illegal drugs, money laundering, fraud, human trafficking, fake goods and the licensed trade.

It is important to highlight that all applications submitted in respect of the Licensing (Scotland) Act 2005 are scrutinised in terms of the applicant (whether individuals or companies), the premises and the activity applied for to minimise the risk of organised criminals infiltrating the licensed trade.

## OFFICIAL

Serious and Organised Crime Groups (SOCG) present a clear threat to the licensed trade in Edinburgh. Police continue to target known criminality in this area as well as reduce the opportunity for individuals to exploit legitimate licensing opportunities for their own illegitimate means.

Edinburgh Division Licensing Department works closely with the Edinburgh Division Proactive Unit (EPAU) as well as the Organised Crime and Counter Terrorism Unit (OCCTU) to act at the earliest opportunity to disrupt criminals who are believed to be running or involved in licensed premises. Where this can be evidenced, police licensing will provide the Licensing Board with information in an attempt to prevent or remove known criminals from premises.

Edinburgh Division continues to carry out targeted premises visits and initiatives to ensure they operate in line with licensing legislation. Such visits may also involve partner agencies including HMRC, Council LSO's, Council Environmental Health, Fire Service, DVLA, SIA, and Immigration Enforcement.

During the reporting period there have been a number of checks and inspections carried out by the EPAU, local Proactive Teams (LAVRU) and Community Policing Teams (CPT) of premises known to be frequented by SAOC nominals, with no offences detected. Financial investigation has also been undertaken in relation to certain licensed premises in the city.

As part of a UK-wide initiative led by the Security Industry Authority (SIA), Edinburgh Division Licensing Department and other specialist officers took part in a simulated emergency exercise to ensure preparedness in the event of a mass casualty scenario

"Operation Sentry" was hosted by Shanghai Nightclub in February 2023 and was well attended by security operatives from various city centre venues, as well as management teams from security companies involved in the wider licensing trade. The event involved live role play exercises with counter-terrorism content.

The training is designed to put into practice the 'ACT awareness' e-learning modules taken by operatives and is a requirement on certain licence applications granted by the local authority. Similar events are planned to take place at other licensed premises in the city in 2023.

### **PROPOSED ACTIVITY FOR THE YEAR AHEAD**

Throughout the coming year, Edinburgh Division Licensing Department will continue to focus on the Divisional and National Policing Priorities, set out by Local and National Policing Plans, specifically Addressing Violence and Public Order & Safety, in connection with the consumption of alcohol.

We will do this by carrying out the following proposed activities in the coming year:

- Continue to work in partnership with LSO's to provide quality and consistent advice and support to licensed premises and their staff, including education in

## OFFICIAL

legislation, licensing objectives, and dealing with incidents occurring within their premises.

- Continue to work closely with the four Community Alcohol Partnerships (CAP's) across the city.
- Work with partners to deliver the "It'll Cost You!" campaign, raising awareness around the risks and harm caused by adults who buy alcohol for children and young persons, as well as educating adults on the criminal offences, penalties, and consequences associated with such proxy sales.
- We will continue to engage with all partners involved in the licensed trade and work together with them to uphold the five licensing objectives and the spirit of the 2005 Act, to ensure the safety and wellbeing of the people of Edinburgh.
- Deliver and support personal safety initiatives - such as Bystander Training and "Ask for Angela" - to licenced premises staff in the city in order to protect vulnerable persons within licensed premises and help tackle sexual violence connected to alcohol consumption.
- Support the City of Edinburgh Council Trading Standards Team in their delivery of the Best Bar None Scheme.
- Edinburgh Police Licensing Department will be leading an intelligence-led Test Purchase Operation in 2023/24, in response to relevant intelligence received regarding children and young people purchasing alcohol.
- Engage with major event and festival organisers to agree Alcohol Management Plans for events held across the city. These help control the risk around selling alcohol at events, ensuring compliance with legislation and safe event delivery.
- Edinburgh Police Licensing Department will continue to raise objections, representations and other appropriate concerns in relation to applications to the board for all types of alcohol licences.



**MINUTES OF MEETING**

**MONDAY 25<sup>th</sup> SEPTEMBER 2023**

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

**Apologies: Councillors Lezley Marion Cameron; David Key**

**Police: Sergeant Barry Mercer**

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

In its consideration of items 1 to 5 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**

Best Bar None – the Convenor referred to work being carried out on the Best Bar None scheme and in particular the efforts of the Council's LSOs to encourage licensed trade participation. The Board heard more details on the scheme from Veronica Macmillan.

**2. Licensing Board Policy – Consultation – Phase 2**

Prior to presentation of the report by the depute clerk, Councillor Booth moved that this item should be withdrawn from the agenda, in order to allow more time for Board members to consider the report and appended draft policy statement. Following a discussion on the implications of continuation and whether a further meeting date could be fixed, there was a formal division and vote. Councillor Booth, seconded by Councillor Fullerton moved continuation. This was supported by Councillor Flannery. Councillor Young, seconded by Councillor Rust, moved that the report be considered. This was supported by Councillor Graham.

Noting there was a split decision the Convenor agreed to cast her vote for continuation, and it was agreed an additional Board meeting would be convened on 29 September 2023.

The Board went on to have a discussion on the terms of the policy statement and the areas it would be looking to invite further consultation upon.

**3. Chief Constable's Annual Report – 2022/23**

The Board agreed to a request from Sergeant Mercer for the report to be continued for one month, to enable a senior officer to be present.

**4. Records Management Plan**

The depute clerk advised the report on the Records Management Plan was not yet available, and the Board agreed to continue this matter.



5. Minutes of meeting of 28<sup>th</sup> August 2023, decisions and matters arising

Minutes and decision list approved.

6. Applications – major variations, new provisionals/premises licences, etc – details as set out in separate list

The details of applications considered by the Board at the meeting on 25 September 2023 are set out in a separate decision list for approval and to be appended to these minutes.

7. Occasional Licence applications – referrals to Board

The deputy clerk advised that work had been carried out by the Council's Licensing Service to compile a list of premises for which occasional licence applications were regularly being made over a longer period of time. Details would be reported to the Board at a later date, with a view to specific referrals of applications to the Board for consideration.

8. Premises Licence Review Hearing (update) – 58 Lochend Road South

The Board heard the details of a premises licence review application submitted by Police Scotland. Noting reports from Sergeant Mercer and Veronica Macmillan, the Board went on to hear from Alistair Macdonald on behalf of the licence holder.

Following a detailed hearing of the representations made, the Board agreed to issue the premises licence holder with a written warning. In the course of the hearing, the Board made a finding in respect of the premises licence holder's personal licence, and agreed it was necessary that his personal licence should be endorsed.

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	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	Board noted Niall Hassard was instructed for the applicant.  CONTINUED to 27 November 2023.  Board noted occasionals being applied for meantime, which may be referred for Board consideration.

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	469808	Aberdeen Corporate Services Limited	Aberdeen Corporate Services Limited 1 George Street, New Town, Edinburgh, EH2 2LL	1 George Street, Edinburgh, EH2 2LL	Yes	No	No	To change Designated Premises Manager. To substitute layout plans following building redesign, function/restaurant area moved from basement to ground floor. To remove children and young persons access. To remove off sales. To change registered company address To amend capacity to 310  CC LSO BSR	GRANTED  Capacity - 228

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	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 30 October 2023  Part heard – 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**

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	496576	Mitchells & Butlers Retail Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	11a-14 West Maitland Street, Edinburgh, EH12 5DS	No	No	Yes	1. Include the external area within the licensed boundary of the premises; and 2. Amend access area for Children and Young Persons to include the external area (as per the proposed Layout Plan (HLP1)).	GRANTED

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	496738	Signature Pubs Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	12 Grassmarket, Edinburgh, EH1 2JU	No	No	Yes	To increase the on sales capacity of the premises to 264 persons. To add indoor/outdoor sports as an activity. To add wording at Q5 - "Outdoor areas can be used prior to the commencement of core hours, but not beyond 10pm (as per current board policy). To then add additional activities at 5(f) wording: Table tennis, pool, juke box, charity nights, quiz nights, community events, music, magicians, auctions, themed events, wine/beer tastings, samplings, promotional evenings, cabaret, live entertainment, comedy, darts playing, including electronic darts and other variations of the gae of darts. Click and collect of alcohol and food; licensed point of dispatch. To amend Children's access to 22:00 hours (from 20:00 and within policy).  CC BSR Ox1 GRASS	Division:  Cllr Graham, Cllr Booth 2nding – grant, but capacity remain unchanged on overprovision grounds (supported Cllrs Young, Flannery)  Cllr Fullerton, Cllr Work 2nding – grant (supported Cllr Rust)  Decision – GRANTED, but capacity remaining unchanged

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	498765	Georgica Holdings Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	128 Dundee Street, Edinburgh, EH11 1AF	Yes	No	No	To amend question 5(f) to include karaoke and escape rooms. To amend layout plans:- addition of escape rooms;reconfiguration and addition of one pool table; addition of two karaoke rooms; reconfiguration of layout of toilets;relocation of bar; addition of booth seating; removal of ramped area; and all other ancillary changes.  CC LSO 1x Rep Merchiston Community Council	GRANTED

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	494981	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	19 Blair Street, Edinburgh, EH1 1QR	No	No	Yes	To amend entry time on a Sunday for Children and Young persons to 9am. To amend wording in question 5 of the Operating Plan, to allow service of food and non-alcoholic drinks from 09:00 on Sunday.	GRANTED



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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	495477	Iona Pub Partnership (Scotland) Limited	Scotsman Group PLC Hamilton House, 70 Hamilton Drive, Glasgow, G12 8DR	21 Lothian Road, Edinburgh, EH1 2DJ	No	No	Yes	Include Bar Meals outwith core licensed hours Include televised sport outwith core licensed hours Include in the explanation box after 5(e): The premises will offer breakfasts and non- alcoholic beverages prior to the commencement of core hours. The premises may show televised sport outwith core licensed hours on rare occasions such as major sporting events taking place abroad in different time zones, such as World Cup and Olympic games. Include in other activities - Takeaway coffees/teas  CC BSR	GRANTED  Shelving – 31m

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	497416	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, New Town, Edinburgh, EH2 4DB	21-23 Marionville Road, Edinburgh, EH7 5UD	No	No	Yes	To amend operating plan to add dance facilities (question 5c) and add discos to any other activities (question 5F).  CC LSO	GRANTED

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
9.	496337	Lateral City Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	329 High Street, Edinburgh	No	No	Yes	To commence licensed hours from 9am Monday to Saturday  CC	GRANTED  Condition – alcohol sales between 0900-1100 to be only with provision of hot breakfast meal

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**LICENSING (SCOTLAND) ACT 2005**  
**NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS**

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
10.	487494	Edinburgh City Football Club Ltd	Macgregor Thomson Solicitors Springfield House, Laurelhill Business Park, Stirling, FK7 9JQ	74 Lochend Road South, Edinburgh, EH7 6DR	No	No	Yes	To amend wording in Q6(b,d,e) children and young persons access. To reduce on sales capacity to 210. To amend layout plan. To amend Q5, adding additional text to description outwith core hours details updated and 'paper apart' removed. To update Designated Premises Manager's address.  CC LSO BSR	GRANTED  No outdoor drinking beyond 2200  Cllr Fullerton dissenting

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	499718	Sainsbury's Supermarkets Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	44 Biggar Road, Edinburgh	No	Yes	No	Sainsbury's Local is a convenience store format retail premises, offering a wide range of products and services including groceries, alcohol, newsagent, general retail and food to go. The store may also be a platform for other customer or community services including parcel uplift or click and collect services, and provide a channel to access products from the brands within the Sainsbury's Group.  CCx2 LSO BSR	GRANTED  Music condition – no audible nuisance

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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	499366	Nandos Chickenland Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	44 South Groathill Avenue, Craigleith, Edinburgh, EH4 2LN	No	No	Yes	Family friendly restaurant situated in Craigleith Retail Park.  CCx2 LSO BSR	GRANTED  Music condition – no audible nuisance  Capacity – 152  14-17 year olds unsupervised attendance permitted  13 and under – attendance with responsible adult

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**LICENSING (SCOTLAND) ACT 2005**  
**NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS**

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	500252	Shao Ltd	Ms Lemon Li 65 Bath Street, Glasgow, G2 2BX	55-57 West Nicolson Street, Edinburgh, EH8 9DB	Yes	No	No	Restaurant  CCx2 LSO BSR Ox1 Ms Bergin and Ms Byrne	GRANTED  Capacity - 30

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**LICENSING (SCOTLAND) ACT 2005**  
**NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS**

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	498875	Partnership of Mauro Pacitti & Lorenzo Pacitti	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	90 Northfield Broadway, Mountcastle, Edinburgh, EH8 7RU	No	No	Yes	Takeaway/restaurant located on the ground floor of a building on Northfield Broadway, Edinburgh.  CCx2 LSO BSR	GRANTED  No outdoor drinking beyond 2200  Music condition – no audible nuisance  Capacity - 20



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

**25 September 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	500261	Bllinghurst Ltd	Bllinghurst Ltd Pf3, 82 Harrison Gardens, Polwarth, Edinburgh, EH11 1SB	181 Bruntsfield Place, Edinburgh, EH10 4DG	No	Yes	No	Retail delicatessen selling foodstuffs and cookware, with small cafe of four tables at back of shop.  CCx2 LSO BSR 1x note of support Merchiston Community Council	GRANTED  Music condition – no audible nuisance  Capacity – 8.22m shelving

PERSONAL LICENCE APPLICATIONS

KING LOW – represented by Macdonald Licensing – CONTINUED to future meeting

KIERRAN SIME – represented by Macdonald Licensing – CONTINUED to future meeting

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

**30 October 2023**

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	

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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	501400	Edinburgh Curling Club	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	13a Riversdale Crescent, Edinburgh, EH12 5XN	Yes	No	No	Reconstruction of interior of premises on ground floor to change shop to office, refurbishment of accessible WC and change of ice staff room to Food and Drink Store. Changes on first floor to move bar from above ice rink area into viewing area, to increase size of viewing area but not overall capacity, to create new kitchen, accessible toilet and accessible lift.  CC BSR	

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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	504679	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	166 Glasgow Road, Edinburgh, EH12 8LS	No	Yes	No	Increase the overall alcohol capacity detailed in the operating plan due to changes being proposed to the internal layout. The internal layout changes relate to the inaccessible spirits area located behind the counter in the gantry. The overall capacity has increased from 9.35 linear metres to 9.80 linear metres. The internal layout plan contained in the premises licence needs to be varied to match the proposed overall increase in alcohol capacity due to the inaccessible spirits area behind the counter in the gantry increasing.  CC LSO	

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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	504673	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	To increase the overall alcohol capacity detailed in the operating plan due to changes being proposed to the internal layout. The internal layout changes relate to the inaccessible spirits area located behind the counter in the gantry. The overall capacity has increased from 12.15 linear metres to 13.5 linear metres. The internal layout plan contained in the premises licence needs to be varied to match the proposed overall increase in alcohol capacity due to the inaccessible spirits area behind the counter in the gantry increasing.  CC LSO	

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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	503860	Shell UK Oil Products Limited	Lockett & Co Lockett House, 13 Church Street, Kidderminster, Worcestershire, DY10 2AH	7 Seafield Road, Edinburgh, EH6 7LE	No	Yes	No	The variation is proposing to increase the inaccessible alcohol area behind the counter (spirits) contained within the gantry. As a result the overall capacity has increased, a new operating plan is required.  CC LSO	

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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	495764	1A PSQ Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	1a Parliament Square, Edinburgh, EH1 1RF	Yes	No	No	To delete local conditions 2 & 3 To add off sales, for use with tastings and tutorials To add tastings and tutorials as additional activities To add live performances as an activity To substitute a new ground floor plan (the rest of plans remain the same)  CC BSR	

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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	503456	Caledonian Heritable Ltd	Caledonian Heritable Ltd 4 Hope Street, Edinburgh, EH2 4DB	21-23 Marionville Road, Edinburgh, EH7 5UD	No	No	Yes	To amend the layout plan to show the outdoor drinking area. Licence Holder will apply for Tables and Chairs permit for this area. To amend question 5d of the operating plan to Y for outdoor drinking facilities  CC LSO	



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

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	500153	Inverhow Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	29a Waterloo Place, Edinburgh, EH1 3BQ	No	No	Yes	Amendment to Question 7 of the operating plan to include the external area capacity of 40 persons. Variation to include the external area within the boundary of the licensed premises as shown on submitted plan.  CC LSO BSR	

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**NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS**

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	502831	Punch Partnerships (PTL) Limited	Flint Bishop LLP Pinnacle Building, 2 Prospect Place, Derby, DE24 8HG	3 Melville Place, Edinburgh, EH3 7PR	No	No	Yes	To amend operating plan to permit on and off sales on Sunday's from 11:00; permit conference and restaurant facilities during and outwith core hours; permit receptions outwith core hours; permit theatre during and outwith core hours; permit outdoor drinking facilities during and outwith core hours. Add festival events such as comedians etc. To allow take-away and delivery of food and drink. To allow takeaway and delivery of alcohol to take place during permitted core hours for consumption off the premises. To permit children or young persons aged 5-17 years to be allowed entry accompanied by an adult from opening until 22:00 hours in all public parts of the premises  CC LSO BSR Ox1 West End Community Council	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
9.	502320	Black Sheep Coffee Bar Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	30 St James Square, New Town, Edinburgh, EH1 3AX	No	No	Yes	Major Variation to increase capacity figure from 50 persons to 75 persons, in accordance with proposed layout plan LC02 Rev B. There is no change to the internal configuration of the premises, and the layout plan has only been amended to include the new capacity figure. The capacity breakdown is as follows: Cafe Seating Area: 51 persons Mall Seating Area: 24 persons  CC LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
10.	500169	Chardon Edinburgh (RM) Limited	Gosschalks LLP 61 Queens Gardens, Kingston Upon Hull, HUI 3DZ	300 Cowgate, Edinburgh, EH1 1NA	Yes	No	No	On sales hours to be amended to 09.00 to 01.00 on Mondays to Saturdays inclusive and 11.00 to 01.00 on Sundays. Q4 (Seasonal variations) in the operating plan is to be amended to reflect the fact that the premises wish to take advantage of any extended hours permitted in line with the policy of the licensing board from time to time, in particular over the festive period, Edinburgh International and Fringe Festivals each year. Q5 in the operating plan is to be amended such that the answers to the provision of Conference facilities during core hours is to be amended to read "No". Q5 of the operating plan is to be amended to reflect the fact that both restaurant facilities and bar meals may be provided both within and outwith core licensed hours. The reference to breakfast being continental not cooked is to be removed from Q5.	
								CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
11.	500175	Mellis Cheese Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	30a Victoria Street, Old Town, Edinburgh, EH1 2JW	No	Yes	No	To amend the wording of the local condition - "Alcohol sales restricted to wines only" to "Alcohol sales restricted to wines, whisky and cider". Variation to the layout plan to reflect current layout of the premises as per attached plan 5676224 resulting in reduction of capacity from 6 linear metres to 5 linear metres.  CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
12.	499690	Common Blue Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	36 Broughton Street, Edinburgh, EH1 3SB	No	No	Yes	To delete the current condition on amplified music and vocals, and to replace it with the new condition " all amplified music and vocals shall be so controlled so as not to be an audible nuisance in neighbouring residential premises". To add conference facilities as an activity. To add training and tasting as additional activities. To permit children and young persons into the lower ground floor, as well as the ground floor.  CC LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
13.	501920	Meadowhead Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	50 Mortonhall Gate, Edinburgh, EH16 6TJ	No	No	Yes	To delete the current noise conditions on amplified music and vocals, and to replace it with the new condition "All amplified music and vocals shall be so controlled so as not to be an audible nuisance in neighbouring residential premises". To amend the rules on access by children and young persons, to provide that children must be accompanied by an adult, but do not need to be there for the purpose of having a meal or attending a function. Young persons do not require to be accompanied and do not necessarily have to be having a meal or attending a function. Children and young persons will have access to all public areas including the courtyard. Children will require to vacate the premises by 11pm (unless attending a private pre-booked function in which case they may remain until 1am) and young persons must vacate the premises by 1am. To provide that the outside area may be used prior to the commencement of core hours for the consumption of food and non-alcoholic drinks, for breakfasts for example. No alcohol will be sold or supplied until the commencement of licensed hours. To change the designated premises manager.	
								CC	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
14.	496575	Mitchells & Butlers Retail Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	71-73 York Place, Edinburgh, EH1 3JD	No	No	Yes	Layout Plan to include the external area within the licensed boundary as per the proposed Layout Plan (EDLP1).  CC LSO	



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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
15.	501003	Ms Virginie Brouard	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	Gf, 9 Randolph Place, Edinburgh, EH3 7TE	No	No	Yes	Change of core hours to commence on and off sale at 11:00 Monday to Saturday. Inclusion of seasonal variations. Change in activities to include Recorded Music outwith core hours and Theatre within core hours with associated change in wording and revised wording in relation to receptions outwith core hours. Inclusion of range of activities in 5(f) to include: product launches and demonstrations, food tasting events, sampling of alcohol/wine tastings, language classes, charity events, educational activities relating to food and drink, sale of food and other items and order and dispatch of food and drink from the premises. Change in relation to admission of children and young persons to allow accompanied admission of children until 11pm or 1am if attending functions and for young persons until 1am. Expansion of external area to include an area of pavement. Revision of drawings to clarify admission of children and young persons to rear area. Revision of drawings to more clearly define communal areas and areas to which children and young persons do not have access. Amendment of description to read "Wine Bar/ Restaurant on ground, mezzanine and first floor levels with external seated area"	
								CC LSO BSR Ox1 Mr Scholefield	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
16.	502625	RSC Management Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	The Royal Scots Club, 30 Abercromby Place, Edinburgh, EH3 6QE	No	No	Yes	To add outdoor drinking facilities as an activity, including prior to licensed hours, from 9am. To provide that the premises are a fringe venue hosting various shows. To substitute new layout plans (six) showing additional areas, partly within the ownership of the property and partly on the adjacent pavement, into the licensed area, and tidying up generally. No increase to capacity.  CC LSO Ox1 Mr David Brew	

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**NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS**

**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	502347	Meininger Hotels U.K. Limited	DWF Law LLP 5 St Paul's Square, Old Hall Street, Liverpool, L3 9AE	1-5 Osborne Terrace, Wester Coates, Edinburgh, EH12 5HG	Yes	No	No	<p>Premises will operate as a hotel and hostel type accommodation to resident guests and will consist of a lower ground floor, principally with guest accommodation and provision for guest services and staff services. A ground floor which again will have guest accommodation together with a lobby / reception area including a bar and lounge, breakfast area which can be used for small functions, preparation areas for food, toilet facilities, office facilities, luggage storage and a kitchen available for use by guests and a laundry area. There will be an outside ground floor terrace as shown on the plans which will be available to be used by guests until 23:00 There will then be first, second, third and fourth floors which will all have guest accommodation with some service facilities. It is proposed there will be a total of 157 rooms in the premises. All door widths and fire precautions will comply with the current required practice and subject to approval by Building Control. The hotel is situated in its own grounds and will have parking facilities and a garden area to the rear.</p> <p>CCx2 LSO BSR Ox 11 Dr Stalker Mrs Smith Mrs Hutchison Murrayfield Community Council Mrs Dickson DAAA Ms East Revd Warnes Mr Smith Mrs Cullen Mr McCombie</p> <p style="text-align: right;">1x note of support Ms Macpherson</p>	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	502716	Mr Bhavishya Dahiya	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	28 Dalry Road, Dalry, Edinburgh, EH11 2BA	No	Yes	No	Convenience store located on the ground floor of a property on Dalry Road  CCx2 LSO BSR	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	503528	Mr Deepak Kumar Singh	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	60 Angle Park Terrace, Edinburgh, EH11 2JR	No	Yes	No	Retail unit located on the ground floor of premises on Angle Park Terrace, with basement storage.  CCx2 LSO BSR Ox1 Ms Allan	

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**30 October 2023**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	501030	Reis Short & Company	Brodies LLP 58 Morrison Street, West End, Edinburgh, EH3 8BP	Broughton Hotel, 37 Broughton Place, Broughton, Edinburgh, EH1 3RR	Yes	No	No	Guesthouse over 3 floors in Edinburgh city centre  CCx2 LSO BSR	

## PERSONAL LICENCE REVIEW – SECTION 84A – JOAO VIERA

### 1. Purpose

- 1.1 To advise of a requirement to hold a personal licence review hearing.

### 2. Main Report

- 2.1. Joao Viera holds a personal licence issued by the Edinburgh Licensing Board. Police Scotland have applied for review of his personal licence.

- 2.2. The details of the review application are set out in a letter from Police Scotland, a copy of which has been sent to Mr Viera. The Board is required to hold a hearing on the terms of the review application and decide what action is considered necessary for the personal licence. The Board should firstly hear from the police representative on the terms of the application, before then providing Mr Viera with an opportunity to respond to the terms of the application.

- 2.3. At the conclusion of the hearing, if the Board is satisfied that it is necessary to take action for the purposes of any of the licensing objectives, it may make an order:-

- (a) revoking;
- (b) suspending for such period, not exceeding 6 months, as the Board considers appropriate, or
- (c) endorsing

the personal licence.

- 2.4. If it is considered, having regard to the licensing objectives, that the licence holder is no longer fit and proper to hold the licence, the Board must revoke the licence.

### 3. Recommendation

- 3.1 The Board should:-

- (a) hold a hearing on the personal licence, allowing the licence holder the opportunity to be heard; and
- (b) decide what action should be taken, having regard to the licensing objectives.

### 4. Background Papers

- 4.1 Letter from Police Scotland dated 3<sup>rd</sup> July 2023.

**Depute Clerk of the Licensing Board**

## 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, to be reported to the Board for consideration at the October and November meetings.
- 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.
- 2.4 Details of premises for which requests have been made are provided below.

### 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

- 4.1 49 Forrest Road – original expiry 25 January 2021. Extended most recently on 31 July 2023 – expiry 31 October 2023
- 4.2 165 Lothian Road – first time request – expiry 30 November 2023

**Depute Clerk of the Licensing Board**



## PREMISES LICENCE REVIEW HEARING – 15-19 LOCHEND ROAD, 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 15-19 Lochend Road, 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 was submitted by Police Scotland. The premises licence holders are Sangeeta Singh and Shivraj Singh. The Council's LSOs were asked to prepare a report on the terms of the review application, to be forwarded to the licence holder and for the Board's consideration. The review application and LSO report have been provided to the licence holders' agent.
- 2.4. In carrying out the review hearing, the Board should first hear from the Police Scotland as the applicant for review, and then from the LSO representative. 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.
- 2.5. In the course of the review hearing if the Board makes a finding that a personal licence holder has acted in a manner that is considered to be

**PREMISES LICENCE REVIEW HEARING – 15-19 LOCHEND ROAD, EDINBURGH**

inconsistent with the licensing objectives, the Board may proceed to hold a separate hearing on the individual's personal licence. The police review application has not made a specific request in this regard, but the option remains open to the Board.

**3. Recommendation**

3.1 The Board is required:-

- (a) to hold a premises licence review hearing;
- (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 4 July 2023
- 4.2 LSO report – provided 25 October 2023

**Depute Clerk of the Licensing Board**