

**NOTICE OF MEETING**

**MONDAY 27<sup>th</sup> JUNE 2022**

**Start time: 9.30am**

**LOCATION: COUNCIL CHAMBER**

**AGENDA**

1. Appointment of Convener
2. Appointment of Vice-Convener
3. Minutes and decision list – 25<sup>th</sup> April 2022
4. Applications - details as set out in separate list
5. Report – Extension of Provisional period
6. Report - Premises Licence Annual Fees
7. Confirmation of Meeting dates 2022/23 -  
<https://www.edinburgh.gov.uk/downloads/file/28630/licensing-board-rules-and-meeting-schedule>

Nick Smith  
Clerk of the Licensing Board

# ♦ EDINBURGH ♦

## LICENSING BOARD

Licensing Board membership:

Councillor Chas Booth	Councillor Frank Ross
Councillor Lezley Marion Cameron	Councillor Jason Rust
Councillor Pauline Flannery	Councillor Norman Work
Councillor Margaret Graham	Councillor Louise Young

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 25<sup>th</sup> APRIL 2022

**Members present: Councillors Norman Work (Convener); Steve Burgess; Lezley Marion Cameron; Gillian Gloyer; David Key; Callum Laidlaw; Joanna Mowat; Iain Whyte**

**Police: Sergeant Marc Copland**

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

### 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 person because of reasons connected with coronavirus. It was noted meeting details were posted [online](#) in advance and that public attendance was possible via Teams. 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 and decision list – 28<sup>th</sup> March 2022

The Board agreed the terms of the minutes and details of decisions made for the meeting held on 28<sup>th</sup> March 2022.

### 3. Applications - details as set out in separate list

The Board considered applications for variation of existing premises licences, new provisionals and applications for personal licences, all as set out in the appended draft decision list.

### 4. Request for Extension of Provisional Premises licence

The Board heard a request for extension of the provisional period for premises at 14-18 Lady Lawson Street. The Board agreed to extend the duration of the licence by one year, to 25 June 2023.

### 5. Report – Premises Licence Review – Bourbon, 24a Frederick Street, Edinburgh

The Board held a hearing on a premises licence review application submitted by Police Scotland. The Board heard in detail from Sergeant Copland on the terms of the application and also heard the details of an LSO report on the application.

Niall Hassard made a presentation on behalf of the premises licence holder, accompanied by others in support.

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## LICENSING BOARD

At the conclusion of the hearing the Board agreed it was necessary to issue the premises licence holder with a written warning, and asked that updates be provided on the operation of the premises from Police Scotland and the Council's LSOs, to be provided to the Board for consideration at its scheduled meeting in October 2022.

### 6. Annual Functions Report – 2021/22

The Board noted the terms of the annual functions report for the period 2021/22 and agreed the report should be published.

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	467360	Mrs Rachel Bucknall	ADW Licensing 24 Canning Street, Edinburgh, EH3 8EG	The Bridge Inn, 27 Baird Road, Ratho, EH28 8RA	No	No	Yes	Amend premises description; Remove Barge and Jetty from the licensed footprint; include area immediately adjacent to the canal within the licensed footprint; Amend internal layout; reconfiguration of basement storage area; Replace existing noise condition with the current policy noise condition.  CC LSO BSR	GRANTED  Capacity of 218  Special events – additional capacity of 200 (see below)  Licence holder agreed to amendment – existing licence condition replaced with:-  'The premises may utilise the outdoor area with temporary structures e.g. marquees and temporary sanitary accommodation with an uplifted capacity for local community events and events a maximum of 28 days per calendar year [thereinafter called "special events"]. The overall capacity for "special events" shall not exceed the special event capacity listed at Q7 of operating plan.  Special events can only proceed with an uplifted capacity when

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

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

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

									<p>1. Temporary sanitary is installed within the licensed area (for the additional special events capacity) in accordance with BS 6465-1 Code of practice for the design of sanitary and scales of provision of sanitary facilities)</p> <p>2. All temporary structures have a wind management plan with confirmation of its capacity to resist the appropriate wind loading from the approved Codes and;</p> <p>3 . All temporary structures will be erected in line with the Guidance contained in "Temporary demountable structures – Guidance on design, procurement and use, 3rd Edition 2007", published by the Institute of Structural Engineers (or any subsequent iteration).</p> <p>Relevant certification and documentation with regards the above points will be retained at the premises and made available for inspection upon request'</p>
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**THE CITY OF EDINBURGH LICENSING BOARD**  
**LICENSING (SCOTLAND) ACT 2005**  
**NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS**

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	468088	Scotsman Group PLC	Brunton Miller Herbert House, 22 Herbert Street, Glasgow, G20 6NB	32-34 Shore, Edinburgh, EH6 6QN	No	No	Yes	Amend wording of Local condition 2 to read 'No admission to the premises after 1am'; amend on sales hours; Amend question 5(g) regarding premises opening after 1am  CC LSO	GRANTED  Additional condition – terminal hour of 0200 for ground floor of premises only when used for live music or entertainment events
3.	468713	Salerno Limited	Brunton Miller Herbert House, 22 Herbert Street, Glasgow, G20 6NB	Unit C4.15 405-407 St James Crescent, Edinburgh	No	No	Yes	Add outside area to licensed footprint; increase capacity.  CC LSO	GRANTED  Capacity 128

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	466381	GH 230817 Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	37-38 St Andrew Square, New Town, Edinburgh, EH2 2AD	No	No	Yes	To amend Condition 2 attached to the provisional premises licence to allow the external terrace at the members' lounge on the 5th floor to open until 1am; to amend layout and increase capacity.  CC LSO BSR	GRANTED  Capacity of 544  Terminal hour 0000 for 5th floor roof terrace 0100 during seasonal variation
5.	468012	JD Wetherspoon (Scot) Limited	JD Wetherspoon (Scot) Limited Wetherspoon House, Reeds Crescent, Watford, WD24 4QL	Unit 1, 61 Leith Street, Edinburgh, EH1 3AU	No	No	Yes	Amend layout to include external areas; increase capacity  CC LSO BSR Ox1	Application amended - capacity remains at 400  GRANTED  Outdoor area terminal hour of 2200hrs  Additional conditions: 'At least one designated member of staff to be present within the outdoor area at all times to supervise admissions, objectively monitor the occupant capacity, and to



**THE CITY OF EDINBURGH LICENSING BOARD**

**LICENSING (SCOTLAND) ACT 2005**

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

									have an effective means of communication with the premises.' - 'Food and drink must only be consumed by customers who are seated. There will be no vertical drinking'.  Layout plan to be amended as per LSO memo
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**THE CITY OF EDINBURGH LICENSING BOARD**  
**LICENSING (SCOTLAND) ACT 2005**  
**NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS**

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	468974	Trust Inns Limited	John Gaunt & Partners Omega Court, 372 Cemetery Road, Sheffield, S11 8FT	1 Peffer Street, Edinburgh, EH16 4BA	No	No	Yes	Amend on sale hours  CC LSO Ox1  .	Application amended to confirm: Friday and Saturday commencement of 0800hrs  Seasonal variation for Hogmanay only  GRANTED
7.	466843	Mr Mohammed Motiur Rahman-Minto	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	100 St John's Road, Edinburgh, EH12 8AT	No	No	Yes	To add off sales; to add seasonal variations and provide that certain activities may be carried out during seasonal variations or with benefit of extension of hours; to amend wording for Takeaways and Deliveries; to amend children and young persons' terms of entry and times  CC	GRANTED

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	467063	The Jupiter Artland Company Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	Bonnington House, Bonnington, Kirknewton, EH27 8BB	No	No	Yes	To delete contents of Seasonal Variations; to add an alcohol display in the shop and the Solardome, with a total capacity, with capacity of 7.06m; to substitute a new layout and locality plans.  CC BSR	CONTINUED to June Licensing Board at agent's request

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
9.	467252	Ms Anna Poletti	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	248 Morrison Street, Edinburgh, EH3 8DT	No	No	Yes	To amend music condition; to amend on sale hours; to add off sales; to add seasonal variations; to provide that certain activities might take place outwith core hours; to add deliveries and takeaways; to change children access terms, times and parts of the premises they are allowed entry; to amend premises description; to substitute new premises manager  CC LSO	GRANTED

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	469269	Moda Life Management Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	6 Mcewan Walk, Fountainbridge, Edinburgh	Yes	No	No	<p>The premises comprise a residential accommodation block with communal amenity areas available to the occupiers and owners of the property for private use and for commercial use for pre-booked events and functions including the hire of said amenity areas by said owners and occupiers to third parties.</p> <p>CCx2 LSO BSR Ox1</p>	CONTINUED to June Licensing Board at agent's request. Board recommending site visit be arranged

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	469270	Moda Life Management Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	2 Drysdale Gait, Fountainbridge, Edinburgh, EH3 8FQ	Yes	No	No	<p>The premises comprise a residential accommodation block with communal amenity areas available to the occupiers and owners of the property for private use and for commercial use for pre-booked events and functions including the hire of said amenity areas by said owners and occupiers to third parties.</p> <p>CCx2 LSO BSR Ox1</p>	CONTINUED to June Licensing Board at agent's request. Board recommending site visit be arranged

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	465887	Easter Greens Retail Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	179 Morningside Road, Morningside, Edinburgh, EH10 4QP	No	Yes	No	Convenience store located on the ground floor of a property at the corner of Morningside Road and Falcon Road West.  CCx2 LSO BSR	GRANTED  Capacity of 30.5 linear metres  Amplified music condition – no audible nuisance

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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	468082	Golag Serviced Apartments Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	74-77 Queen Street, Edinburgh, EH2 4NF	No	No	Yes	Serviced apartment with lounge are in premises on Queen Street, Edinburgh.  CCx2 LSO BSR	Application amended to remove outdoor drinking  GRANTED  Capacity of 184 (20 in lounge area)  amplified music condition – no audible nuisance
5.	465569	Dine Canonmills Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	50 Brandon Terrace, Broughton, Edinburgh, EH3 5BX	No	No	Yes	Restaurant premises located over two floors with outside balcony and additional area on the pavement which includes an ex-police box. The premises are located at the corner of Brandon Terrace and Howard Street.  CCx2 LSO BSR	GRANTED  Capacity of 40  amplified music condition – no audible nuisance  Outdoor drinking terminal hour of 2200hrs



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

**25 April 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	468523	The Broughton Market Limited	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	97-101 Broughton Street, Broughton, Edinburgh, EH1 3RZ	No	Yes	No	The premises is a retail shop located on the ground floor at 97-101 Broughton Street, Edinburgh  CCx2 LSO BSR	GRANTED  Capacity – 27.4 linear metres  amplified music condition – no audible nuisance

**THE CITY OF EDINBURGH LICENSING BOARD**  
**LICENSING (SCOTLAND) ACT 2005**  
**PERSONAL LICENCE APPLICATIONS**  
**25 April 2022**

**CONTINUED New Applications**

No	Reference	Applicant	Agent Details	Comments	Decision
1.	466184	Mr Shivedev Singh	Macdonald Licensing  21a Rutland Square, Edinburgh, EH1 2BB	CC	(Continued from January, February and March 2022 meeting)  REFUSED

**Renewal Personal Licence application**

No	Reference	Applicant	Agent Details	Comments	Decision
1.	451667	Mr Mehmet Cagritekin	Macdonald Licensing  21a Rutland Square, Edinburgh, EH1 2BB	CC	GRANTED

**APPLICATION TO EXTEND PROVISIONAL PERIOD**

- Extension request – 14-18 Lady Lawson Street (expiry 25th June 2022)  
Decision : 1 year extension, expiry 25th June 2023

Applications called for 09.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	470109	D M Stewart Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	1 Haymarket, Edinburgh, EH12 5EY	No	No	Yes	Amend Q5 further details enabling premises to open from 8am and permit activities outwith core hours.	

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	469400	Co-operative Group Food Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	126-130 Raeburn Place, Edinburgh, EH4 1HG	No	Yes	No	Amend the box at Q5(f) to read: The sale of food, non-food items and other household goods, and the provision of ancillary consumer services within and outwith licensed hours. Home deliveries may be provided to customers. Alcohol will only be delivered in terms of and in compliance with the relevant provisions of the Licensing (Scotland) Act 2005.  CC LSO BSR	

Applications called for 09.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	469229	BP Oil UK Limited	Harper MacLeod LLP 45 Gordon Street, Glasgow, G1 3PE	2 Middle Norton, Edinburgh, EH28 8NA	No	Yes	No	Vary capacity from 8 sq.m to 24 linear metres. Small change to non-public display of alcohol  CC BSR	
4.	469155	BP Oil UK Limited	Harper MacLeod LLP 45 Gordon Street, Glasgow, G1 3PE	23 Canonmills, Edinburgh, EH3 5HA	No	Yes	No	Increase off sales capacity; amendment of layout plan  CC LSO BSR	

Applications called for 09.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	469833	Smith & Gertrude Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	254 Portobello High Street, Edinburgh, EH15 2AT	Yes	No	No	Add off sales and off sales capacity; Amend commencement hour on Sunday to 11am; Add seasonal variations; Q5 Allow during and outwith core hours the following – Bar meals; receptions; club/group meetings; recorded music; live performances; and outdoor drinking; Amend further information box; Q5 (f) Add other activities; Amend Children and Young Persons terms and tiems of entry; Amend description  LSO	

Applications called for 09.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	469871	Waitrose Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	38 Comely Bank, Edinburgh, EH4 1AG	No	Yes	No	To increase capacity to 489.4 linear meters. No change to the physical layout of the store nor to the display area of alcohol within the premises. This application is to rectify a calculation error which resulted in decreased capacity following upon a Minor Variation Application recently.  BSR	

Applications called for 10.00

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	469922	Maitland Bowling Club	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	96 Main Street, Edinburgh, EH4 5AB	No	No	Yes	1. To permit seasonal variations to allow opening of premises on Hogmanay 2. Wording relating to Outdoor Drinking Facilities in 5 to read "Non- alcoholic beverages may be consumed on the outdoor drinking areas as defined when Bowls or pétanque are being played prior to core hours" 3. Inclusion of pétanque rink as external area 4. Removal of words "off sale" in refence to drinking area in legend to plan 5. Change of premises description  CC LSO	



Applications called for 10.00

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	469269	Moda Life Management Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	6 Mcewan Walk, Fountainbridge, Edinburgh	Yes	No	No	The premises comprise a residential accommodation block with communal amenity areas available to the occupiers and owners of the property for private use and for commercial use for pre-booked events and functions including the hire of said amenity areas by said owners and occupiers to third parties.  CCx2 LSO BSR Ox1	

Applications called for 10.00

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	469270	Moda Life Management Limited	Brunton Miller Solicitors 22 Herbert Street, Glasgow, G20 6NB	Flat 1, 2 Drysdale Gait, Fountainbridge, Edinburgh, EH3 8FQ	Yes	No	No	The premises comprise a residential accommodation block with communal amenity areas available to the occupiers and owners of the property for private use and for commercial use for pre-booked events and functions including the hire of said amenity areas by said owners and occupiers to third parties.  CCx2 LSO BSR Ox1	

Applications called for 10.00

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	470483	Locavore Community Interest Company	Brunton Miller Herbert House, 22 Herbert Street, Glasgow, G20 6NB	118-126 Dalry Road, Dalry, Edinburgh, EH11 2EZ	No	No	Yes	Organic Supermarket and Café  CCx2 LSO BSR	
2.	470447	Mr Torben Bryan Hutchings	Mr Torben Bryan Hutchings	140 Balgreen Road, Saughtonhall, Edinburgh, EH12 5XQ	No	Yes	No	Storage unit within self-storage facility, comprising the front half of a sub-divided container, with double doors at front and a fixed metal partition at the back (middle of container). Shelves for products on left and right sides, packaging and handling space in center.  CCx2 BSR	

Applications called for 10.00/10.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	470391	QH Edinburgh Ltd	ADW Licensing 24 Canning Street, Edinburgh, EH3 8EG	167-171 Dundee Street, Edinburgh, EH11 1BY	No	No	Yes	Korean and Chinese Restaurant on ground floor of tenement on busy main thoroughfare in a mainly residential area.  CCx2 LSO BSR Ox2	
4.	469058	Whisky International Online Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	20 Spylaw Street, Edinburgh, EH13 0JX	No	Yes	No	Ground floor office premises located in Spylaw Street, Edinburgh.  CCx2 LSO BSR	

Applications called for 10.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	464578	Mezcal Edinburgh Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	3 Shandwick Place, Edinburgh, EH2 4RG	No	No	Yes	Mexican Diner located in a terraced building in New Town, Edinburgh.  CCx2 LSO BSR Ox1	
6.	469325	Edinburgh Hotel Services Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	71 Hanover Street, Edinburgh, EH2 1EE	Yes	No	No	Serviced Apartments with cafe/lounge area, located over five floors on Hanover Street, Edinburgh  CCx2 LSO BSR	

Applications called for 10.30

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

**27 June 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	471052	Duncan Retail Ltd	Mr David Duncan	127-129 Comiston Road, Cluny, Edinburgh, EH10 6AQ	No	Yes	No	Edinburgh News is situated in the affluent, Morningside area of Edinburgh. We're situated in a row of shops comprising: laundrette, bistro, hairdressers, florist, plumber, nursing agency and an outgoing wine merchant. Edinburgh News is operated across a single floor property with private living above the afore mentioned businesses. Edinburgh News has recently undergone a refit under the Keystore facia which has changed the profile of the store from a traditional newsagents to a modern convenience store. We now sell a wide range of groceries alongside soft drinks, crisps, confectionery, bakery, chilled foods, greetings cards and we're also a national lottery retailer.  CCx2 LSO BSR	

## APPLICATION TO EXTEND PROVISIONAL PERIOD

### 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 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 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. The premises for which the application to extend is made have a provisional premises licence in place currently due to expire on 28<sup>th</sup> July 2022. The licence was originally issued in July 2016. Events of the past two years have in some instances had a significant impact upon provisional premises licences and the ability of licence holders to complete the necessary steps to have their licence confirmed.
- 2.5. The agent for the licence holder has provided information to support the request for extension and this will be supplied to the Board along with this report.

### 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.

APPLICATION TO EXTEND PROVISIONAL PERIOD

**4. Background Papers**

- 4.1 Individual request attached, for 4-5 Raeburn Place.

**Depute Clerk of the Licensing Board**



PREMISES LICENCE REVIEWS – NON-PAYMENT OF ANNUAL PREMISES  
LICENCE FEES – 2020/21 AND 2021/22

**1. Purpose**

- 1.1 To advise the Board of details of premises, where annual fees for the periods 2020/21 and 2021/22 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 1<sup>st</sup> 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. Appended to this report are details of premises where fees remain outstanding for the periods 2020/21 and 2021/22. Premises licence holders have been written to on several occasions, to advise them of the requirement for outstanding fees to be paid.
- 2.3. The Council's LSOs have also contacted premises to advise of the outstanding fees. Where fees remain unpaid, the LSOs are able to issue Compliance Notices to premises licence holders, requiring them to comply with the mandatory conditions of licence, i.e. pay their 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. This is set out in more detail in section 37 of the 2005 Act.
- 2.5. On the basis the fees remain outstanding for the premises listed in the attached appendix, 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.

PREMISES LICENCE REVIEWS – NON-PAYMENT OF ANNUAL PREMISES  
LICENCE FEES – 2020/21 AND 2021/22

**4. Background Papers**

- 4.1 Spreadsheet showing details of premises with outstanding annual fees.

**Depute Clerk of the Licensing Board**