

◆ EDINBURGH ◆

LICENSING BOARD

NOTICE OF MEETING

MONDAY 30th AUGUST 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 July 2021
3. Applications - details as set out in separate list

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

Councillor Steve Burgess	Councillor David Key
Councillor Lezley Marion Cameron	Councillor Callum Laidlaw
Councillor Cammy Day	Councillor Joanna Mowat
Councillor Gillian Gloyer	Councillor Iain Whyte
Councillor Derek Howie	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>

◆ EDINBURGH ◆

LICENSING BOARD

MINUTES OF MEETING

MONDAY 26th JULY 2021

Members present: Councillors Norman Work (Convener); Gillian Gloyer; Callum Laidlaw; Joanna Mowat

Apologies: Councillors David Key; Derek Howie; Lezley-Marion Cameron; Steve Burgess

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 28th June 2021

The minutes of the meeting of 28th June 2021 were approved.

3. Applications - details as set out in separate list

Applications for major variations and provisional premises licences were approved as detailed in the attached lists.

4. Requests for extension of provisional premises licence:-

- 42 St Stephen Street – agreed to extend provisional period by six months, to 28th February 2022
- 57-59 High Street – agreed to extend provisional period by nine months, to 31st May 2022

5. Premises Licence Annual Fees – 2020/21 and 2021/22

The Board noted the terms of a report setting out arrangements for recovery of premises licence annual fees. The Board agreed (a) to note the information available on premises for which fees remain outstanding for 2020-21 and that further, detailed information would be made available at a later date; and (b) to note that arrangements were to be made for notification of the 2021-22 fees, following the statutory timetable.

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

DECISION LIST - 26th JULY 2021

VARIATION APPLICATION – CONTINUED FROM 28th JUNE 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	449480	Deaf Action	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	49-51 Albany Street, Edinburgh, EH1 3QY	Yes	No	No	Increase on sale hours, include Edinburgh Festival in Seasonal Variations, increase capacity, allow certain activities outwith core hours, add restaurant facilities, bar meals, theatre and outdoor drinking as activities, amend details to children and young persons access to premises, submit new layout plan showing amended licensed area, amend description of premises	Agent supplied amended operating and layout plans GRANTED Sunday commencement (on and off sales) – 1100 No outdoor drinking beyond 2200 (already provided in operating plan) Capacity – 95 (bar) 60 (other), subject to overall max capacity of 150 Activities detailed in operating plan, when provided by external providers, not to commence before 0700 Police and LSOs to be permitted access to non-licensed areas at premises, in relation to licensing matters.

DECISION LIST - 26th JULY 2021

VARIATION APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	452673	Mitchells & Butlers Retail Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	114-116 St John's Road, Edinburgh, EH12 8AX	Yes	No	No	Add off sales, also add outdoor drinking, receptions, home deliveries and takeaways as activities, allow certain activities outwith core hours, allow children and young persons access to outside area and submit new layout plan.	GRANTED No outdoor drinking beyond 2200 Capacity confirmed – 400 (agent to provide amended operating plan) Alcohol deliveries to be only with provision of food

DECISION LIST - 26th JULY 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	451772	The Fruitmarket Gallery	Mr David Hossack 2 Lister Square, Edinburgh, EH3 9GL	45 Market Street, Edinburgh, EH1 1DF	No	No	Yes	Gallery and art space with café and retail area Redesign premises to incorporate premises at 36-39 Market street over 2 floors; Include off sale; amend hours for sale of alcohol; include seasonal variations; include bar meals, receptions, dance facilities, films, indoor/outdoor sports as activities; amend rules for children/young persons; increase capacity	Agent provided amended operating plan GRANTED Capacity – 50 (café), 182 (gallery areas), overall maximum 232 Board noting surrender of former Electric Circus premises licence

DECISION LIST - 26th JULY 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	452612	The Co-Operative Group Food Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	49-49a South Clerk Street, Edinburgh, EH8 9NZ	No	Yes	No	Add Home deliveries. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005 and allow certain activities outwith core hours.	GRANTED Noting capacity – 51.28m shelving
4.	452611	The Co-Operative Group Food Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	8 Bridge Road, Colinton, Edinburgh, EH13 0LF	No	Yes	No	Add Home deliveries. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005 and allow certain activities outwith core hours.	GRANTED

DECISION LIST - 26th JULY 2021

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	451172	Iceland Foods Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	8-10 Easter Road, Edinburgh, EH7 5RG	No	Yes	No	Add recorded music as an activity, allow certain activities outwith core hours, increase capacity and submit new layout plans.	GRANTED Capacity – 55m shelving Activities in operating plan to be provided between 0700 and 2300
6.	451309	Stonegate Pub Company Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	Gf - Bf, 113-115 George Street, Edinburgh, EH2 4JR	No	No	Yes	Amend commencement hour to 10:00 hrs daily for both On and Off Sales Upmarket restaurant/bar on the ground floor of a commercial building in George Street	GRANTED Noting Sunday commencement remains unchanged (1100 commencement)

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NEW PROVISIONAL PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	451299	Lidl Great Britain Limited	Harper MacLeod LLP 45 Gordon Street, Glasgow, G1 3PE	1-17 Glasgow Road, Edinburgh, EH12 8HW	No	Yes	No	The premises will trade as a Lidl Supermarket within a new retail development at Corstorphine Retail Park, Edinburgh.	GRANTED Amplified music condition – no audible nuisance Capacity – 111.92m (118.52 during seasonal period) shelving
2.	451627	NMS Enterprises Limited	Ms Caroline Loudon Gf, 80 Hanover Street, Edinburgh, EH2 1EL	Boardroom & Bute Room, 44a Chambers Street, Old Town, Edinburgh, EH1 1JD	No	No	Yes	Boardroom and Bute Room located in and part of the National Museum of Scotland.	CONTINUED at agent's request for officers to visit site Calling at 30 AUGUST 2021 meeting
3.	451629	NMS Enterprises Ltd	Ms Caroline Loudon Gf, 80 Hanover Street, Edinburgh, EH2 1EL	The Tower, 44a Chambers Street, Old Town, Edinburgh, EH1 1JD	No	No	Yes	Roof top restaurant and roof terrace located in and part of the National Museum of Scotland.	CONTINUED at agent's request for officers to visit site Calling at 30 AUGUST 2021 meeting
4.	451886	Slice One Edinburgh Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	187 St John's Road, Edinburgh, EH12 7SL	No	No	Yes	Small restaurant/takeaway located in the ground floor of a building on St John's Road, Corstorphine, Edinburgh	GRANTED Amplified music condition – no audible nuisance Capacity - 15

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5.	451935	The Eco Larder CIC	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	200 Morrison Street, EH3 8EB	No	Yes	No	Retail Premises Located on the Ground floor of tenement on Morrison Street, Edinburgh	GRANTED Amplified music condition – no audible nuisance Condition – decanting of beer in premises to be by staff only Capacity – 11m shelving
6.	451944	Hipsch Group Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1-7 Montrose Terrace, Edinburgh, EH7 5DJ	No	No	Yes	Cafe with retail element which includes outside seating area on ground and first floors of a two storey building on Montrose Terrace, Edinburgh.	GRANTED Amplified music condition – no audible nuisance Board noting final capacity figure dependent upon satisfactory completion of works at premises
7.	451963	D M Marketing Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	80 Nicolson Street, Edinburgh, EH8 9EW	Yes	No	No	Restaurant/take away premises located on the basement and ground floors of a tenement property on Nicolson Street.	GRANTED Amplified music condition – no audible nuisance Capacity – 20 Delivery of alcohol only with provision of food

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NOTICE OF APPLICATIONS - Continued Provisional PREMISES LICENCE

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	431107	161 Noodle Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	161 Dundee Street, Edinburgh, EH11 1BY	No	No	Yes	05/11/20	Restaurant located on ground floor of a tenement building on Dundee Street, Edinburgh. CCx2 LSO BSR	
2.	451627	NMS Enterprises Limited	Ms Caroline Loudon Gf, 80 Hanover Street, Edinburgh, EH2 1EL	The Tower, 44a Chambers Street, Old Town, Edinburgh, EH1 1JD	No	No	Yes	14/07/21	Boardroom and Bute Room located in and part of the National Museum of Scotland. CC x2 LSO BSR	
3.	451629	NMS Enterprises Ltd	Ms Caroline Loudon Gf, 80 Hanover Street, Edinburgh, EH2 1EL	The Tower, 44a Chambers Street, Old Town, Edinburgh, EH1 1JD	No	No	Yes	14/07/21	Roof top restaurant and roof terrace located in and part of the National Museum of Scotland. CC x2 LSO BSR O x2	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	452048	Mr Harem Murdochy	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3 King's Place, Edinburgh, EH15 1DU	No	No	No	10/06/21	Add additional area to outside area and amend wording on outside area in the operating plan also substitute new layout plan to reflect outside area. CC LSO BSR O x8	WITHDRAWN
2.	454958	Motor Fuel Ltd	Harper MacLeod LLP The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE	187 Slateford Road, Slateford, Edinburgh, EH11 1PU	No	Yes	No	11/08/21	Increase capacity, internal reconfiguration following re-branding to "Londis" CC LSO BSR	

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

3.	455418	Punch Partnerships (PTL) Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	229 Leith Walk, Albion, Edinburgh, EH6 8NY	No	No	Yes	11/08/21	Amend Sunday commencement hour to 11:00; include indoor/outdoor sport as activities; include deliveries (incl. alcohol); allow for activities to take place prior to licensed hours without the sale of alcohol, allow activities to take place during seasonal variations/ under Extension of permitted hours. Allow children & young persons until 20:00 accompanied by an adult CC LSO	
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
4.	455351	Scottish Midland Co-Operative Society Limited	Anderson Strathern LLP 1 Rutland Court, Edinburgh, EH3 8EY	36-38 Raeburn Place, Stockbridge, Edinburgh, EH4 1HN	No	Yes	No	11/08/21	Include home deliveries, subject to demand, as an activity. CC LSO	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Last Date for Objection	Remarks	Decision
1.	454215	Tribe Kitchen Ltd	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	1-3 Corunna Place, Pilrig, Edinburgh, EH6 5JG	No	Yes	No	11/08/21	Commercial kitchen offering delivery of restaurant quality food working with existing local brands. CC x2 LSO BSR	
2.	455817	Whisky Trail Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	136 High Street, Edinburgh, EH1 1QS	No	Yes	No	11/08/21	Retail shop located on the High Street forming part of the Royal Mile in Edinburgh. CC x2 LSO BSR	
3.	453319	Mowgli Street Food Ltd	Brodies LLP 14-16 Atholl Crescent, Edinburgh, EH3 8HA	20 Hanover Street, Edinburgh, EH2 2QW	Yes	No	No	11/08/21	Restaurant comprising ground and basement floors in Edinburgh city centre. CCx2 LSO BSR	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

4.	452672	M&C Projects Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	36 Seafield Road, Edinburgh, EH6 7LQ	No	No	Yes	11/08/21	Deli cafe on main road with residential above and commercial Adjacent. CC x2 LSO BSR	
5.	455712	Mrs Sana Hussain	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	47-49 Leith Walk, Edinburgh, EH6 8LS	No	Yes	No	11/08/21	Retail unit on the ground floor of a building on Leith Walk CCx2 LSO BSR	
6.	453216	BrewDog Retail Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	5 New Street, Edinburgh	No	No	Yes	11/08/21	Hotel with Bar and Restaurant CC x2 LSO BSR	
7.	454519	202Kitchen Edinburgh Limited	Brodies LLP 14-16 Atholl Crescent, Edinburgh, EH3 8HA	51 George Street, New Town, Edinburgh, EH2 2HT	No	No	Yes	11/08/21	Restaurant and bar comprising ground floor situated in Edinburgh City Centre CC x2 LSO BSR	

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

8.	455859	Indaba Deli Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	88 South Clerk Street, Edinburgh, EH8 9PT	No	No	Yes	11/08/21	Cafe/Deli located on the ground floor of a building on South Clerk Street, Edinburgh. CC LSO BSR	
9.	455764	Harrods Beauty Ltd	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	MSU3.01 334-338 St James Crescent, St James Quarter, EH1 3AE	No	No	Yes	11/08/21	H Beauty retail space with bar within St James Quarter Galleria, Edinburgh. CC x2 LSO BSR	
10.	455827	Currie FB Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Unit SA21 2a Bankhead Drive, EH11 4EJ	No	Yes	No	11/08/21	Storage/ distribution unit in warehouse premises in Sighthill. CC x2 LSO BSR	