

• EDINBURGH •

LICENSING BOARD

NOTICE OF MEETING

MONDAY 28th August 2023

Start time: 9.30am

DEAN OF GUILD COURTROOM

AGENDA

NOTE: Items 1 and 2 below will be webcast and considered by the Board from 9.30am. The remainder of the meeting will not be webcast.

Item 5 below is scheduled for the conclusion of the Board's applications business – to call after the Board has returned from lunchtime adjournment or 1.30pm, whichever is earlier.

1. Convenor's Update
2. Minutes of meeting of 31st July 2023, decisions and matters arising
3. Applications – major variations, new provisionals/premises licences, etc – details as set out in separate list
4. Provisional Extension Requests
5. Premises Licence Review – Woodhall Arms, 135-137 Lanark Road West

Nick Smith
Clerk of the Licensing Board

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LICENSING BOARD

Licensing Board membership:

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

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>

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LICENSING BOARD

MINUTES OF MEETING

MONDAY 31st July 2023

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

Apologies: Councillor David Key

Police: Sergeant Barry Mercer, PC Christopher Green

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

In its consideration of items 1 and 2 below the Board deliberations were broadcast using the Council's webcast system. A copy of the webcast can be viewed [here](#).

1. Convenor's Update

Occasional Licence referrals – the Convenor referred to the continuing intention for long-term use of occasional licences for the licensing of premises to be reported to the Board for consideration, alluding in general terms to applications listed later in the agenda.

The Convenor confirmed a policy consultation meeting had been recently held with young persons' representatives, from the Scottish Youth Parliament. The key messages they'd highlighted included - safe transport, for those enjoying premises but also those enjoying others non-licensed venues in the evening; more information on young persons' ability to access licensed premises, potentially as social spaces; better use of signage at entrances of premises to assist with this?

She confirmed the consultations had now concluded and it was intended for a Board meeting to be set up to discuss, with a suggested set of sections of policy. Board members discussed the timescale for ensuring the new policy would be in place. It was confirmed by the Depute Clerk that the Board would require to agree a consolidating policy document for further consultation.

The Board also discussed the outstanding requirement for an assessment on overprovision, which had previously been noted as forming a separate workstream. The Board noted there was an intention to have the assessment in place and agreed by the end of the year.

The Board noted this would be Morag Leck's last attendance as Depute Clerk, and thanked her for her advice and assistance to the Board.

The Board discussed current arrangements for publication of agendas and the extent to which details were published online. The Board noted this was a continuing matter, for further consideration.

2. Minutes of meeting of 26th June 2023, decisions and matters arising

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The minutes and the decision list for applications considered at the meeting of 26th June 2023 were approved.

3. Applications – major variations, new provisionals/premises licences, etc – details as set out in separate list

The details of applications considered by the Board at the meeting on 31st July 2023 are set out in a separate decision list for approval and to be appended to these minutes.

4. Provisional Extension Requests

The Board considered a number of requests for extension of provisional premises licences, the details of which are set out below:-

37A-37B Warrender Park Road – First request – 6 months
60B Fords Road – First request – 6 months
277 Portobello High Street – First request – 6 months
57-59 Great Junction Street – First request- 6 months
151-153 Lothian Road – First request – 6 months
57-59 South Clerk Street - First request – 6 months
1 Market Street – First request – 6 months
120 Dundas Street – original expiry 27 May 2019. Extended most recently on 27 March 2023 to end of July 2023 – 6 months
49 Forrest Road – original expiry 25 January 2021. Extended most recently on 27 March 2023 to end of July 2023 – 3 months
276 Canongate – original expiry 30 April 2023. Extended at 27 March 2023 meeting to end of July 2023 – confirmation granted, extension no longer required

5. Premises Licence Review – Woodhall Arms, 135-137 Lanark Road West

The Board noted Janet Hood representing the premises licence holder and Tim Edward representing the premises review applicant, were both in attendance. Ms Hood advised that she was asking the Board to adjourn the hearing to the meeting scheduled for August. She confirmed she had discussed the matter with Tim Edward, who had confirmed agreement to adjourn.

Noting both parties were in agreement, the Board agreed to adjourn the hearing to its August meeting.

6. Premises Licence Review – The Mousetrap, 180 Leith Walk

The Board heard the details of a review application submitted by Police Scotland for the premises at 180 Leith Walk. Sergeant Mercer set out the details of the application and the Board then heard from Veronica Macmillan with the details of the LSO report. Janet Hood responded to the terms of the application and LSO report, and was in attendance with Ian Pert for the licence holder.

The Board heard detailed representations from Ms Hood and Mr Pert. At the conclusion of the hearing the Board agreed to issue the licence holder with a written warning and to vary the premises licence as follows:-

- Terminal hour for on sales reduced from 0100 to 0000, 7 days a week

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- Terminal hour for live music – 2300
- Terminal hour for recorded music – 0000
- From 2100 Fridays and Saturdays at least one staff member with managerial responsibility to be working on the premises

Councillor Fullerton was in agreement with the midnight terminal hour for on sales, but confirmed her dissenting view on the other matters listed above.

The Board then confirmed it was making a finding in respect of the personal licence holder Stuart Kerr, and that a hearing would be convened on his personal licence at a later date.

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

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	488669	Chorrito Sauce Co	Chorrito Sauce Co The Old School House, Ground Floor, Krowji, West Park, RedRuth, Cornwall, TR15 3AJ	126 Leith Walk, Albion, Edinburgh, EH6 5DT	Yes	No	No	Chorrito Sauce Cantina is a Hot Sauce production kitchen and Cantina is a small Mexican inspired 12 seater cafe (4x table seat and 8 bar stool) that's provides hot and cold food breakfast / lunch / dinner for consumption on and off the premises, with a small alcohol offering for consumption on premises with food only. CCx2 LSO BSR	CONTINUED to Board meeting 28 August 2023 – applicant to be offered option to attend via Microsoft Teams

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

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	491021	B.M.C. Social Club (Edinburgh)	B.M.C. Social Club (Edinburgh) 13 Westfield Street, Edinburgh, EH11 2QY	13 Westfield Street, Edinburgh, EH11 2QY	No	No	Yes	To amend on and off sales opening times on Sunday to 10:00. To change Q6(c) the age of children and young persons to be 0-17 years for the purpose of private functions. To amend Q6(b) terms under which children and young persons will be allowed entry to state "Children allowed in both halls, to stay until end of the function, children to be accompanied by an adult at all times". CC LSO	GRANTED Applicant agreed to remove amendment to Sunday hours – remaining at 11am Operating plan to be amended to state: 'Children must vacate the premises by 2300 hours and be accompanied by an adult, unless attending a private function in which case they may remain until the end of the function. Young persons must vacate by 0100 hours. NB. Declaration of interest from Cllr Fullerton - not taking part in hearing

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

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	493127	Eorna Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	68 Hamilton Place, Stockbridge, Edinburgh, EH3 5AZ	No	No	Yes	Transfer application. To increase the on sales hours to midnight Sunday to Thursday and 1am Friday and Saturday. To add Outdoor Drinking Facilities. To provide that Children and Young Persons must be accompanied by an adult. Children must vacate the premises by 11pm and Young Persons by 1am. To substitute a new Layout Plan showing the outside area. CC LSO Ox 1 Stockbridge and Inverleith Community Council (late)	Transfer GRANTED Board agreed to consider late objection. Objection withdrawn following reassurance from applicant. GRANTED Outdoor drinking – 2200 terminal hour

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

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	495617	321 Pasta Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	110 Hanover Street, Edinburgh, EH2 1DR	No	No	Yes	To amend licenced hours to commence from 11am on Sundays. To appoint new premises manager. CC LSO	GRANTED

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	496083	NWG Investments Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	13 Duke Street, Edinburgh, EH6 8HG	No	No	Yes	To amend on sale hours on a Friday to 8am to midnight (from 6am to 10pm. To substitute new premises manager. CC LSO BSR	GRANTED Applicant undertaking to update operating plan with off-sale capacity in linear metres

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	496115	Princes Street Suites Limited	Addleshaw Goddard LLP Cornerstone, 107 West Regent Street, Glasgow, G2 2BA	16-22 Waterloo Place, New Town, Edinburgh, EH1 3BG	No	No	Yes	Core times when alcohol will be sold for consumption on premises will be amended to 11 am - 1 am for every day of the week (Monday - Sunday) CC LSO	GRANTED Operating plan amended to reflect LSO comments regarding correct age details for Children and Young Persons' access

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

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	493841	Fuller Thomson Heritable Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	22-26 South Clerk Street, Edinburgh, EH8 9PR	No	No	Yes	To add Live Performances to Q5(c) to be provided during core and outwith core licensed hours, as an Activity. To change the Designated Premises Manager. To include additional information into Q5(f) stating "The Live Performances will be unplugged folk music and open mic events so as to comply with the Noise Condition". CC LSO Ox1 Southside Community Council	GRANTED

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	496714	Corte Leisure Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	25 Jock's Lodge, Edinburgh	No	No	Yes	To add off sales. To include an additional outside area, within the licensed footprint. To amend premises manager's home address. CC LSO BSR	GRANTED Capacity: 314 persons Outdoor drinking – 2200 terminal hour

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	496471	Dunedin Wines Ltd	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	30 Broughton Street, Edinburgh, EH1 3SB	No	Yes	No	In questions 5 – Add recorded music as an activity within and outwith core hours. Add wording to say “The premises may play recorded music within or outwith core hours for the benefit of staff and customers” Add wording to say “The premises offers a click and collect or delivery service for the sale of alcohol and specialist snacks; licensed point of despatch for internet sales.” CC LSO	GRANTED Amplified music condition - no audible nuisance

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	492877	Mrs Fiona Macrae	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	49 St Stephen Street, Edinburgh, EH3 5AH	No	No	Yes	To amend on sales end time to 1am each day; to add off sales (with food). To amend on sales Sunday opening time to 11:30am. To add Seasonal Variations. To add additional wording to Q5 stating that certain Activities may take place outwith licensed hours during Seasonal Variations or with the benefit of an Extension of Permitted Hours Application. To amend Q6(b) terms under which children and young persons will be allowed entry. To remove the off sale alcohol display area. To substitute a new Layout Plan reflecting changes in the kitchen layout and remove off sale alcohol display area. To change the description in the Licence to ' restaurant premises located in a building on St Stephen Street, Stockbridge'. To change the Designated Premises Manager. CC LSO Ox 3 Mr and Mrs Knowles Mr Hinds Stockbridge and Inverleith Community Council (late)	GRANTED Application amended by agent to reflect terminal hr of midnight Mon-Thu Seasonal variations withdrawn by applicant Undertaking by applicant to keep doors closed and speaker adjacent to door off after 2300hrs

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	496436	Cote Restaurant Group Ltd	Brodies LLP 58 Morrison Street, West End, Edinburgh, EH3 8BP	51 Frederick Street, Edinburgh, EH2 1LH	No	No	Yes	To amend Question 5 to answer Yes to Conference facilities to be provided both outwith and within core licensed hours. To answer Yes to live performances taking place during core licensed hours. To add in the additional information at 5(a) to include conference facilities and restaurant facilities/bar meals – breakfast and other food and non alcoholic beverages may be provided from 7am Monday to Sundays. To add in the additional information at 5(b) to include receptions/club or other group meetings - may provide this facility to include as required food and non alcoholic beverages from 7am Monday to Sundays. To add in the additional information at 5(c) to include recorded music – may be played from 7am Mondays to Sundays. To amend wording in Question 5(f)	GRANTED
								CC LSO	

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31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
9.	495927	Marks and Spencer plc	John Gaunt & Partners Units 39-41 Haslar Marine Technology Park, Haslar Road, Gosport, PO12 2AG	52 Kinnaird Park, Newcraighall, Edinburgh, EH15 3RD	No	No	Yes	To allow the consumption of alcohol on the premises within the existing customer cafe. Wine tasting, cookery demonstrations and a range of other ancillary customer activities/services may be provided on an occasional basis. CC LSO BSR	CONTINUED to Board 28 th August 2023 (to allow Agent to address Building Standards memo)

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
10.	495900	Marks & Spencer Simply Foods limited	John Gaunt & Partners Omega Court, 372 Cemetery Road, Sheffield, S11 8FT	54-60 Princes Street, Edinburgh, EH2 2DF	No	No	Yes	To allow the consumption of alcohol on the premises within the existing customer cafe. To allow children and young persons entry. CC BSR	CONTINUED to Board 28 th August 2023 (to allow Agent to address Building Standards memo)

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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
11.	495500	Lochend Golf Club	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Lochend Golf Club, 147 Craigentenny Avenue, Edinburgh, EH7 6RG	No	No	Yes	Remove conditions 3&4 in relation to the signing in procedure. Add seasonal variations during the christmas/new year period. Provide bar meals and club or other group meetings that may take place outwith core hours. Add outdoor drinking facilities as an activity. Substitute the layout plan to show the outside drinking area. To appoint Designated Premises Manager. CC LSO BSR	GRANTED Capacity: 160 persons Operating plan amended to clarify: -no alcohol to be consumed beyond the paved area -terminal hour of 2300 hrs for Children, unless attending a pre-booked function (in which case they may remain until the end of the function or 0100 hours, whichever is earliest); Young Persons to vacate the premises by 0100 hrs

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Variation PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
12.	495804	Edinburgh St James D&W Restaurant Operating Company Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	Unit C.4.13, 400-402 St James Crescent, New Town, Edinburgh, EH1 3AE	No	No	Yes	<p>To amend the commencement hour to 9am Monday to Sunday. To amend the terminal hour to 3am Monday to Sunday. To amend activities to remove reference to indoor/outdoor sports so that wording reads as follows: "The premises may host a variety of events including but not limited to; corporate events/hospitality, tastings and demonstrations, talks, exhibitions, displays, charity/community events and the like." To amend the wording to read "Children will be allowed access to the premises until 11pm when accompanied by an adult. and young persons until 1am." To amend the wording to read "Children will be allowed access to the premises until 11pm when accompanied by an adult. and young persons until 1am."</p> <p>CC LSO Ox1 New Town and Broughton Community council (representation)</p>	<p>Application amended to reflect 11am Sunday commencement hr</p> <p>GRANTED</p> <p>(on a division:</p> <p>1st Cllr Young, 2nd Cllr Rust – grant with terminal hr of 0100 Mon-Wed and 0300 Thu-Sun (supported by Cllrs Cameron, Flannery and Fullerton)</p> <p>1st Cllr Booth, 2nd Cllr Graham – grant with terminal hr of 0100)</p> <p>Cllr Work's dissent noted</p>

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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	496362	Mr Mahesh Advani	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	14 Clifton Terrace, New Town, Edinburgh, EH12 5DR	No	Yes	No	Small convenience store located on the ground floor and basement of a tenement, on Clifton Terrace, Edinburgh. CCx2 LSO BSR	GRANTED Application amended to remove deliveries Terminal hour of 2000hrs Capacity of 23.2 linear metres

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	496333	Mr John Eno-Osagie Uwagboe	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	250-252 Leith Walk, Edinburgh, EH6 5EL	No	No	Yes	Restaurant premises located on the ground floor of a building on Leith Walk, Edinburgh CC x2 LSO BSR O x7 Mr Campbell Mr Perkins Ms Robertson Ms Campbell Ms Raynolds Mr Peat Ms McKeen	Application PART- HEARD: (Cllrs Young, Rust, Booth, Cameron, Flannery, Graham) Application amended to reflect terminal hr of midnight Sun-Wed Objections heard CONTINUED to Board 28 th August 2023 (to allow for site visit and new LSO report)

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

31 July 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	494179	Wine Events Scotland Ltd	Ms Janet Hood Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU	12 Eildon Terrace, Warriston, Edinburgh, EH3 5LU	No	Yes	No	<p>Premises comprise lock fast cupboard in dining room of domestic premises.[Sale of alcohol for distribution by post, dispatch company or in person by premises licence holder from lock fast cupboard in dining room of domestic premises for purposes of offering specialist online wine tastings and Wine and Spirits Education Trust [WSET] training.]</p> <p>CCx2 LSO BSR</p>	<p>GRANTED</p> <p>Off-sale capacity: N/A</p>

THE CITY OF EDINBURGH LICENSING BOARD
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OCCASIONAL LICENCE
APPLICATIONS
31 July 2023

No	Reference	Premises	Dates and times	Comments	Decision
1.	503207	1 Liston Place	31/07/2023 - 13/08/2023 Off Sales: 10am – 10pm	Represented by Gorrie & Davidson	GRANTED Board to be updated on progress toward full licence application by October 2023 meeting. Applications to be granted considered by delegated authority in the meantime, noting Board minded to grant (provided no representations)
2.	502103	Cask Smuggles, 3 Waverley Bridge, Edinburgh	18/08/2023 - 28/08/2023 On Sales: 11am to 3am Off Sales: 11am to 10pm	Represented by TLT LLP	GRANTED (on a division: 1 st Cllr Fullerton, 2 nd Cllr Work – Grant as sought (supported by Cllrs Cameron, Flannery, Rust and Young) Motion to refuse: 1 st Cllr Graham, 2 nd Cllr Booth) It was noted Board's concern was primarily with applications for adjacent Festival Village, application 502039 was subsequently added to agenda and considered.

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3.	502104	Cask Smugglers, 3 Waverley Bridge, Edinburgh	04/08/2023 – 17/08/2023 On Sales: 11am to 3am Off Sales: 11am to 10pm	Represented by TLT LLP	Board to be updated on progress toward full licence application by October 2023. Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations)
4.	502039	Festival Village, 3 Waverley Bridge, Edinburgh	04/08/2023 – 17/08/2023 On Sales: 11am to midnight Off Sales: 11am to 10pm	Represented by TLT LLP	GRANTED Board to be updated further by October 2023 meeting. Applications to be considered by delegated authority in the meantime, noting Board minded to grant (provided no representations)

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

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	488669	Chorrito Sauce Co	Chorrito Sauce Co The Old School House, Ground Floor, Krowji, West Park, RedRuth, Cornwall, TR15 3AJ	126 Leith Walk, Albion, Edinburgh, EH6 5DT	Yes	No	No	Chorrito Sauce Cantina is a Hot Sauce production kitchen and Cantina is a small Mexican inspired 12 seater cafe (4x table seat and 8 bar stool) that's provides hot and cold food breakfast / lunch / dinner for consumption on and off the premises, with a small alcohol offering for consumption on premises with food only. CCx2 LSO BSR	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Continued Provisional PREMISES LICENCE APPLICATIONS

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	496333	Mr John Eno-Osagie Uwagboe	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	250-252 Leith Walk, Edinburgh, EH6 5EL	No	No	Yes	Restaurant premises located on the ground floor of a building on Leith Walk, Edinburgh CC x2 LSO BSR O x7 Mr Campbell Mr Perkins Ms Robertson Ms Campbell Ms Raynolds Mr Peat Ms McKeen	

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

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	495927	Marks and Spencer plc	John Gaunt & Partners Units 39-41 Haslar Marine Technology Park, Haslar Road, Gosport, PO12 2AG	52 Kinnaird Park, Newcraighall, Edinburgh, EH15 3RD	No	No	Yes	To allow the consumption of alcohol on the premises within the existing customer cafe. Wine tasting, cookery demonstrations and a range of other ancillary customer activities/services may be provided on an occasional basis. CC LSO BSR	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Continued Variation PREMISES LICENCE APPLICATIONS

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	495900	Marks & Spencer Simply Foods limited	John Gaunt & Partners Omega Court, 372 Cemetery Road, Sheffield, S11 8FT	54-60 Princes Street, Edinburgh, EH2 2DF				To allow the consumption of alcohol on the premises within the existing customer cafe. To allow children and young persons entry. CC BSR	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	496504	SAFE	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1 Gayfield Square, Edinburgh, EH1 3NW	No	No	Yes	<p>The premises consist of a cafe, plus a space for exhibitions, events etc, and toilets, located on Gayfield Square. The main access is to the rear of the premises. There is a side entrance as well.</p> <p>CC x2 LSO BSR Ox46 Mr Alonso Mr J Martin Ms Matois Ms Wilson Ms Dinshaw Ms Swan Dr Dalkin Ms Swan Mr Dibble Mr Fotheringham Ms Northam Dr Jurgens Dr and Dr Mulford Ms Bright Mr and Mrs Smith Mr Gilmour Mr and Mrs Hardwicke Mr Swan Mr Sayer Mr Harma</p>	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
								Mr and Mrs King Mr Ungar Mr Gibson Ms Roberts Mr Cole Ms Davies Mr Meaden Mr McCrink Mr Jack Mrs O'Neil New Town and Broughton Community Council Mrs Pawlukovska-Dible Mt Buneman Prof Bloor and Dr Bloor Prof Greig Mr and Mrs Robinson Mr Kovtsun Ms McKeen Ms Courtney Mr and Mrs Tocher Friends of Gayfield Square Garden Residents of 27 Gayfield Square (3 signatures) Residents of South Gayfield Lane (7 signatures) Petition 1 (76 signatures) Petition 2 (56 signatures)	

THE CITY OF EDINBURGH LICENSING BOARD
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NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	498229	Margiotta Ltd	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	126 Colinton Road, Edinburgh, EH14 1BY	No	Yes	No	Retail unit within a small development on Colinton Road. CC x2 LSO BSR	

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

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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	497299	Mr Dev Kant Sharma	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	194 Dalkeith Road, Prestonfield, Edinburgh, EH16 5DU	No	No	Yes	Small hot food takeaway, with up to six seats inside, located on the ground floor of a building on Dalkeith Road, Edinburgh. CC x2 LSO BSR	

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LICENSING (SCOTLAND) ACT 2005
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No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	497185	Margiotta Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	9 Harrison Gardens, Polwarth, Edinburgh, EH11 1SJ	No	Yes	No	Retail premises located on the ground and basement floors of a building on Harrison Gardens. CC x2 LSO BSR	

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

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	489993	BMB LIC Limited	Gilson Gray LLP 160 West George Street, Glasgow, G2 2HG	Unit A3E, 5 Kinnaird Park, Newcraighall, Edinburgh, EH15 3RD	No	No	Yes	Licenced restaurant/food premises CC x2 LSO BSR	

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

28 August 2023

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	483570	Dobbies Garden Centres Ltd	Dobbies Garden Centres Ltd Melville Nursery, Lasswade, Midlothian, EH18 1AZ	132 Raeburn Place, Stockbridge, Edinburgh, EH4 1HG	No	Yes	No	Small concept garden centre selling variety of items which include plants, gardening, homeware, gifts, seasonal foods, coffee/tea to go. CC x2 LSO BSR	

APPLICATIONS TO EXTEND PROVISIONAL PREMISES LICENCES

1. Purpose

- 1.1 To ask the Board to consider applications to extend the duration of provisional premises licences.

2. Main Report

- 2.1. A number of requests for extension of provisional premises licences have been received.
- 2.2. 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. Confirmation is obtained upon receipt by the Licensing Board of clear [Section 50](#) certificates (Planning, Building Standards and, where necessary, Food Hygiene).
- 2.3. 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.
- 2.4. In granting such an extension, the Board must be satisfied in terms of [Section 45\(8\)](#) of the 2005 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 of premises for which requests have been made are provided below, with expiry details.

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 for each of the requests.

4. Background Information

- 4.1 29-30 South Bridge - First request – expiry date to be confirmed
- 4.2 12 High Street - Second request – extended from 24th April 2023, current expiry 30th September 2023
- 4.3 95 George Street – First request – expiry end September 2023

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW HEARING – THE WOODHALL ARMS, 135-137
LANARK ROAD WEST, EDINBURGH

1. Purpose

- 1.1 To advise the Board of the premises licence review application for the Woodhall Arms, 135 Lanark Road West, Edinburgh, on which the Board previously agreed to hold a hearing.
- 1.2 To set out the options available to the Board, in the event it decides to proceed with the hearing.

2. Main Report

- 2.1. The grounds for review of a premises licence are as set out in [section 36\(3\)](#):-
 - (a) that one or more of the licensing conditions has been breached;
 - (b) that having regard to the licensing objectives the premises licence holder is not a fit and proper person to hold the licence; or
 - (c) any other ground relevant to the licensing objectives
- 2.2. A review application was submitted by MBM Commercial LLP, legal agents for neighbours of the Woodhall Arms premises. The initial application consisted of a letter and supporting documents as listed at para 4.1 below. The applicants' agents have submitted further detailed documentation, photographs and video footage in support of the application. This was received earlier in July. It was only possible to forward this material on to the agent for the licence holder on 21st July 2023.
- 2.3. At its meeting on 31st July the Board agreed to adjourn the hearing to its August meeting, noting the parties were in agreement. Since that date the applicants' agent has submitted a further set of documents and video footage which, it has been explained, are an updated version of supporting materials rather than new materials. The pack was received on 18th August and it was only possible to forward this on to the licence holder's agent on 22nd August.
- 2.4. The premises licence holder is Punch Partnerships (PTL) Limited. The company holds a significant number of premises licences and is noted as having been bought by Star Pubs & Bars Limited. They are represented by Janet Hood. Ms Hood has prepared submissions on behalf of the licence holder and these will be provided to the Board.
- 2.5. The Council's LSOs prepared a report on the terms of the review application. When the Board gave initial consideration to the review application at its meeting on 27 February it agreed to ask Police Scotland to consider reporting on the review application. The police have accordingly provided reports for the Board's consideration.
- 2.6. In the event the Board decides to proceed with the hearing, the Board should first hear from the review applicant and then from the LSO representative. The Board would then hear from Police Scotland and finally from the licence holder's agent in response. At the conclusion

PREMISES LICENCE REVIEW HEARING – THE WOODHALL ARMS, 135-137
LANARK ROAD WEST, EDINBURGH

of the hearing if the Board is satisfied that it is necessary or appropriate for the purposes of any of the licensing objectives the Board can take any of the following steps:-

- (a) issue a written warning;
- (b) make a variation of the licence;
- (c) suspend the licence for such period as the Board may determine;
- (d) revoke the licence.

3. Recommendation

3.1 The Board is required:-

- (a) To proceed with a premises licence review hearing;
- (b) To decide at the conclusion of the hearing what action requires to be taken, having regard to the licensing objectives;

4. Background Papers

- 4.1 Application for review of premises licence, dated 3 February 2023
- 4.2 LSO report dated 12 March 2023
- 4.3 Police report dated 10 March 2023
- 4.4 Police supplementary report dated 26 April 2023
- 4.5 Police second supplementary report dated 6 June 2023

Depute Clerk of the Licensing Board