

♦ EDINBURGH ♦

LICENSING BOARD

NOTICE OF MEETING

MONDAY 31st MAY 2021

Start time: 9.30am

NOTE – meeting to be conducted remotely, in terms of section 133 of the 2005 Act, as amended by the Coronavirus (Scotland) Act 2020

AGENDA

1. Preliminary matters
2. Minutes of meeting of 26th April 2021
3. Applications - details as set out in separate list
4. Requests for extension of provisional premises licences:-
 - 112A Raeburn Place
 - 4 & 5 Comely Bank Road/Raeburn Place
 - 85-87 South Bridge
5. Personal Licences – Refresher Training and Renewals – to follow

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 Cammy Day	Councillor Callum Laidlaw
Councillor Gillian Gloyer	Councillor Joanna Mowat
	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>

MINUTES OF MEETING

MONDAY 26th APRIL 2021

Members present: Councillors Norman Work (Convener); Lezley-Marion Cameron; Gillian Gloyer; David Key; Callum Laidlaw; Joanna Mowat

Apologies: Councillors Steve Burgess; Derek Howie

Police: Sergeant Marc Copland

Council Officers: Tom Veitch (Acting Regulatory Operations Manager); Colin McCulloch (Senior Building Standards Surveyor); Nick Fraser (Depute Clerk)

NOTE – meeting conducted remotely, in terms of section 133 of the 2005 Act, as amended by the Coronavirus (Scotland) Act 2020

1. Preliminary matters

The Board agreed in terms of paragraph 12(2) of schedule 1 of the 2005 Act that it was not possible to hold the meeting in public because of reasons connected with coronavirus. The Board also agreed in terms of section 133 of the Act that hearings would proceed on the basis of videoconferencing for similar reasons.

2. Minutes of meeting of 29th March 2021

The minutes of the meeting of 29th March 2021 were approved.

3. Applications - details as set out in separate list

4. Festivals – Extended Hours period

The Board noted the published dates for the International Festival and Fringe Festival, and agreed in terms of part 11.7 of the Board's Statement of Licensing Policy that the Festivals Extended Hours period would operate between 6th and 30th August 2021 (inclusive), subject to prevailing Scottish Government rules and guidance relating to Covid-19.

DECISION LIST

APPLICATIONS FOR VARIATION OF PREMISES LICENCE

26 April 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	439139	Netherview Ltd	Macdonald Licensing, 21a Rutland Square	3 Dublin Street	No	No	Yes	Substitute new layout plan, increase licensed footprint (including outdoor area) and change licence holder's address (CONTINUED from 26 January 2021)	GRANTED No outdoor drinking beyond 2200 Customers in raised external licensed area adjacent to premises to be seated

1.	434508	Grange Resources Limited	Grange Resources Limited Victoria Buildings, High Street, Tain, IV19 1AE	2 Restalrig Road, Edinburgh, EH6 8BN	Yes	No	No	To amend layout and add outside area, to add off sales, to amend on sales commencement hour to 10am Mon-Sat and 11am Sun, to add televised sport, to remove words 'from 8am' from description of other activities carried out on premises.	GRANTED No outdoor drinking beyond 2200 Licence holder to provide amended layout plan showing location of emergency lighting
2.	442921	University of Edinburgh	Shepherd & Wedderburn 5th Floor, 1 Exchange Crescent, Conference Square, Edinburgh, EH3 8UL	Salisbury Green, Pollock Halls Of Reside, 18 Holyrood Park Road, Edinburgh, EH16 5AZ	No	No	Yes	Increase on Sales hours to 11:00 - 01:00 hrs daily; Include Off Sales; Include Seasonal Variations.	GRANTED 2300 restriction on children's access
3.	442944	Tesco Stores Limited	Ms Audrey Ferrie 141 Bothwell Street, Glasgow, G2 7EQ	74 Stenhouse Place East, Edinburgh, EH11 3DQ	No	Yes	No	Increase off sales capacity and area.	GRANTED 83.05m shelving

26 April 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	442945	Tesco Stores Limited	Ms Audrey Ferrie 141 Bothwell Street, Glasgow, G2 7EQ	2 Gracemount Drive, Edinburgh, EH16 6RS	No	Yes	No	Small supermarket, part of a national chain Increase terminal hour on Sunday to 22:00 hrs	GRANTED
5.	442785	Thursdays (UK) Limited	Ward Hadaway Sandgate House, 102 Quayside, Newcastle Upon Tyne, NE1 3DX	4 Kinnaird Park, Edinburgh, EH15 3RD	No	No	Yes	Include off sales hours; change address as advised by Edinburgh Council; change of registered office address	GRANTED Deliveries of alcohol to be with provision of food only
6	442515	John Lewis PLC	John Gaunt & Partners	John Lewis, 60 Leith Street	No	No	Yes	Amend layout & increase capacity along with seasonal increase. Additional customer café on level 3	GRANTED No outdoor drinking beyond 2200 in 3 rd floor outdoor area

APPLICATIONS FOR PROVISIONAL PREMISES LICENCES

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1	442922	Simrans Trading Ltd	Macdonald Licensing	31 East Market Street	No	No	Yes	Restaurant/ bar within corner unit, East Market Street	GRANTED No outdoor drinking beyond 2200 Amplified music condition – no audible nuisance Capacity – 100 Licence holder to provide amended layout plan showing premises as built
2	442927	Emre Sarher	Macdonald Licensing	8-10 North Bridge Arcade	No	No	Yes	Café / restaurant with takeaway, located within Arcade, together with seated area and external area on Cockburn Street adjacent to premises	GRANTED No outdoor drinking beyond 2200 Amplified music condition – no audible nuisance Capacity - 30

APPLICATION FOR PREMISES LICENCE

26 April 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	442923	NGS Trading Company Limited	Mr. Alexander Buchan 14-16 Atholl Crescent, Edinburgh, EH3 8HA	National Galleries Of Scotland, 1 The Mound, Edinburgh, EH2 2EL	No	Yes	No	Shop within the Scottish National Gallery selling alcohol, prints, posters, stationery, fashion and jewelry, homeware, books, toys and games, gifts and associated merchandise.	GRANTED Amplified music condition – no audible nuisance Capacity – 3.6m shelving

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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	Last Date for Objection	Remarks	Decision
1.	442931	Ocean Mist Group Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	14 Shore, Edinburgh, EH6 6QN	No	No	Yes	13/05/21	To commence Sunday morning hours from 11am both on sale and off sales, add accommodation and indoor/outdoor sports as activities, delete condition which refers to employ door staff when hosting functions, reduce capacity, amend details to children and young persons access to premises, allow certain activities outwith core hours, substitute new layout plan, amend description of premises, delete the current Condition on amplified music and vocals, and to replace it with the	

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									new Condition agreed by the Licensing Board at its meeting on 26th September 2016, as an amendment to its Policy and change manager. CC LSO BSR O	
2.	442920	OM PAR LIMITED	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	203 Easter Road, Edinburgh, EH6 8LF	No	No	Yes	13/05/21	Add Off Sales, Bar Meals, TV Sports, Collections, Deliveries, as activities and allow certain activities outwith core hours. CC LSO	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
3.	442930	Gurney & Salve Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	45 Morningside Road, Edinburgh, EH10 4AZ	No	No	Yes	13/05/21	To add off sales from 11am-10pm daily and also add takeaways & deliveries which may include alcohol with food as activities and change premises manager. CC LSO	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
4.	442925	Silvermills Estates and Land Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	61 Frederick Street, Edinburgh, EH2 1LH	No	No	Yes	13/05/21	To delete the current Condition on amplified music and vocals, and to replace it with the new Condition agreed by the Licensing Board. Increase on sale hours and add off sales. Also add seasonal variations, deliveries, takeaways, club & group meetings, TV Sport, indoor/outdoor sports as activities amend provisions regarding activities outwith core hours and change premises manager. CC LSO	

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
5.	448942	UOE Accommodation Limited	Shepherd & Wedderburn 5th Floor, 1 Exchange Crescent, Conference Square, Edinburgh, EH3 8UL	Masson House, Pollock Halls Of Residence, 18 Holyrood Park Road, Edinburgh, EH16 5BE	Yes	No	No	13/05/21	To increase on sale hours to 1am daily, add off sales, outdoor drinking, seasonal variations as activities and submit new layout plan showing outdoor drinking area. CC LSO BSR	

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31 May 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
6.	442934	Scottish Rugby Union PLC	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Murrayfield Stadium, 102a Roseburn Street, Edinburgh, EH12 5PJ	No	No	Yes	13/05/21	To add Auctions, award ceremonies, banquets, ceilidhs, charity events, corporate and training events, craft shows, exhibitions, fashion shows, festival venue, fireworks, food and wine tastings and events, press conferences, product launches, public meetings and gatherings, raffles, receptions, religious gatherings and events, wedding ceremonies, live performances, concerts, inflatables, "Park	

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31 May 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
									and Picnic", Kilt Walk, festivals. Edinburgh Rugby meetings and hospitality. Container Bar for use by both stadia. Food and beverage pre-ordering (via Apps and other) and collection point. "Click and Collect". Match day experiences. Temporary bars to be located as activities, amend description of premises, approve internal reconfiguration and submit new layout plan. CC LSO BSR	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

31 May 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	442928	Mistral Wines Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	10-12 Bonnington Road, Edinburgh, EH6 5JD	No	No	Yes	13/05/21	Single storey building located on Bonnington Road Edinburgh. CC LSO BSR	
2.	442926	Fred's Whisky Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	106-106b George Street, Edinburgh, EH2 3DF	No	Yes	No	13/05/21	Specialist alcohol retailer with a particular emphasis on whisky, located within the city centre of Edinburgh. CC x2 LSO BSR LoS x6 LoS (Late) x5	
3.	442933	Mr Rui Li	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	128 Portobello High Street, Edinburgh, EH15 1AH	No	Yes	No	13/05/21	Takeaway premises with small sitting in facility located on ground floor on Portobello High Street. CC x2 LSO BSR	

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4.	442929	China Mask Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	14 Marshall Street, Edinburgh, EH8 9BU	No	No	Yes	13/05/21	Restaurant premises located on Marshall Street just of Nicolson Square on ground floor and lower ground floor levels. LSO BSR	
5.	443625	Charles Stamper Fruit & Veg Ltd	Macgregor Thomson Solicitors Springfield House, Laurelhill Business Park, Stirling, FK7 9JQ	15 Long Craig Rigg, West Shore Road, Edinburgh, EH5 1QT	No	Yes	No	13/05/21	The pre ises are a two storey storage and distribution centre with ancillary offices, staff room and reception. CC x2 LSO BSR	
6.	442932	Slumdogedinburgh Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	38-39 Elm Row, Edinburgh, EH7 4AH	No	No	Yes	13/05/21	Takeaway/resta urant premises located on ground floor with store/staff area in basement within building on Elm Row, Edinburgh. CC x2 LSO BSR O x1	

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7.	443627	Eats & Treats Edinburgh Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	66 Gorgie Road, Edinburgh, EH11 2NB	No	Yes	No	13/05/21	Lock up unit on ground floor of two storey premises on Gorgie Road, Edinburgh. CC x2 LSO BSR	
8.	442924	Mr Sanjoy Kumar Saha	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	66 Portobello High Street, Edinburgh, EH15 1AN	No	Yes	No	13/05/21	Small takeaway located on ground floor of a tenement on Portobello High Street, Edinburgh. CC x2 LSO BSR O x2	
9.	443619	T.J Morris (Scot) LTD	Gosschalks Solicitors Queens Gardens, Hull, HU1 3DZ	Hermiston Gait Retail Park, 33 Cultins Road, Edinburgh, EH11 4DF	No	Yes	No	13/05/21	Retail Store CC x2 LSO BSR	
10.	449067	Edinburgh St James Hotel (GP) Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Unit c.3.37 5 St James Square, Edinburgh, EH1	No	No	Yes	13/05/21	Deli/Food/Resta urant/Cafe/Bistro in mixed commercial/resid ential development within the St James Quarter development. CC x2 LSO BSR	

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11.	443628	Edinburgh St James Hotel (GP) Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Unit c1.35 109 St James Crescent, Edinburgh	No	No	Yes		Fast food restaurant facility in mixed commercial/residential development within the St James Quarter development. CC x2 LSO BSR	
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APPLICATIONS TO EXTEND PROVISIONAL PERIOD

1. Purpose

- 1.1 To ask the Board to consider applications to extend the provisional period for provisional premises licences.

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 not confirmed before the end of the provisional period, the licence is revoked, by operation of the Act. Confirmation is obtained upon receipt by the Licensing Board of clear section 50 certificates (Planning, Building Standards and, where necessary, Food Hygiene).
- 2.2. In terms of section 45(7) of the Act, a 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 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 beyond the licence holder's control.
- 2.4. The Coronavirus (Scotland) Act 2020 provides for a six month extension to the provisional period where this is the first such extension and where it is for coronavirus-related reasons. Although none of the requests listed in the appendix to the report are first-time requests, the impact of Covid-19 may be a relevant consideration in the Board's deliberations.
- 2.5. Agents for the licence holders have been invited to attend the meeting, to provide any relevant information to the Board in support of the extension requests.

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, noting this is a first-time request.

4. Background Papers

- 4.1 85-87 South Bridge – expiry date 22nd June 2021
- 4.2 Units 4 & 5 Comely Bank Road/Raeburn Place – expiry date 28th July 2021
- 4.3 Main Stand, 112A Raeburn Place – expiry date 28th July 2021

Depute Clerk of the Licensing Board