

• EDINBURGH •
LICENSING BOARD

NOTICE OF MEETING

MONDAY 27th JANUARY 2020

START TIME 9.30am

Dean of Guild Room, City Chambers, Edinburgh

AGENDA

1. Preliminary matters
2. Licensing Board Rules – Meeting Dates 2020/21
3. Minutes of Meeting of 25th November 2019
4. Requests for extension of provisional period

57-59 High Street, Edinburgh
31 East Market Street, Edinburgh
38-39 Elm Row, Edinburgh
5. Applications for variation of existing premises licences, new premises and provisional premises licences, personal licences, etc – as detailed in separate list
6. Review of premises licences – Unpaid Annual Fees 2019/20
7. Premises licence review hearing – The Village, 16 South Fort Street, Edinburgh

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

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

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

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

REPORT – SCHEDULE OF MEETINGS – 2020/21

1. Purpose

- 1.1 To ask the Board to note the terms of its existing Rules for Board meetings;
- 1.2 To agree a draft schedule of Licensing Board meeting dates for 2020/21 as listed in the appendix to this report.

2. Main Report

- 2.1. The 2005 Act allows the Board to make, and publish, rules for its meetings. Paragraph 12, schedule 1 deals specifically with proceedings at Board meetings.
- 2.2. The Edinburgh Licensing Board has previously agreed rules for its meetings, setting the frequency of meetings (monthly) and generally on the last Monday in each month other than during holiday months, particularly July and December.
- 2.3. To ensure a co-ordination between meeting dates scheduled for the Licensing Board and the City of Edinburgh Council and its committees, dates of meetings are agreed annually, several months in advance. A suggested draft schedule of meetings dates for the 2020/21 period is attached. The Board meeting dates have been extracted from that and are set out in the rules below.
- 2.4. The schedule does not include specific provision for additional Board meetings, such as the requirement to hold a joint meeting with the Licensing Forum.
- 2.5. Details of the dates agreed by the Board will be communicated to the Council to ensure the Council calendar is up to date. The Council calendar is due to be finalised in February 2020. Details of meeting dates will also be published online, to ensure that all interested parties are aware of arrangements for Board meetings.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) To agree the amended set of Rules and draft schedule for Board meetings for 2020/21 as attached.

REPORT – SCHEDULE OF MEETINGS – 2020/21

4. Background

4.1 Licensing (Scotland) Act 2005 Schedule 1, Paragraph 12

4.2 City of Edinburgh Licensing Board - Rules for Meetings

Depute Clerk of the Licensing Board

REPORT – SCHEDULE OF MEETINGS – 2020/21

CITY OF EDINBURGH LICENSING BOARD

RULES 2020/21

1. The Board will meet during 2020/21 on the last Monday of every month except in March, June and December. The dates for the meetings up to and including July 2020 were previously agreed (*italics below*). Meetings will commence at 9.30am
2. These Rules will take effect on 27th January 2020 and will continue in force until revoked.

Meeting dates 2020	Meeting dates 2021
<i>27th January 2020</i>	25 th January 2021
<i>24th February 2020</i>	22 nd February 2021
<i>23rd March 2020</i>	22 nd March 2021
<i>27th April 2020</i>	26 th April 2021
<i>25th May 2020</i>	24 th May 2021
<i>22nd June 2020</i>	21 st June 2021
<i>27th July 2020</i>	2 nd August 2021
31 st August 2020	
28 th September 2020	
25 th October 2020	
30 th November 2020	

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LICENSING BOARD

MINUTES OF MEETING

MONDAY 25th NOVEMBER 2019

ITEM No. 3

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

Apologies: Councillors Nick Cook; Cammy Day

Police: Sergeant John Young

NHS Lothian: not present

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

1. Preliminary matters

None

2. Minutes of Meeting of 28th October 2019

The minutes of the meeting of 28th October 2019 were approved.

3. Requests for extension of provisional period

- 120 Dundas Street, Edinburgh

The Board agreed to extend the provisional period to 27th January 2021

- 85/87 South Bridge, Edinburgh

The Board agreed to extend the provisional period to 22nd July 2020

- 20/30 Cockburn Street, Edinburgh

The Board agreed to extend the provisional period to 26th July 2020

- 36 Castle Terrace, Edinburgh

The Board noted the provisional premises licence had been confirmed, and the extension was no longer required.

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

The Board considered a number of applications, the decisions for which are as detailed in the list appended to these minutes.

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

Declarations of interest: None

Divisions:

Variations – 1. – 183 Bruntsfield Place (Majid Valiani)

Councillor Cameron, seconded by Councillor Gloyer, moved grant of the application. Councillor Howie, seconded by Councillor Key, moved as an amendment that the application be granted but with the commencement hour for Fridays and Saturdays of 1100. Following a division, the AMENDMENT was agreed.

NHS Lothian representations:-
Marked on decision list below

5. Annual Financial Report – 2018/19

The Depute Clerk advised the Board of the requirement for the Board to approve and publish an annual financial report, setting out income and expenditure for the 2018/19 financial year. Catherine Scanlin, Licensing Service Manager was in attendance to report on the income and expenditure details.

Board members sought clarification on a number of points, and agreed to approve the terms of the report and that it should be published online in due course.

Councillor Norman Work
Convener of the Licensing Board

DECISION LIST – 25th NOVEMBER 2019

CONTINUED APPLICATION FOR VARIATION OF PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	418102	Star Pubs & Bars Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	30 Longstone Road, Edinburgh, EH14 2BH	No	No	Yes	To delete current Condition on amplified music and vocals, & replace with new Condition agreed by Board on 26-09-16 as an amendment to its Policy. Increase on & off sale hours, add seasonal variations conference facilities, restaurant facilities, karaoke & quiz nights as activities, allow the premises to open from 8am for the provision of breakfasts, coffees & teas etc, amend details to children & young persons access to premises, increase capacity, approve internal reconfiguration, & amend details to description of premises. CC; LSO; BSR NHS	CONTINUED

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

DECISION LIST – 25th NOVEMBER 2019

2.	419418	Scottish Rugby Union PLC	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Murrayfield Stadium, 102a Roseburn Street, Edinburgh, EH12 5PJ	No	No	Yes CC LSO BSR	To amend description of premises, to amend activities provided outwith core licensed hours, to amend other activities carried out on the premises, to add off sale capacity for SRU shop. To allow for more customers standing than seated and music exceeding 85dB after 1am. GRANTED Agent to provide amended layout plan confirming removal of clubhouse from licensed area
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DECISION LIST – 25th NOVEMBER 2019

APPLICATIONS FOR VARIATION OF PREMISES LICENCE

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	421515	Mr Majid Valiani	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	183 Bruntsfield Place, Edinburgh, EH10 4DG	No	No	Yes	To add off sales, to amend on sale hours, to amend the amplified music condition, to amend layout incorporating outside area into the licensed premises. To substitute Designated Premises Manager. To add outside drinking, televised sport, live performances, deliveries, takeaways as activities and to amend activities carried out on the premises. CC;LSO;NHS	Application amended by agent, removing change to music condition GRANTED (partial) Outdoor drinking until 2200 Live performance until 2300 Fri & Sat onsales start time to remain at 1100 (on a division)

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

DECISION LIST – 25th NOVEMBER 2019

2.	421196	Grni Food & Wine Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	214 Gorgie Road, Edinburgh, EH11 2PN	No	Yes	No	To amend layout, to increase off-sale capacity, to change description of premises; to add recorded music, tastings and deliveries as activities, to amend other activities carried out on the premises. CC;LSO; BSR;NHS	GRANTED Capacity 89m Cllr Burgess dissenting
3.	421193	Ting Thai Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	55-57 Lothian Road, Edinburgh, EH1 2DJ	Yes	No	No	To amend layout reflecting the incorporation of 55 Lothian Road, to amend premises address, to increase capacity, to amend description of premises. CC;BSR;NHS	GRANTED Capacity - 40

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

DECISION LIST – 25th NOVEMBER 2019

4.	422088	Licensed Support Services Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	82 Commercial Street, Edinburgh, EH6 6LX	No	No	Yes	To amend on sale hours and add off sales, to amend layout, to add seasonal variations. To add bar meals, conference facilities, live performances, theatre, films, indoor/outdoor sports and televised sport as activities. To amend activities carried out on the premises, to amend Children and Young Persons' access, to increase capacity. CC:LSO;BSR	GRANTED Outdoor drinking until 2200 Capacity – 130
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DECISION LIST – 25th NOVEMBER 2019

5.	422084	Malleny LIC Limited	Millar Campbell Solicitors 116 Blythswood Street, Glasgow, G2 4EG	Malleny Arms Hotel, 15 Main Street, Balerno, EH14 7EQ	No	No	Yes	To amend name and description of premises, to amend layout, to increase capacity. To add Accomodation, Theatre and Film to activities; to amend activities carried out on premises. CC;LSO;BSR	GRANTED Outdoor drinking until 2200 Capacity – 165
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All statutory references to Licensing (Scotland) Act 2005, unless stated otherwise

DECISION LIST – 25th NOVEMBER 2019

CONTINUED PROVISIONAL PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	418571	WeWork Community Workspace UK Limited	Morton Fraser 2 Lister Square, Edinburgh, EH3 9GL	80 George Street, Edinburgh	Yes	No	No	Office premises accessed from ground floor at 80 George Street comprising floors 1-6 with external area on sixth floor with facilities for provision of alcohol to those working in the office and permitted guests. CC LSO BSR	Application amended by agent, confirming licensed area on 6 th floor Seasonal variations withdrawn GRANTED Capacity 60 Music condition – “no audible nuisance” Condition – alcohol only to be provided under supervision Condition – display notice to confirm four drink limit, per member, per day

DECISION LIST – 25th NOVEMBER 2019

APPLICATIONS FOR PROVISIONAL PREMISES LICENCE

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	420883	Nga Thi Nguyen	ADW Licensing 24 Canning Street, Edinburgh, EH3 8EG	15 Dalry Road, Edinburgh, EH11 2BQ	No	No	Yes	Small ground floor restaurant on one level, on the east side of Dalry Road near the junction with Haymarket. CC;LSO; BSR;NHS	GRANTED C&YP access – 2300 (C) and 0100 (YP) and C to end of private function Capacity – 30 Off-sales with food only
2.	421518	Victors of Edinburgh Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	29 Melville Terrace, Edinburgh, EH9 1LP	No	No	Yes	A self contained cafe currently operated in conjunction with the adjacent Victor Hugo delicatessen/cafe. Located on the ground floor of a building on Melville Terrace. CC; LSO; BSR	Application amended by agent to confirm 2300 terminal hour GRANTED Music condition – “no audible nuisance”

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

DECISION LIST – 25th NOVEMBER 2019

3.	421382	Turner & Hooch Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3a Merchant Street, Edinburgh, EH1 2QD	Yes	No	No	Restaurant/Bar located in the lower ground floor of a property on Merchant Street, Edinburgh. CC; LSO;BSR;NHS 0x2	GRANTED Outdoor drinking until 2200 Music condition – “no audible nuisance”
4.	421381	Monkey Barrel Comedy Ltd	Macdonald Licensing 21 a Rutland Square, Edinburgh, EH1 2BB	98-106 South Bridge, Edinburgh, EH1 1HN	Yes	No	No	Premises consisting of the lower floors of a building on South Bridge, these floors being accessed from Blair Street, which will be used as an entertainment complex. CC;LSO BSR;NHS	CONTINUED for site visit

DECISION LIST – 25th NOVEMBER 2019

OCCASIONAL LICENCE APPLICATIONS

25 NOVEMBER 2019

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	421916 (25/11/19 – 8/12/19)	Mrs Sara Patricia Da Silva	Mrs Sara Patricia Da Silva 294 Leith Walk, Edinburgh EH6 5BX	294 Leith Walk	No	No	Yes	CC LSO	GRANTED
2.	421917 (9/12/19 – 22/12/19)	Mrs Sara Patricia Da Silva	Mrs Sara Patricia Da Silva 294 Leith Walk, Edinburgh EH6 5BX	294 Leith Walk	No	No	Yes	CC LSO	GRANTED
3.	421918 (23/12/19 – 5/1/20)	Mrs Sara Patricia Da Silva	Mrs Sara Patricia Da Silva 294 Leith Walk, Edinburgh EH6 5BX	294 Leith Walk	No	No	Yes	CC LSO	GRANTED

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

DECISION LIST – 25th NOVEMBER 2019

PERSONAL LICENCE APPLICATIONS

25 NOVEMBER 2019

NEW

No	Reference	Applicant	Agent Details	Comments	Decision
1.	412462	Mr Keith Raymond Masters		CC	CONTINUED (not present)

RENEWAL

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

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

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 57-59
HIGH STREET, EDINBURGH

1. Purpose

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

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 57-59 High Street, Edinburgh. The licence was issued by the Board on 24th August 2015 and was due to expire on 24th August 2019. The Board agreed to an application to extend the provisional period at its July 2019 meeting, to 24th February 2020.
- 2.5. The provisional premises licence is for the operation of a premises described as retail premises located on the ground floor, forming part of a previously larger retail outlet extending to the first floor, on the Royal Mile.

3. Recommendation

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

4. Background Papers

- 4.1 Letter from Macdonald Licensing dated 4th December 2019.

Depute Clerk of the Licensing Board

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 31
EAST MARKET STREET, EDINBURGH

1. Purpose

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

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 31 East Market Street, Edinburgh. The licence was issued by the Board on 22nd February 2016 and the provisional period will expire on 22nd February 2020. Details of the request for extension are set out in a letter from the licence holder's agent.
- 2.5. The provisional premises licence is for the operation of a premises described as restaurant/bar premises within the ground floor corner of a commercial unit located on East Market Street.

3. Recommendation

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

4. Background Papers

- 4.1 Letter from Macdonald Licensing dated 8th January 2020.

Depute Clerk of the Licensing Board

APPLICATION TO EXTEND PERIOD OF PROVISIONAL LICENCE – 38-39
ELM ROW, EDINBURGH

1. Purpose

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

2. Main Report

- 2.1. In terms of section 45(6) of the Licensing (Scotland) Act 2005, a provisional premises licence is granted for a period of four years from the date of issue of the licence. If it is not confirmed before the end of the provisional period, the licence is revoked, by operation of law. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, if appropriate, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a provisional premises licence holder may apply to the Board before the end of the provisional period, requesting an extension by such further period as the Board considers appropriate.
- 2.3. In granting such an extension, the Board must be satisfied in terms of section 45(8) of the Act that (a) completion of the construction or conversion of the premises to which the licence relates has been delayed and (b) the delay has been caused by factors outwith the premises licence holders' control.
- 2.4. An application has been made to extend the provisional period for the premises at 38-39 Elm Row, Edinburgh. The licence was issued by the Board on 24th August 2015. The Board agreed to a request to extend the provisional period on 29th July 2019 and the provisional period is due to expire on 24th February 2020. Details of the request for extension are set out in a letter from the licence holder's agent.
- 2.5. The provisional premises licence is for the operation of a premises described as restaurant premises on the ground floor.

3. Recommendation

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

4. Background Papers

- 4.1 Letter from Macdonald Licensing dated 13th January 2020.

Depute Clerk of the Licensing Board

ITEM No. 5

THE CITY OF EDINBURGH LICENSING BOARD

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

27 JANUARY 2020

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

NOTICE OF APPLICATIONS – Continued Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	418102	Star Pubs & Bars Limited	Flint Bishop LLP St Michael's Court, St Michael's Lane, Derby, DE1 3HQ	30 Longstone Road, Edinburgh, EH14 2BH	No	No	Yes	09/01/19	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to its Policy. Increase on and off sale hours, add seasonal variations, conference facilities, restaurant facilities, karaoke and quiz nights as activities, allow	

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

NOTICE OF APPLICATIONS – Continued Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
									<p>the premises to open from 8am for the provision of breakfasts, coffees, teas etc, amend details to children and young persons access to the premises, increase capacity, approve internal reconfiguration, and amend details to description of premises.</p> <p>CC LSO BSR NHS</p>	

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

NOTICE OF APPLICATIONS – Transfer and Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	424901	Ettore Investment Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1-2 Yardheads, Edinburgh, EH6 6BU	No	No	Yes	09/01/20	To transfer the premises licence, to amend core licensed hours for on sales and off sales, to correct Question 1 of Operating Plan, to change the amplified music condition, to amend seasonal variations, to amend details of activities carried out on premises. CCx2 LSO NHS	
2.	424821	Papavero Ltd	Macdonald Licensing Bf, 21 Rutland Square,	18 Howe Street, Edinburgh, EH3 6TG	Yes	No	No	09/01/20	To transfer the licence and change Designated Premises	

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

NOTICE OF APPLICATIONS – Transfer and Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
			Edinburgh, EH1 2BB						Manager, to amend amplified music condition, to amend Sunday commencement hour for on sales, to add off sales, to amend details of activities carried out on premises. To add takeaways, deliveries and outside catering as activities. To amend terms of young persons' entry. CCx2 LSO	

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

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	424907	Summerhall Management Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1 Summerhall, Edinburgh, EH9 1PL	No	No	Yes	09/01/20	To increase on-sale hours on Friday and Saturday, to amend layout and increase licensed area. CC LSO BSR O x6	

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

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
2.	422360	Stonegate Pub Company Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	133 Rose Street, Edinburgh, EH2 4LS	No	No	Yes	09/01/20	To include outdoor drinking as an activity, amend details to children and young persons' access to premises, add pavement seating areas onto licence, approve internal reconfiguration and submit new layout plans. CC LSO BSR NHS	

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

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	422858	The Co-Operative Group Food Limited	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	141 St John's Road, Edinburgh, EH12 7SD	No	Yes	No	09/01/20	Add recorded music as an activity, amend details to activities outwith core hours, increase capacity and submit new layout plan. CC LSO BSR	
4.	425131	Scotch Malt Whisky Society	Hill Brown Licensing RWF House, 5 Renfield Street, Glasgow, G2 5EZ	28 Queen Street, Edinburgh, EH2 1JX	No	No	Yes	09/01/20	To increase off-sales capacity and amend layout plan. CC BSR	

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

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	424903	Mrs Surria Khan	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	3 Southhouse Broadway, Edinburgh, EH17 8DR	No	Yes	No	09/01/20	To amend layout, to increase capacity, to add recorded music and deliveries as activities, to amend other activities carried out on premises, to change Designated Premises Manager's address. CC LSO BSR NHS	

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

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
6.	423384	Signature Pubs Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	8 Morningside Road, Edinburgh, EH10 4DD	No	No	Yes	09/01/20	To amend terminal hour for on sales to 01:00 on Thursday, Friday and Saturday. CC LSO O x121	
7.	422688	Interpub Public Limited Company	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	9-13 Market Street, Edinburgh, EH1 1DE	No	No	Yes	09/01/20	To amend Sunday commencement hour and to amend layout. NHS CC	
8.	416251	Edinburgh Real Ale Ltd	Edinburgh Real Ale Ltd, 26 Brougham Street, Edinburgh, EH3 9JH	Bow Bar, 80 West Bow, Edinburgh, EH1 2HH	No	No	Yes	09/01/20	To amend seasonal variations and to amend Sunday commencement hour to 11:00 (on and off sales). CC NHS	

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

NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
9.	423321	Mr David Archibald Seed	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Dundas Castle, Dundas Estate, South Queensferry, EH30 9SP	No	No	Yes	09/01/20	To increase licensed area, to add on sales, to add seasonal variations, to add activities, to amend details of activities carried out on the premises, to add Children and Young Persons' access. CC LSO BSR	

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

NOTICE OF APPLICATIONS – CONTINUED PROVISIONAL PREMISES LICENCE APPLICATIONS

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	421381	Monkey Barrel Comedy Ltd	Macdonald Licensing 21 a Rutland Square, Edinburgh, EH1 2BB	98-106 South Bridge, Edinburgh, EH1 1HN	Yes	No	No	06/11/19	Premises consisting of the lower floors of a building on South Bridge, these floors being accessed from Blair Street, which will be used as an entertainment complex. CCx2 LSO BSR NHS	

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

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	423792	Ciao Roma Restaurants Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	165 Lothian Road, Edinburgh, EH3 9AB	No	No	Yes	09/01/20	Cafe/Restaurant premises located on ground floor and lower ground floor of former bank building at corner of Lothian Road and East Fountainbridge, Edinburgh. CC x2 LSO BSR NHS	
2.	424986	Mr Kripacharya Bhama	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	215 St John's Road, Edinburgh, EH12 7UU	No	No	Yes	09/01/20	Restaurant/Take away located on the ground floor of a building on St John's Road, Corstorphine. CC LSO BSR	

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

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	424825	McTaggart Properties Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	32 South Clerk Street, Edinburgh, EH8 9PR	No	No	Yes	09/01/20	Small takeaway/cafe located on the ground and lower ground floor of a building on South Clerk Street. CC x2 LSO BSR O x1	
4.	413709	Le Bistrot by Patisserie Maxime Limited	Mr Cyril Barthelme 12a Sighthill Avenue, Edinburgh, EH11 4QS	59-63 George IV Bridge, Edinburgh, EH1 1RN	Yes	No	No	09/01/20	Part of ground floor of French Consulate building on corner of George IV Bridge - Royal Mile. The business runs as a French Bistro. CC x2 LSO BSR NHS	

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

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	425293	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	09/01/20	Convenience store located on petrol forecourt. CC x2 LSO BSR NHS	
6.	424197	Lisardo's Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Artisan Gelato, 21 Cockburn Street, Edinburgh, EH1 1BP	Yes	No	No	09/01/20	Café/Gelateria premises located on the ground floor of a building on Cockburn Street. CC x2 LSO BSR NHS O x1	

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

27 JANUARY 2020

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
7.	422612	Royal Collections Enterprises Limited	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	10 Abbey Strand, Edinburgh, EH8 8DU	Yes	No	No	09/01/20	Learning Centre on ground and first floor (with external garden area) in the grounds of the Palace of Holyroodhouse off Abbey Strand. CC LSO BSR	

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

27 JANUARY 2020

NEW

No	Reference	Applicant	Agent Details	Comments	Decision
1.	412462	Mr Keith Raymond Masters		CC	Continued from November 2019 Board
2.	421332	Mr Andrew Wayne Walker		CC	
3.	424381	Ms Lara Dunbar	MacDonald Licensing 21 Rutland Square Edinburgh EH1 2BB	CC	

**PREMISES LICENCE REVIEWS – NON-PAYMENT OF ANNUAL PREMISES
LICENCE FEES – 2019/20****1. Purpose**

- 1.1 To advise the Board of details of premises, where annual fees for the period 2019/20 remain outstanding.
- 1.2 To ask the Board to agree in each case to schedule hearings for review of the premises licences.

2. Main Report

- 2.1. Premises licence holders are required to make payment of annual fees on or around 1st October every year, in terms of the Licensing (Fees) (Scotland) Regulations 2007. The fees require to be paid by licence holders in advance of the following licensing year.
- 2.2. Failure to pay fees is a breach of the mandatory conditions of licence. Breach of conditions is a ground for review of a premises licence. Details of premises where fees remain outstanding for the period 2019/20, having become due from 1st October 2019, are set out in the appendix attached to this report. Premises licence holders have been written to on several occasions, to advise them of the requirement for outstanding fees to be paid.
- 2.3. In addition, the Council's LSOs have visited premises, issuing Compliance Notices requiring compliance with the mandatory conditions of licence, i.e. payment of the fees.
- 2.4. Where the Board considers matters relevant to the grounds for review have been set out, it may make review proposals, leading to the requirement for review hearings to be held. On the basis that the fees remain outstanding for the premises listed, the Board is asked to agree that the information provided about each premises is relevant for review of the premises licences, and that review hearings should be scheduled for future meetings.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) to note the details of the premises where annual fees remain outstanding and to agree that matters relevant to the grounds for review of the premises licences have been set out; and
 - (b) to schedule hearings in respect of the premises licences.

4. Background Papers

- 4.1 Premises with details of outstanding annual licence fees.

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW HEARING – THE VILLAGE, 16 SOUTH FORT STREET, 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 16 South Fort Street, 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.

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 provides that this decision may be taken by the Convener. He noted the details of the review application and agreed that the application should be reported to the Board for a premises licence review hearing.
- 2.3. The application has been submitted by the Council's LSOs, for the premises known as The Village. The premises licence holder is DHPC Limited, its registered office being the premises address. The company was dissolved in 2014. The premises have continued to operate, managed by Dean Conway, holder of a personal licence issued by the Board and a director of the dissolved company.
- 2.4. In carrying out a review hearing, the Board should hear from the applicant and then hear from the Licence holder or their representative in response. As the licence holder is a corporate body, having been dissolved, the Board may wish to hear from Mr Conway, the premises manager. 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.

PREMISES LICENCE REVIEW HEARING – THE VILLAGE, 16 SOUTH FORT STREET, EDINBURGH

- 2.5. If in the course of a hearing the Board makes a finding that any personal licence holder who is or was working in the premises has acted in a manner which is considered to be inconsistent with any one or more of the licensing objectives, the Board must hold a hearing on the personal licence. The LSO application suggests that the Board hold a separate hearing on Mr Conway's personal licence.
- 2.6. If the Board ultimately decided not to take any action on the review application, there would still be a requirement to consider what action to take, in view of the fact that the licence is presently held in the name of a company which has been dissolved. The Act makes no specific provision for this scenario, but without a licence holder in place it is no longer possible for the licence to be transferred or varied. This presents problems for the future operation of the premises.
- 2.7. It is suggested that this in itself may provide grounds in terms of the licensing objectives for review of the premises licence, necessitating action in terms of paragraph 2.4 above.

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;
- (c) in the event it makes a finding that Mr Conway has acted in a manner inconsistent with the licensing objectives, to hold a separate hearing on his personal licence.

4. Background Papers

4.1 Application for review of premises licence, dated 3rd January 2020

Depute Clerk of the Licensing Board