

◆ EDINBURGH ◆

LICENSING BOARD

NOTICE OF MEETING

MONDAY 29th AUGUST 2022

Start time: 9.30am

LOCATION: DEAN OF GUILD ROOM

AGENDA

NOTE – It is intended Items 1 and 2 below will be webcast and considered from 9.30am. The remainder of the meeting will not be webcast.

1. Report – Arrangements for Initial Consultation – Preparation of Policy Statement and Overprovision Assessment
2. Minutes and decision list – 25th July 2022
3. Applications - details as set out in separate list
4. Occasional Licence application – premises at Albert Dock – Referral from Convener
5. Report – Extension of Provisional Premises Licence
6. Report – Review Hearings – Premises Licence Annual Fees
7. Report – Review Hearing – Boozy Beaver, 13a-14 Melville Place

Nick Smith
Clerk of the Licensing Board

◆ EDINBURGH ◆

LICENSING BOARD

Licensing Board membership:

Councillor Chas Booth	Councillor David Key
Councillor Lezley Marion Cameron	Councillor Jason Rust (Vice-Convener)
Councillor Pauline Flannery	Councillor Norman Work
Councillor Catherine Fullerton	Councillor Louise Young (Convener)
Councillor Margaret Graham	

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

STATEMENT OF LICENSING POLICY AND ASSESSMENT OF OVERPROVISION –
INITIAL CONSULTATION**1. Purpose**

- 1.1 To set out the details for a proposed initial consultation on the Board's existing policy statement;
- 1.2 To advise the Board of an indicative timeline for the preparation of a new statement of licensing policy and assessment of overprovision and the various processes involved;
- 1.3 To invite discussion on communicating to as wide a range of potential consultees as possible.

2. Statement of Licensing Policy and Assessment of Overprovision – initial consultation

- 2.1. The Board gave detailed consideration at its meeting on 25th July 2022 to its duties to have a statement in licensing policy in place and an assessment of overprovision. The Board noted the terms of a report setting out the extent of its duties in that regard.
- 2.2. The Board also considered in detail the requirement to consult, when preparing a new policy statement and an assessment of overprovision. The Board agreed that it would be appropriate as an initial step to carry out an open informal consultation on the terms of the existing policy statement and overprovision assessment, with a view to obtaining views to inform the development of the formal consultation process on the policy at a later date.

Indicative Timeline

- 2.3. The Board's predecessor carried out a two-stage consultation process over the course of the maximum 18 month policy preparation period set out in the 2005 Act. Taking the timeline from that process as a guide, the following timeline is suggested for consideration by the Board:-
 - Initial informal consultation – 10-12 weeks, beginning 26th September 2022;
 - Information to be gathered for Board on extent of existing licensed premises – to be reported to Board once available (more information required to confirm timescale for this work) to enable consideration of overprovision assessment;
 - Separate initial consultation with Forum, once in place (potentially overlapping with above);
 - Report to Board on consultation responses and information on extent of licensed premises – additional policy meeting to be scheduled mid-January 2023;

REPORT

STATEMENT OF LICENSING POLICY AND ASSESSMENT OF OVERPROVISION –
INITIAL CONSULTATION

- Second consultation, to be carried out on specific policy topics – 10-12 weeks, beginning on 20th March 2023 (or such other date as agreed by the Board)
- Consideration of consultation responses – potentially involving hearings scheduled before Board
- Agreement on final terms of new statement of licensing policy and overprovision assessment – to be published end August 2023

2.4. It is emphasised the above timeline is provided as an indicator of how the consultations might proceed, and does not as yet take account of additional steps the Board may wish to undertake. At this stage, specific timescale information has not been provided for the work which will need to be carried out in order for the Board to be able to assess overprovision. More information will be provided to the Board about this as soon as available.

Consultation and Communication

2.5. The Board noted at its previous meeting that it must ensure when preparing its new policy, it must consult at minimum with the following:-

- The Licensing Forum
- The Health Board
- Such other persons as the Board thinks appropriate

The Board noted the Council is in the process of appointing a new Forum. While it may not be in place in sufficient time for the commencement of the initial informal consultation, the Board will be able to consult separately with the Forum. The Board agreed in the meantime it would take the necessary steps to ensure an initial informal consultation could be carried out.

2.6. The Board agreed that use should be made of the Council's online Consultation Hub to try and encourage participation by interested parties in the overall consultation process. In parallel with this a number of other methods will be used to try and involve as many as possible with an interest in the policy, including circulation of details of the consultations directly and as part of communications sent out by emails.

3. Assessment of overprovision

3.1. The Board was advised at the meeting on 25th July 2022 that the assessment of overprovision, while comprising a separate duty on the Board, would be contained within the Board's new Statement of Licensing Policy as is currently the case.

REPORT

STATEMENT OF LICENSING POLICY AND ASSESSMENT OF OVERPROVISION –
INITIAL CONSULTATION

- 3.2. At this stage it is suggested that the initial informal consultation makes reference to the existing overprovision assessment, on the understanding that any new assessment by the Board would have to be carried out on the basis of up to date information on licensed premises across its area. The Board discussed this in some detail, including consideration of the possibility of obtaining mapping showing concentrations of licensed premises, breakdowns of the different categories (on sales, off sales, etc).
- 3.3. The Board was advised it would take some time for this information where possible to be obtained, and it is intended there will be a further report at a later date on these matters.

4. Recommendation

- 4.1 It is recommended the Board:-
- (a) Agrees to carry out an initial informal consultation based on the existing statement of licensing policy and overprovision assessment;
 - (b) Notes the suggested indicative timeline for the preparation of a new statement of licensing policy;
 - (c) Agrees the basis on which the initial consultation will be communicated to interested parties.

5. Background

- 5.1 [Statement of Licensing Policy](#)
- 5.2 Licensing (Scotland) Act 2005 [section 6 \(policy statements\)](#) and [section 7 \(overprovision\)](#)

Depute Clerk of the Licensing Board

MINUTES OF MEETING**MONDAY 25th JULY 2022**

Board members present: Councillors Louise Young (Convener); Jason Rust (Vice-convener); Chas Booth; Lezley Marion Cameron; Pauline Flannery; Margaret Graham; Norman Work

Apologies: Councillors Catherine Fullerton; David Key

Police: Sergeant Marc Copland

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

In its consideration of items 1 and 2 below, the Board deliberations were broadcast using the Council's webcast system. A link to that part of the meeting is included [here](#).

1. Report – Arrangements for Consultation – Preparation of Policy Statement

The Depute Clerk narrated the terms of a report providing an overview of the Board's duties to prepare a new statement of licensing policy and assessment of overprovision. Attention in particular was focused upon the consultation requirements for both duties.

Following detailed discussion about the extent of the Board's duties and the consultation process, the Board agreed that it would be appropriate to hold two separate consultations. The initial one would invite comments from as wide a range of consultees as possible on the terms of the existing Board policy. In due course a second consultation would follow, focused on specific topics taking account of the first consultation and the views of the Board.

The Board was interested to get up to date and accurate information on the extent of licensed premises in the Board's area, in order that an overprovision assessment could be carried out. Members discussed the possibility of obtaining "heat maps" showing concentrations of licensed premises.

It was agreed a further report should be provided, setting out (1) an indicative timeline for the various processes discussed; (2) details of the initial steps to be taken for consultation on the existing policy to proceed; and (3) consideration of how to ensure the consultation was communicated as widely as possible.

2. Minutes and decision list – 27th June 2022

The Minutes of the meeting of 27th June 2022 and associated decision list were approved by the Board.

3. Applications - details as set out in separate list

The applications considered by the Board on 25th July 2022 are as set out in the decision list, to be appended to these minutes.

4. Report – Extensions of Provisional period

The Board considered requests for extensions of provisional premises licences, for the following:-

17 Salamander Street – agreeing to extend by one year, to 27 August 2023

104 George Street – agreeing to extend by four months, to 28 November 2022

5. Report – Review Hearings – Premises Licence Annual Fees

The Board was advised by

6. Report – Review Hearing – Boozy Beaver, 13a-14 Melville Place

The Board noted, and agreed, a request from the agent for the premises licence holder for continuation of the hearing, as the licence holder had been unable to attend the meeting.

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	472233	RJ Fuels LTD	Harper MacLeod LLP 45 Gordon Street, Glasgow, G1 3PE	128 Restalrig Road, Edinburgh	No	Yes	No	Transfer application; To amend premises description; to increase off sales capacity; to amend layout plan; to change designated premises manager. CCx2 LSO	TRANSFER GRANTED Variation CONTINUED – agent to provide independent market research
2.	470573	Mr Zeeshan Asif	GNE Consultancy Limited 47 Wallace Brae Drive, Reddingmuirhead, Falkirk, FK2 0FB	7 Marischal Place, Edinburgh, EH4 3NE	No	Yes	No	Transfer application, Change of DPM, increase capacity; amend wording in 5(f), amend layout plan CCx2 LSO BSR	Amended operating plan to be submitted (with capacity in linear metres) GRANTED

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	464315	Summerhall Management Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	1 Summerhall, Edinburgh, EH9 1PL	No	No	Yes	To increase capacity, to substitute layout plan to include additional areas, to add new plan for the basement, change of premises manager CC LSO BSR Ox3	CONTINUED at agent's request (amended layout plans to be provided) Site visit to be arranged
2.	458149	Makro Self Service Wholesalers Limited	DWF LLP 5 St Paul's Square, Old Hall Street, Liverpool, L3 9AE	50 Bankhead Avenue, Edinburgh, EH11 4EA	No	Yes	No	Increase capacity to 329 linear metres CC LSO	GRANTED Capacity of 329.3 linear metres

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	472542	The Liquid Room Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	9c Victoria Street, Edinburgh, EH1 2HE	Yes	No	No	To amend the use of the lower gallery and lower basement floor; to add televised sport, conference facilities and receptions as activities; Live performances could include club nights, live music, cabaret and live performances, including during the Fringe; Amend Q5(g) to provide that music may exceed 85dB; to increase capacity to 1126; to amend layout plan CC LSO Ox1	GRANTED Capacity of 1126

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	470658	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	No	No	Yes	1. To extend the terminal hour each day from 11pm until 1am; 2. To include off sales hours 10am until 10pm each day; 3. To include seasonal variations to this Premises Licence; 4. To include dispense bar as an activity in the Operating Plan at 5 (f), this is being relocated from the dining room to lounge; and 5. To amend the Children and Young Persons wording to remove reference to concierge service. 6. On the Ground Floor East Wing there are minor layout changes and the addition of an outside area. 7. To amend the name of the premises to "The Scholar" deleting reference to Masson House. 8. To amend description to "Three Storey Hotel". CC LSO	GRANTED Outdoor drinking terminal hour of 2200hrs 0100hrs terminal hour for Young Persons during seasonal variations (unless attending private function)

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	471621	UOE Accommodation Limited	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	1. To include outdoor drinking as an activity at Q5; 2. To include dispense bar as an activity at Q5(f); 3. To amend the Children and Young Persons access wording; 4. Layout changes on the ground floor 5. To amend the name of the premises to "The Scott" deleting reference to Salisbury Green; 6. To amend description to "Four Floor Hotel". CC LSO	GRANTED Outdoor drinking terminal hour of 2200hrs Children to be prevented from accessing bar area

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	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. CC LSO BSR O x1	GRANTED Capacity of 10 Amplified music condition – no audible nuisance

DECISION LIST – 25 JULY 2022**THE CITY OF EDINBURGH LICENSING BOARD****LICENSING (SCOTLAND) ACT 2005****NOTICE OF APPLICATIONS - Continued Provisional PREMISES LICENCE APPLICATIONS****25 July 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	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	GRANTED Capacity of 30 Outdoor drinking terminal hour of 2200hrs Amplified music condition – no audible nuisance

DECISION LIST – 25 JULY 2022**THE CITY OF EDINBURGH LICENSING BOARD****LICENSING (SCOTLAND) ACT 2005****NOTICE OF APPLICATIONS - Continued Provisional PREMISES LICENCE APPLICATIONS****25 July 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	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	<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</p>	<p>GRANTED</p> <p>Capacity of 30</p> <p>Outdoor drinking terminal hour of 2200hrs</p> <p>Amplified music condition – no audible nuisance</p> <p>Board asked LSOs to monitor operation of the two Moda premises, in view of their novel nature</p>

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	471431	A Crolla & Son Catering Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	119 Lothian Road, Edinburgh, EH3 9AN	No	No	Yes	<p>Restaurant with takeaway facility premises located on the ground floor of a building on Lothian Road, including an outside area.</p> <p>CCx2 LSO BSR Ox5</p>	<p>Application amended to remove outdoor area and note terminal hour of midnight for on sales.</p> <p>Capacity of 50</p> <p>Amplified music condition – no audible nuisance</p> <p>Use of communal stairwell to cease at 2200hrs; no items to be stored there</p> <p>Terminal hour of 2400hrs for deliveries</p> <p>GRANTED</p> <p>(on a division:</p> <p>1st Cllr Young, 2nd Cllr Rust – grant as amended</p> <p>1st Cllr Graham, 2nd Cllr Booth – refuse)</p>

DECISION LIST – 25 JULY 2022

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

25 July 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	471052	Duncan Retail Ltd	Mr David Duncan 11 Dukehaugh, Peebles, EH45 9DN	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 fascia 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	GRANTED Capacity of 27 linear metres

DECISION LIST – 25 JULY 2022

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

New Applications

No	Reference	Applicant	Agent Details	Comments	Decision
1.	473286	Mr Jason Rogers		CC Applicant requested continuation	CONTINUED to August Board meeting
2.	473560	Mr Adam Frederic Pender		CC	CONTINUED to August Board meeting
3.	474739	Mr Dillon Laing		CC Applicant requested continuation	CONTINUED to August Board meeting

Provisional Premises licence extension requests:-

17 Salamander Street – new expiry date 27 August 2023

104 George Street – new expiry date 28 November 2022

ITEM 3

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

Applications called for 10:00

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	472233	RJ Fuels LTD	Harper MacLeod LLP 45 Gordon Street, Glasgow, G1 3PE	128 Restalrig Road, Edinburgh	No	Yes	No	To amend premises description; to increase off sales capacity; to amend layout plan; to change designated premises manager. CC LSO	

ITEM 3

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

Applications called for 10:00

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	468505	Buzz Holdings Ltd	Poppleston Allen Solicitors 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS	2 Moray Park, Edinburgh, EH7 5TS	Yes	No	No	To amend the Operating Plan to add Comedy Nights into the additional activities (Question 5(f). To extend the hours for sale of alcohol on the premises Friday and Saturday 1100 to 0100 the following morning. CC LSO Ox4 Mr A. Ortiz Ms K. Chisholm Mr L. Finn Ms A. Graham	

ITEM 3

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

Applications called for 10:00

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	471425	Mr Umberto Crolla	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	11 Drumsheugh Place, Edinburgh, EH3 7PT	No	No	Yes	Increase the capacity to 40 Commence on and off sales from 11am on Sunday Add Recorded Music, Outdoor Drinking Facilities Add that premises may open from 8am but no alcohol will be sold before the commencement of licensed hours Amend wording of access for Children and Young Persons Substitute new layout plan reflecting changes made Remove reference to dedicated takeaway area CC LSO BSR	

ITEM 3

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

Applications called for 10:00

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	472644	Mr Adnan Majeed	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	326 Morningside Road, Morningside, Edinburgh, EH10 4QJ	No	Yes	No	1. Increase alcohol display area to 52.8 linear metres 2. Add recorded music, takeaway and deliveries as activities 3. Add that the shop may open from 7am for the sale of goods and services other than alcohol 4. Substitute new layout plan CC LSO	

ITEM 3

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

Applications called for 10:00

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	473304	EH1 Ltd	TLT LLP 140 West George Street, Glasgow, G2 2HG	18 Corstorphine Road, Edinburgh, EH12 6HN	No	No	Yes	At Q5(f) add that the premises may utilise the outdoor area with temporary structures with an uplifted capacity for local community events and events related to Murrayfield Stadium a maximum of 21 days per calendar year. - At Q7 add special event capacity max 690 - Amend layout plan to show external temporary event toilets and temporary structures CC BSR	

ITEM 3

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

Applications called for 10:30

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	472780	Inventive Service Company Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	30a Chambers Street, Edinburgh, EH1 1HU	No	No	Yes	Change the Description of the premises to: "City Centre venue offering food and entertainment". Amend the terminal licensed on-sales hour on Thursday-Saturday from 1am to 3am Add Restaurant Facilities as an activity YYN Add Films as an activity YYN Amend Children and Young Persons access to 8pm Amend Children and Young Persons access to all public parts CC LSO	

ITEM 3

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

Applications called for 10:30**29 August 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	473653	Zana 12 Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	86-88 Grassmarket, Old Town, Edinburgh, EH1 2JR	No	No	Yes	To add off sales 11:00-22:00 daily - To add Deliveries and Takeaways as additional activities CC LSO	

ITEM 3

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

Applications called for 10:30

29 August 2022

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	472962	Sook Retail Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	111 St James Crescent, New Town, Edinburgh, EH1 3AD	No	No	Yes	Multi purpose retail venue for event hire. CCx2 LSO BSR	

ITEM 3

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

Applications called for 10:30**29 August 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	473362	Mr Adnan Majeed	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	93 Lauriston Place, Edinburgh, EH3 9JB	No	Yes	No	The premises are a takeaway located on the ground floor of a building in the Tollcross area CCx2 LSO BSR Ox1 Tolcross Community Council	

ITEM 3

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

Applications called for 10:30**29 August 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	473639	Whitebox Drinks Limited	TLT LLP Gf, 80 Hanover Street, Edinburgh, EH2 1EL	4a Bankhead Crossway South, South Gyle, Edinburgh, EH11 4EX	No	Yes	No	Warehouse and storage facility with ancillary offices, for remote dispatch and orders, located within a unit in the Bankhead industrial complex at Sighthill. CCx2 LSO BSR	

ITEM 3

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

Applications called for 10:30**29 August 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	473640	Mr Valentino Volante	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	2 Hope Street, New Town, Edinburgh, EH2 4DB	No	Yes	No	Renovated Police Box selling a range of food and drink for consumption off the premises. CCx2 LSO BSR	

ITEM 3

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

Applications called for 11:00**29 August 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	473804	Mr Emre Sarher	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	36 North Bridge, Edinburgh, EH1 1QG	No	No	Yes	Cafe and delicatessen/shop located over two floors and accessed from North Bridge, together with an area within the Arcade, accessed from the premises CCx2 LSO BSR Ox1 Old Town Community Council	

ITEM 3

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

Applications called for 11:00**29 August 2022**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	473166	Miss Moira Cunningham	Morton Fraser LLP 2 Lister Square, Edinburgh, EH3 9GL	15 West Terrace, Queensferry, South Queensferry, EH30 9LL	Yes	No	No	The premises is located off the High Street in South Queensferry and is comprised of ground floor café/dining area with external seating area with bedroom accommodation on ground, first and second floors CCx2 LSO BSR	

APPLICATION TO EXTEND PROVISIONAL PERIOD

1. Purpose

- 1.1 To ask the Board to consider an application to extend 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 Details are provided below of premises where the provisional premises licence is reaching expiry and where a request has been made to the Board for the provisional period to be extended.
- 2.5 The agent for the licence holder has provided information to support the licence holder's 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 Extension request – 16 Buckstone Terrace – expiry date 29 October 2022

Depute Clerk of the Licensing Board

ITEM 6

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

1. Purpose

- 1.1 To provide details of premises where annual fees for the periods 2020/21 and 2021/22 remain outstanding.
- 1.2 To ask the Board, having already agreed to make review proposals in each case, to hold review hearings and decide in each case what action requires to be taken.

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 are paid in advance of the following year.
- 2.2. Non-payment of fees constitutes a breach of the mandatory conditions of licence, which in turn constitutes a ground for review of a premises licence. Premises licence holders have been invoiced and written to on a number of occasions, to advise them of the requirement for their outstanding fees to be paid. The Council's LSOs have issued premises licence holders with Compliance Notices, requiring compliance with the mandatory conditions of licence, i.e. payment of the fees.
- 2.3. The Board was advised of the premises details at its meeting on 27th June 2022 and agreed it was necessary to schedule review hearings for premises where fees remained outstanding. The details appended to this report represent the second batch of review proposals, where licence holders still require to pay fees due for at least one year, the 2021/22 period (due from October 2021).
- 2.4. If satisfied that it is necessary for the purposes of the licensing objectives to do so, at the conclusion of a review hearing the Board may:-
 - Issue a written warning to the licence holder
 - Vary the premises licence
 - Suspend the premises licence for such period as the Board may determine
 - Revoke the premises licence
- 2.5. The Board considered a number of premises at its meeting on 25 July 2022 with at least two years' fees outstanding. The Board considered reports on each provided by the LSOs and taking account of the circumstances either suspended for one month or revoked licences. The latter course of action was followed where LSOs confirmed it was apparent premises were not operating.

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- 2.6. The LSOs have provided a further set of individual reports for each of the premises for which fees remain outstanding, and have set out information to assist the Board in dealing with each review.
- 2.7. The LSOs have also provided an update report on premises which were suspended at the previous meeting, for Board consideration. In the event that the Board considers further action may be necessary for any of the premises detailed in that report, a further hearing would require to be scheduled.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) To hold review hearings for each of the premises where annual fees remain outstanding;
 - (b) To decide what action requires to be taken in each case, having regard to the licensing objectives;
 - (c) To note the update on premises already considered at the 25 July meeting and decide if further action is required

Depute Clerk of the Licensing Board

REPORT – PREMISES LICENCE REVIEW HEARING – 13A-14 MELVILLE PLACE,
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 13A – 14 Melville Place, 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 considered not to be a fit and proper person to hold the licence; or
 - (c) any other ground relevant to one or more of the five licensing objectives, namely:-
 - preventing crime and disorder,
 - securing public safety,
 - preventing public nuisance,
 - protecting children and young persons from harm,
 - protecting and improving public health.
- 2.2 An application for review may be rejected by the Board if it fails to disclose matters relevant to the grounds for review or if it is considered vexatious or frivolous. This decision is delegated to the Convener. Having considered the terms of the review application the Convener has agreed it should be referred to the Board for a hearing.
- 2.3 The application has been submitted by the Council's LSOs. The licence holder is City Builds (Edinburgh) Limited, to whom a copy of the application was sent on 4th July 2022.
- 2.4 The hearing will proceed on the basis Board members will have the application before them. The Board should hear from the LSOs on the terms of the application and then from the licence holder and/or their agent. At the conclusion of the hearing the Board should decide whether it is necessary for the purposes of the licensing objectives to take any action with the premises licence. In the event it is considered necessary, the following options are available:-
 - issue a written warning,
 - vary the premises licence,
 - suspend the licence for such period as the Board determines,
 - revoke the licence.
- 2.5 The director of the premises licence holder company City Builds (Edinburgh) Limited is Elaine McManus. Prior to the July meeting her

REPORT – PREMISES LICENCE REVIEW HEARING – 13A-14 MELVILLE PLACE,
EDINBURGH

agent Niall Hassard contacted the depute clerks to advise Ms McManus had been called for jury duty and would be unable to attend. The Board agreed to continue the hearing to ensure she could be present.

- 2.6 In the meantime the LSOs have provided an amended version of the review application which has been provided to the licence holder's agent and which will be circulated to the Board. The application includes an updated history of complaints relating to the premises.
- 2.7 The LSOs have also now included a separate reference in the review application to the personal licence of the premises manager, Richard Leckie. His licence was issued by the Perth & Kinross Board. If the Board reached the view, in the course of the premises licence review hearing, that Mr Leckie had acted in a manner inconsistent with the licensing objectives it would then have to give notice of this to the Perth & Kinross Licensing Board together with a recommendation as to whether his licence should be endorsed, suspended or revoked.

3. Recommendation

- 3.1 The Board is recommended –
- (a) to hold a premises licence review hearing;
 - (b) decide at the conclusion of the hearing whether it is necessary for the licensing objectives to take any action with the premises licence;
 - (c) in the event of making a finding on the premises manager's personal licence in the course of the hearing, to make such recommendation to the relevant Board as is considered necessary for the licensing objectives.

Depute Clerk of the Licensing Board