

• EDINBURGH •

LICENSING BOARD

NOTICE OF MEETING

MONDAY 24 June 2024

Start time: 9.30am

DEAN OF GUILD COURTROOM

AGENDA

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

1. Convenor's Update
2. Minutes of meeting of 27 May 2024, decisions and matters arising
3. Applications – major variations, new provisional/ premises licences, etc. – details as set out in separate list.
4. Occasional Licence Referrals
5. Provisional Premises Licence extension requests
6. Premises Licence Annual Fees – Review Hearings

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>

MINUTES OF MEETING

MONDAY 27 MAY 2024

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

Police: Sergeant Barry Mercer

Council Officers: Veronica McMillan (Regulatory Team Leader); Colin McCulloch (Senior Building Standards Surveyor); Gerry Mays (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

The Convenor confirmed that the Board had discussed the process of progressing its overprovision assessment. It was noted that there had been around 60 responses to the public survey ranging from residents to trade and associated bodies, and community councils. The Board agreed that it would be appropriate to hold one or two evidence sessions and would extend invites. Dates would depend on availability of Board members and attendees, and it was proposed that it would be desirable to make progress in advance of the summer holiday period if possible, noting that there were considerable demands on members' time.

Mr Mays confirmed the consultation had closed on 13 May and in addition to the 63 responses, narrative responses were received from several stakeholders and other parties. Some respondents had indicated a willingness to participate in evidence sessions, and the Board had indicated that it would consider the detail of the responses and evidence sessions would be arranged. Councillor Booth suggested that an invitation be extended to CRESH as he noted that their research had been referred to in the NHS Lothian consultation response.

Councillor Graham referred to previous evidence sessions in which overprovision was discussed. The Convenor indicated that consultees had been invited to submit updated views specifically on overprovision for the purpose of the current exercise.

2. Minutes of meeting of 26 and 29 April 2024, decisions and matters arising

Cllr Booth noted that item 3 on 29 April was inaccurate in that he wished information regarding how individual members had voted in an item relating to the Black Bull to be inserted, as well as requesting that this level of detail be included in future minutes. Mr

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Mays advised that the information would be added and previous minutes re-issued. Cllr Flannery asked for clarification regarding an item relation to Summerhall, with regard to the possibility that the premises might be sold and any impact that would have on the licence. Mr Mays confirmed that the Board's decision on 26 April would stand and any arrangements regarding possible sale of premises would be a matter for the parties involved in that transaction, and certain applications could be made, such as to transfer or vary a licence depending on what was agreed as to the future of the premises. The minutes of the meetings of 26 and 29 April 2024 were otherwise agreed.

3. Applications

The Board considered applications for major variations, new provisional premises licences, occasional licences and personal licences, all as detailed in the decision list appended to these minutes.

4. Premises Licence Review Hearing – 19 Montagu Terrace

The Board was asked to consider an application for review of premises licence submitted by Police Scotland. The Board noted that the licence holder was not present and was satisfied that appropriate notification had been issued. After hearing from Seargent Mercer the Board agreed to revoke the premises licence.

5. Personal Licence Review Mark Adams - licence holder present; personal licence endorsed (on a division: Cllrs Young, Rust, Booth, Cameron, Graham, Work in favour of endorsement; Cllrs Fullerton, Flannery, Key in favour of no action)
6. Personal Licence Review Pankaj Ora – licence holder not present; Board satisfied appropriate notification issued; personal licence revoked.
7. Personal licence Review Manmeet Singh – licence holder present, represented by Mr McDonald; personal licence endorsed; Cllr Flannery dissenting.
8. Personal licence Review Usmaan Irshad – licence holder present; represented by Mr McDonald; no action taken.
9. Premises licence annual fees

The Board considered premises licence reviews in respect of several premises which had failed to pay annual fees, with outcomes as noted in the attached list.

10. Overprovision assessment update

It was noted that an update had been provided by Mr Mays at the start of the meeting.

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MINUTES OF MEETING

MONDAY 25 MARCH 2024

Board members present: Councillors Louise Young (Convenor); Norman Work; Catherine Fullerton; Chas Booth; Pauline Flannery; Margaret Graham; David Key; Lezley Marion Cameron

Apologies: Councillors Jason Rust (Vice-convenor)

Police: Sergeant Barry Mercer

Council Officers: Veronica McMillan (Regulatory Team Leader); Colin McCulloch (Senior Building Standards Surveyor); Gerry Mays (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

The first of two proposed 'fast track' online meetings of the Board had taken place on Friday 22nd March to address the backlog of applications. These meetings are to consider non-contentious applications where there are no objections and limited submissions. Any more complex application would be referred on to the full Board meetings. Fourteen variation applications and five provisional premises licence applications were heard with two applications being referred on to the Board's full meeting in April. The Convenor welcomed any feedback on the meeting from all attendees and thanked agents for trying the new process. A further 'fast track' meeting was scheduled for the end of April following which the Board would determine whether to continue with these online meetings on an ad hoc basis.

The Convenor joined LSO officers at the Best Bar None awards on 14th March 2024. These are national awards for licensed premises which were self-nominated or nominated by LSO teams. Edinburgh had three winners on the night – Mid Yoken for the Heart of the Community award, the Dalmahoy Hotel & Country Club for best newcomer award and Shanghai Club in George Street for the social responsibility award.

Mr Mays was invited to provide an update on the Board's consultation on overprovision policy. The consultation process had now commenced and had gone live on the Council's website Hub at the end of last week. Statutory consultees, key stakeholders and others will be invited to make submissions. The consultation period will run to 13th May 2024 and it is intended that responses will be collated and analysed and reported to the Board on 27th May 2024. Once provisional conclusions have been made, there will be a further opportunity to consult on a final draft. At the recent meeting of the Licensing Forum the main item of discussion had been the new overprovision policy and its members were keen to submit a response and be involved in the process.

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2. Minutes of meeting of 26 February 2024, decisions and matters arising

The minutes of the meeting of 26 February 2024 were agreed.

3. Applications

The Board considered applications for major variations, new provisional premises licences, personal licences, occasional licences and provisional premises licence extension requests, all as detailed in the decision list appended to these minutes.

4. Occasional Licence Referrals

5. Provisional Premises Licence extension requests

6. Premises Licence Review Hearing – 79 Restalrig Road South

The Board continued its consideration from its previous meeting of a hearing on the terms of an application for review of premises licence submitted by Licensing Standards Officers. The Board heard from Veronica Macmillan and noted the terms of the LSO report and then heard from Alistair Macdonald on behalf of the licence holder.

The Board noted that the licence holder had instructed acoustic specialists to inspect the premises and was taking steps to implement the recommendations in their report. The LSO officers who had sought the review hearing were satisfied with the steps that were being taken to remedy the problems. The Board therefore agreed to defer making a final decision for a period of three months to allow the licence holder to implement the recommendations set out in the report. If any complaints were received in the interim period then the Board would consider bringing the matter back before it to an earlier meeting. Ms Macmillan advised the licence holder that it would be advisable to use their own systems to play any amplified music in the premises as different operators coming in and using their own equipment could be causing the noise problems.

7. Major Variation application – Black Bull, 12 Grassmarket

The Board considered a major variation application which had been the subject of an appeal to the Sheriff Court and which had been referred back to the Board for reconsideration. The application sought to increase the capacity of the premises to 264.

The Board heard from Caroline Loudon and Melanie Barbour, advocate on behalf of the licence holder. They submitted that the premises were long-established and well-managed and were limited by the current low capacity. In addition, it was submitted that the Board's overprovision policy was unlawful due to a lack of clarity over the localities being considered during the consultation process.

The Board determined to grant the variation sought based on the historical status of the premises. The premises had previously had a much higher capacity while operating in the same manner as it did so currently. The capacity had been reduced as a result of internal alterations in the property. More recent works had been carried out which allowed for an increase in capacity in terms of the building regulations. This increase

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would not bring the capacity as high as it had been before any of the earlier works had been carried out.

The Board noted the comments and critique of its overprovision policy but as this had been made by the previous Board it was of the view that it could not defend or criticise this policy. The consultation process to prepare a new overprovision policy was currently underway and the Board appreciated that the submissions made in respect of the current policy could be used in preparing this new policy.

(On a division: Cllrs Young, Fullerton, Key, Work – grant; Graham – refuse (dissent noted); Flannery, Cameron – defer decision. Cllr Booth did not participate in the consideration of this application)

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	520245	Punch Partnerships (PTL) Limited	Flint Bishop LLP Pinnacle Building, 2 Prospect Place, Derby, DE24 8HG	22 Marchmont Crescent, Edinburgh, EH9 1HG	No	No	Yes	To amend Q2 and Q3 opening hours for the sale of alcohol on Sundays to start from 11am. To amend Q5(D) to permit outdoor drinking facilities. To amend Q5(F) to add the following activities: Live Acoustic Music Nights, Bingo Nights, and Karaoke Nights. CC LSO BSR NHS	GRANTED Outdoor drinking terminal hour of 2200hrs

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	515335	28 York Place Ltd	28 York Place Ltd 28 York Place, New Town, Edinburgh, EH1 3EP	28 York Place, Edinburgh	No	No	Yes	<p>To vary the local condition to "All amplified music and vocals shall be controlled so as not to be an audible nuisance in neighbouring residential premises." To amend the layout plan to include an outdoor drinking area. To amend on sales opening times to 09:00 daily; to add off sales. To amend Q5(c) to include Theatre performances during core licensed hours. To amend Q5(d) to include outdoor drinking. To amend Q6(b-e) terms and times children and young persons will be allowed entry. To amend Q5(f)text box (activities).</p> <p>CC LSO BSR NHS</p>	<p>GRANTED</p> <p>Outdoor drinking terminal hour of 2200hrs</p> <p>On-sales commencement hour to remain at 1100hrs</p> <p>Capacity to remain at 303 persons</p> <p>Music condition – no audible nuisance</p>

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	516921	D M Stewart Limited	Macdonald Licensing Bf, 21 Rutland Square, West End, Edinburgh, EH1 2BB	1 Haymarket, Edinburgh, EH12 5EY	No	No	Yes	To add an additional outside area, as shown on the new layout plan, but not increasing the capacity. Additional text added to Q5 additional information box & Q5(f) other activities, in relation to the outside area. Outside areas may be used from 8am but no alcohol will be sold or supplied prior to licensed hours commencing. The new Layout Plan, shows the proposed new outside area, within which will include a bar/ servery. CC LSO	GRANTED Outdoor drinking terminal hour of 2200hrs Building warrant to be approved prior to the additional area being used.

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	523096	Deaf Action	Morton Fraser MacRoberts LLP 2 Lister Square, Southside, Edinburgh, EH3 9GL	49-51 Albany Street, Edinburgh, EH1 3QY	Yes	No	No	1. Change in wording in relation to access for Children and Young persons. 2. Inclusion of wording to include Religious Services as a permitted activity. 3. Minor change to First floor plan to refer to "Brennan" rather than "Snooker" room. CC LSO Ox1	Public objection withdrawn GRANTED
4.	518856	Waugh Taverns Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	37 Rose Street, Edinburgh, EH2 2NH	No	No	Yes	To permit children and young persons access to the premises, if accompanied by an adult, to 5pm. LSO	GRANTED

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	520216	Alliance Property Holdings Ltd	Gosschalks LLP 61 Queens Gardens, Kingston Upon Hull, HU1 3DZ	2c Craigentiny Avenue, Edinburgh, EH7 6PX	No	Yes	No	To amend Question 5(f) to add the following; "A home delivery shopping service may be operated from the store". CC LSO	GRANTED

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
6.	522454	Historic Environment Scotland Enterprises Limited	Morton Fraser MacRoberts LLP 2 Lister Square, Southside, Edinburgh, EH3 9GL	Edinburgh Castle, 362 Castlehill, Edinburgh, EH1 2NG	No	Yes	No	Update layout plans of all 3 areas to reflect revised and increased display areas. Increase off sale capacity to 58.45 linear metres. To amend Q5(f) to include information about permitted activities. To amend Q5(c) to include live performances, theatre and films to be provided during and outwith core licensed hours. CC LSO BSR NHS	GRANTED Operating plan to be amended to clarify alcohol tastings will be free of charge Capacity of 58.45 linear metres
7.	522595	Mr Mahesh Advani	Macdonald Licensing Bf, 21 Rutland Square, West End, Edinburgh, EH1 2BB	14 Clifton Terrace, New Town, Edinburgh, EH12 5DR	No	Yes	No	To increase licensed hours to 10pm each day. CC LSO NHS	GRANTED

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	520487	ECF Omni SARL	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	Unit 9, Omni Centre, 61 Leith Street, New Town, Edinburgh, EH1 3AU	No	No	Yes	Restaurant premises located within Omni, a purpose-built leisure development in the heart of the City Centre, adjacent to the Playhouse Theatre and near to the St James Quarter development. CCx2 LSO BSR NHS	CONTINUED to a future Board meeting at agent's request
2.	521334	Black Medicine Ltd	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	2 Nicolson Street, Edinburgh, EH8 9BE	No	No	Yes	Well established coffee shop/ cafe located on the corner of Nicolson Street and Drummond Street. The premises are on the ground and lower ground floors. CCx2 LSO BSR NHS	GRANTED Capacity of 121 persons Music condition – no audible nuisance On a division: 1st Cllr Young, 2nd Cllr Fullerton – grant (supported by Cllrs Work, Key, Flannery, Rust, Cameron) 1st Cllr Booth, 2nd Cllr Graham – motion to refuse

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	521386	B&GS Landa	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	11-15 North Bridge, Old Town, Edinburgh, EH1 1SB	No	Yes	No	Retail premises situated on North Bridge. CCx2 LSO BSR NHS	Address confirmed to be 13 North Bridge GRANTED Music condition – no audible nuisance Capacity of 316.95 linear metres Agent undertaking licence for premises at 17 North Bridge to be surrendered once this premises has opened
4.	522065	Mezcal Edinburgh Ltd	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	85-87 Rose Street, Edinburgh, EH2 3DT	No	No	Yes	Premises are situated in a city centre location. They operate as a restaurant and cocktail bar offering Mexican tapas, traditional Mexican dishes and Mexican cocktails. CCx2 LSO BSR NHS	GRANTED Capacity of 20 persons Music condition – no audible nuisance Outdoor drinking terminal hour of 2200hrs Operating plan to be amended to clarify seasonal variations not to apply to Children and YP access

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	522018	DT Edinburgh Opco Limited	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	11 North Bridge, Edinburgh, EH1 1SB	Yes	No	No	Restaurant premises situated on North Bridge. CCx2 LSO BSR NHS	GRANTED Capacity of 200 persons Music condition – no audible nuisance Operating plan to be amended to confirm terminal hr of 2300hrs for children and 0100hrs for YP (including during seasonal variations)
6.	522360	Junk (Edinburgh) LTD	Hassard Licensing Ltd 6a Randolph Crescent, New Town, Edinburgh, EH3 7TH	58 South Clerk Street, Newington, Edinburgh, EH8 9PS	No	No	Yes	Restaurant on ground floor of tenement in a commercial parade of shops and restaurant CC LSO BSR	GRANTED Capacity of 44 persons Music condition – no audible nuisance

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
7.	522889	Motor Fuel Limited	Harper Macleod LLP The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE	South Gyle Broadway, South Gyle, Edinburgh	No	Yes	No	<p>The premises are located at South Gyle, Edinburgh EH12 9JY. The premises as a general convenience store adjacent to petrol/derv filling station forecourt. The site has car parking separate from the fuel pumps. The premises do not form part of the nearby retail supermarket premises. The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from, and supplementary to, the offer of petrol/derv. The applicant considers that persons within the locality of the premises are reliant on the premises to a significant extent on the premises as a principal source of petrol or derv or groceries and thereby satisfy the criteria of section 123(5) of the Licensing (Scotland) Act and as such are not excluded premises.</p> <p>CCx2 LSO BSR</p>	<p>GRANTED</p> <p>Capacity of 38.75 linear metres</p> <p>Music condition – no audible nuisance</p> <p>NB Cllr Booth's dissent noted</p>

DECISIONS

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

27 May 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	522899	Motor Fuel Limited	Harper Macleod LLP The Ca'd'oro, 45 Gordon Street, Glasgow, G1 3PE	102 Pilton Drive, Edinburgh, EH5 2HF	No	Yes	No	<p>The premises are located at 102 Pilton Drive, Edinburgh EH5 2HF. The premises as a general convenience store adjacent to petrol/derv filling station forecourt. The site has car parking separate from the fuel pumps. The premises do not form part of the nearby retail supermarket premises. The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from, and supplementary to, the offer of petrol/derv. The applicant considers that persons within the locality of the premises are reliant on the premises to a significant extent on the premises as a principal source of petrol or derv or groceries and thereby satisfy the criteria of section 123(5) of the Licensing (Scotland) Act and as such are not excluded premises.</p> <p>CCx2 LSO BSR</p>	<p>GRANTED</p> <p>Capacity of 22.5 linear metres</p> <p>Music condition – no audible nuisance</p> <p>NB Cllr Booth's dissent noted</p>

DECISIONS

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

OCCASIONAL LICENCE APPLICATIONS

27 May 2024

No	Reference	Premises	Dates and times	Comments	Decision
1.	525790	34 Northumberland Street, Edinburgh	05/06/2024 – 18/06/2024 On Sales: 1200 - 2300 Off Sales: 1000 - 2200	Conditions accepted	GRANTED Applications to be considered by delegated authority for 3 months, noting Board minded to grant Further update expected by November '24 unless full licence has been secured
2.	524690	9 Albert Place, Edinburgh	30/05/2024 – 12/06/2024 On Sales: 1200 - 2200	Conditions accepted	GRANTED Applications to be considered by delegated authority for 3 months, noting Board minded to grant Further update expected by November '24 unless full licence has been secured
3.	526536	36 North Bridge, Edinburgh	31/05/2024 – 13/06/2024 On Sales: 1100 - 2300 Off Sales: 1100 – 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED Applications to be considered by delegated authority for 3 months, noting Board minded to grant Further update expected by November '24 unless full licence has been secured

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4.	526588	4-6 Anderson Place, Edinburgh	08/06/2024 – 21/06/2024 On Sales: 1200 - 0100	Represented by Alistair Macdonald Conditions accepted	GRANTED Board to be updated further by August 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant Board expects future applications to be lodged at least 28 days prior to event date and to include a comprehensive description of activities
5.	525780	6 Manderston Street, Edinburgh	03/06/2024 – 16/06/2024 On sales: 1000 – 0100 Off sales: 1100 - 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED Applications to be considered by delegated authority for 3 months, noting Board minded to grant Further update expected by November '24 unless full licence has been secured
6.	526545	64 Home Street, Edinburgh	31/05/2024 – 13/06/2024 On sales: 1100 - 0100	Represented by Alistair Macdonald Conditions accepted	GRANTED Applications to be considered by delegated authority for 3 months, noting Board minded to grant Further update expected by November '24 unless full licence has been secured

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7.	527189	80 Nicolson Street, Edinburgh	07/06/2024 – 20/06/2024 On sales: 1100 - 0000 Off sales: 1100 – 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED Board to be updated further by August 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant
8.	526167	14 Marshall Street, Edinburgh	08/06/2024 – 21/06/2024 On sales: 1200 - 0100 Off sales: 1200 – 2200	Represented by Alistair Macdonald Conditions accepted	GRANTED Board to be updated further by June 2024 meeting Applications to be considered by delegated authority in the meantime, noting Board minded to grant

DECISIONS

THE CITY OF EDINBURGH LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

PERSONAL LICENCE APPLICATIONS

27 May 2024

New Applications

No	Reference	Applicant	Agent Details	Comments	Decision
1.	505052	Mr King Low	Macdonald Licensing	CC (Continued – February 2024 Licensing Board)	CONTINUED to a future Board meeting
2.	522618	Mr Adam Collinson	John Gaunt & Partners	CC	WITHDRAWN by Agent

List of Outstanding Fees – 2023/2024

	Licence Holder Name	Address of the premises	Outstanding Fee Amount
1	Mrs Carol Williamson	1F90, 87-89 Rose Street Edinburgh EH2 3DZ	£280 Suspended until 24 June 2024 or until payment made. Annual fee paid 28/5/24
2	Mr Dante Cortellessa	122-124 West Granton Road Edinburgh EH5 1PF	£280 paid 16/5/2024. No action.
3	The Partnership of the Claremont Hotel	15 Claremont Crescent Edinburgh EH7 4HX	£220 Revoked.
4	Mr Muhammad Imran	3 Earlston Place Edinburgh EH7 5SU	£220 Suspended until 24 June 2024.
5	Mr Farhat Ahmed	124a-126 Ferry Road Edinburgh EH6 4PG	£220 Suspended until 24 June 2024. NB officers subsequently confirmed premises licence was revoked October 2022
6	ZZZ Trading Ltd	17 Portland Place, Edinburgh EH6 6LA	£280 Paid 10/5/2024 No action.
7	Foodie Edinburgh Limited	43 Broughton Street, Edinburgh EH1 3JU	£280 Revoked.
8	Martin McColl Ltd	120-122 Portobello High Street, Edinburgh EH15 1AH	£280 Revoked.
9	Mr Harem Mohamed Bahir Murdochy	2 Joppa Pans, Edinburgh EH15 2HF	£500 Revoked.
10	Eteaket Ltd	Bf1, 37-39 Frederick Street, New Town Edinburgh EH2 1EP	£500 Revoked.
11	Mr Sanjoy Kumar Saha	66 Portobello High Street Edinburgh	£220

		EH15 1AN	Suspended until 24 June 2024.
12	At Pizza (RM) Limited	188 High Street, Edinburgh EH1 1QS	£280 Revoked.
13	Mr Zaheer Aslam	40 Cockburn Street, Edinburgh EH1 1PB	£280 Suspended until 24 June 2024.
14	Mr Valentino Volante	Police Box 31 Meters Southeast of, 2 Hope Street, New Town, Edinburgh EH2 4DB	£220 paid early May 2024. No action.
15	Wine Retail Ltd	5 Queensferry Street, Edinburgh EH2 4PA	£500 Revoked.
16	Meerab Ltd	35-37 Shandwick Place, Edinburgh EH2 4RG	£500 Payment made 24/5/2024. No action.
17	Webaia Ltd	1 Meadow Place Road, Edinburgh EH12 7TZ	£280 paid early May 2024. No action.
18	The Ferry Brewery Co Ltd	Unit 13, Bankhead Steading 1b Bankhead Road Edinburgh EH30 9TF	£280 Revoked.
19	Kairos Catering Ltd	West Princes Street Gardens, Princes Street, Edinburgh EH2 4AA	£180 Suspended until 24 June 2024.
20	Boe Gin Ltd	35a High Street, South Queensferry EH30 9HW	£280 Revoked.
21	Suryateas & Coffees Ltd	78 Queen Street, Edinburgh EH2 4NF	£280 Revoked.
22	Mr Daniel Rowley	60 Clerk Street, Edinburgh EH8 9JB	£220 Revoked.

23	Wine Retail Ltd	176 Bruntsfield Place, Edinburgh EH10 4DF	£500 Revoked.
24	Stefano Molfino & Mrs Maria Molfino	27 South Clerk Street, Edinburgh EH8 9JD	£280 paid in October 23 No action.
25	Wine Retail Ltd	94-96 Brunswick Street, Edinburgh EH7 5HU	£280 Revoked.
26	Mrs Charlotte Thompson	1 North West Circus Place, Edinburgh EH3 6ST	£280 Paid 13/5/2024 No action.
27	Rocco Foods Limited	17a Grindlay Street, Old Town, Edinburgh EH3 9AX	£500 Revoked.
28	Mr Mark Galloway	29-33 Dublin Street, New Town Edinburgh, EH3 6NL	£500 Suspended until 24 June 2024.
29	Elaia Limited	18 Howe Street, Edinburgh EH3 6TG	£500 Fees paid 23/5/2024 No action.
30	Borough Murray Limited	50-54 Henderson Street, Edinburgh EH6 6DE	£280 Fees paid 21/5/2024. No action.
31	Mr Parmjit Singh Sandher	117 Dundee Street, Fountainbridge, Edinburgh, EH11 1AX	£220 Paid early May 2024. No action.
32	OMOA Limited	1 Lawhouse Toll, Edinburgh EH15 3RH	£900 paid early May 2024. No action.
33	OMOA Limited	513 Queensferry Road, Ravelston Edinburgh EH4 7QD	£500 Paid Early May 2024 No action.
34	DT Edinburgh Opco Limited	19 North Bridge, Edinburgh EH1 1SD	£900 Paid Early May 2024. No action.

Applications called for 09:45

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	527940	The City Of Edinburgh Council	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	Usher Hall, 69 Lothian Road, Edinburgh, EH1 2EA	Yes	No	No	To amend Q5(c) to include films during and outwith core licensed hours. In Q6(e) remove the wording "Children will be kept at least 1m from the frontage of all bar areas." Amend the layout plan to account for the inclusion of additional bar and servery areas on the Stalls and Grand Circle. CC LSO NHS	

Applications called for 09:45

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	522794	The Ambassador Theatre Group (Venues) Limited	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	18-20 Greenside Place, Greenside, Edinburgh, EH1 3AA	Yes	No	No	Amend description of premises to read "Theatre and café bar located in the City Centre of Edinburgh". Integration of neighbouring unit (Café Habana) into licensed footprint of Playhouse Theatre, layout plan to be amended. On sales capacity to increase to 3213. To amend Q5(d&c) to add dance facilities and outdoor drinking as an activity during and outwith core licensed hours. To add wording to Q5 (additional text box) "The café/restaurant may open from 8am for the provision of teas, coffees, breakfasts etc." and add wording to Q6(b) terms under which children and young persons are allowed entry, " Children under 15 will be permitted access when accompanied by an adult for the purpose of consuming a meal or snack or attending a function. Young persons will be permitted unaccompanied for the purpose of consuming a meal or snack or attending a function". CC LSO BSR NHS	

Applications called for 10:00

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	527518	Soco Catering Co. Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	85-87 South Bridge, Edinburgh, EH1 1HN	No	No	Yes	To increase the on sale hours to 3am each day in the lower restaurant only, to restrict the 9am commencing time for on sales to the ground floor restaurant and only sold or supplied with a breakfast. To add karaoke as an additional activity in the lower floor restaurant only. CC LSO NHS	

Applications called for 10:00

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	527260	Pizza Pilgrims Limited	Brodies LLP 58 Morrison Street, West End, Edinburgh, EH3 8BP	7-15 Rose Street, New Town, Edinburgh, EH2 2PR	No	No	Yes	To transfer the licence; Question 1: 1(a) change to "NO" & 1(c) change to "YES". Include off sales Monday to Sunday 11am to 10pm. Add to Question 5(f)any other activities: "theme events/nights, video games." & "A takeaway facility will be provided prior to and during core licensed hours for persons attending the premises and telephone/online orders for collection/delivery. Alcohol will only be sold as part of the takeaway facility when included with a food order." Question 6(b): Remove "and young persons" after Children in the first paragraph; and add following wording after the first paragraph: "Young Persons will be allowed on the premises unaccompanied." Question 7: Insert the following: "Offsales: Ground floor 6.24m ² , 2.6 linear metres. First floor 6.72m ² , 2.8 linear metres".Reconfiguration of seating, bar, toilets, inclusion of outside seating area.Change the description of the premises. CCx2 LSO BSR NHS	

Applications called for 10:00

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	520487	ECF Omni SARL	TLT Solicitors 9th Floor, 41 West Campbell Street, Glasgow, G2 6SE	Unit 9, Omni Centre, 61 Leith Street, New Town, Edinburgh, EH1 3AU	No	No	Yes	Restaurant premises located within Omni, a purpose built leisure development in the heart of the City Centre, adjacent to the Playhouse Theatre and near to the St James Quarter development. CCx2 LSO BSR NHS	

Applications called for 10:30 and 11:00**THE CITY OF EDINBURGH LICENSING BOARD****LICENSING (SCOTLAND) ACT 2005****NOTICE OF APPLICATIONS - Provisional PREMISES LICENCE APPLICATIONS****24 June 2024**

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	525509	Blacket Holdings Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	28 Deanhaugh Street, Edinburgh, EH4 1LY	No	No	Yes	Restaurant premises located on upper ground floor and basement on Deanhaugh Street, Stockbridge CCx2 LSO BSR Ox10	
2.	525396	The Resident Edinburgh Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	Meldrum House, 15 Drumsheugh Gardens, New Town, Edinburgh, EH3 7QG	No	No	Yes	Hotel premises located over nine floors on Drumsheugh Gardens, close to the junction with Queensferry Street. CCx2 LSO BSR NHS Ox3	

Applications called for 11:00

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	525417	Mr Thunraj Valentino Singh	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	101 Canongate, Edinburgh, EH8 8BP	No	Yes	No	Purpose built shop unit, on ground floor of building on Canongate, Edinburgh CCx2 LSO BSR NHS Ox2	
4.	527824	Mrs Lynsey Bozkurt	Macdonald Licensing Bf, 21 Rutland Square, West End, Edinburgh, EH1 2BB	13 Crighton Place, Albion, Edinburgh, EH7 4NY	No	No	Yes	Cafe premises located over ground and basement levels with an outside area. This is on Crighton Place, part of Leith Walk. Also offering retail and takeaway facility. CCx2 LSO BSR Ox1	

Applications called for 11:30

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
5.	524138	SLM3 Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	118 Spring Gardens, Abbeyhill, Edinburgh, EH8 8EY	No	Yes	No	Takeaway located on the ground floor of premises on Spring Gardens in the Abbeyhill area of Edinburgh. CCx2 LSO BSR	
6.	527771	Mr Rashid Ahmed	Macdonald Licensing Bf, 21 Rutland Square, West End, Edinburgh, EH1 2BB	133 Princes Street, New Town, Edinburgh, EH2 4AH	No	Yes	No	General convenience store CCx2 LSO BSR NHS	
7.	524438	Mr Yousef Nassif	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	20 Marshall Street, Newington, Edinburgh	No	No	Yes	Restaurant located on ground floor and lower ground floor of building on Marshall Street, at the corner of Nicolson Square. CCx2 LSO BSR NHS	

Applications called for 12:00

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

24 June 2024

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
8.	525855	Arc Inspirations Limited	Brodies LLP 58 Morrison Street, West End, Edinburgh, EH3 8BP	28 Rose Street, New Town, Edinburgh, EH2 2QA	No	No	Yes	High quality restaurant/cocktail bar comprising ground and basement floors situated in Edinburgh city centre. CCx2 LSO BSR NHS	
9.	526996	City of Edinburgh Council	Hill Brown Licensing The Forsyth Building, 5 Renfield Street, Glasgow, G2 5EZ	City Arts Centre, 4 Market Street, Edinburgh, EH1 1DE	No	No	Yes	Museum & Art Gallery located in the heart of Edinburgh City Centre. The premises are over 10 floors with a shop and cafe (not part of the licensed area) on the ground floor. They offer spaces for corporate events and weddings. CCx2 LSO BSR NHS	

Applications called for 13:30**THE CITY OF EDINBURGH LICENSING BOARD**
LICENSING (SCOTLAND) ACT 2005**OCCASIONAL LICENCE APPLICATIONS****24 June 2024**

No	Reference	Premises	Dates and times	Comments	Decision
1.	524883	18 South Clerk Street, Edinburgh	27/06/2024 – 10/07/2024 On Sales: 1100 - 0100 Off Sales: 1100 - 2200	Conditions accepted	
2.	526741	6 Brandon Terrace, Edinburgh	01/07/2024 – 14/07/2024 Off Sales: 1000 - 2200	Conditions accepted	
3.	529123	314 Morningside Road, Edinburgh	05/07/2024 – 18/07/2024 Off Sales: 1000 – 2200	Represented by Niall Hassard Conditions accepted	
4.	530182	10 Jeffrey Street, Edinburgh	05/07/2024 – 18/07/2024 On Sales: 1100 – 2300 Off sales: 1100 - 2200	Represented by Alistair Macdonald Conditions accepted	
5.	527182	128 Leith Walk, Edinburgh	28/06/2024 – 11/07/2024 Off sales: 1000 - 2200	Represented by Alistair Macdonald Conditions accepted	
6.	529223	167-171 Dundee Street, Edinburgh	05/07/2024 – 18/07/2024 On sales: 1200 – 0000 Off sales: 1200 - 2200	Represented by Alistair Macdonald Conditions accepted	

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

7.	527840	1-7 Montrose Terrace, Edinburgh	27/06/2024 – 10/07/2024 On sales: 1100 - 0100 Off sales: 1000 – 2200	Represented by Alistair Macdonald Conditions accepted	
8.	530399	54b Main Street, Edinburgh	01/07/2024 – 14/07/2024 Off sales: 1000 – 2200	Represented by Alistair Macdonald Conditions accepted	

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.
- 2.5. Details of premises for which requests have been made will be attached to this report. Provisional licence expiry details will be confirmed at the Board meeting, if not set out as attached.
- 2.6. In some instances, the premises for which extensions have been requested have been operating by means of occasional licences issued by the Board, as permitted by the Act. The Board may wish to seek further information from licence holders and their agents, in the event of there being longer term use of occasionals, in line with the terms of the Board's newly adopted policy.

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

- 1.1 32 South Clerk Street – extended by Board March 2024 (current expiry is 30th June 2024)
- 1.2 29-30 South Bridge – extended by Board March 2024 (current expiry is 30th June 2024)
- 1.3 12 High Street – extended by Board March 2024 (current expiry is 30th June 2024)
- 1.4 59-63 George IV Bridge - extended by Board March 2024 (current expiry

is 30th June 2024)

- 1.5 215 St John's Road – extended by Board February 2024 (current expiry is 30th June 2024)
- 1.6 151-153 Lothian Road– extended by Board April 2024 (current expiry is 31st July 2024)
- 1.7 95 George Street – extended by Board February 2024 (current expiry is 30th June 2024)
- 1.8 165 Lothian Road – extended by Board January 2024 (current expiry is 30th June 2024)
- 1.9 120 Dundas Street - extended by Board January 2024 (current expiry is 30th June 2024)
- 1.10 3 Elm Row - extended by Board January 2024 (current expiry is 30th June 2024)
- 1.11 49 Forrest Road - extended by Board January 2024 (current expiry is 30th June 2024)
- 1.12 227 Portobello High Street – extended by Board February 2024 (current expiry is 31st August 2024)

Depute Clerk of the Licensing Board

PREMISES LICENCE REVIEW HEARINGS – NON-PAYMENT OF ANNUAL PREMISES LICENCE FEES – 2023/24

1. Purpose

- 1.1 To provide details of premises where annual fees for 2023/24 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 is 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 details of premises with outstanding fees at its meeting on 29th April 2024 and agreed it was necessary to schedule review hearings for premises where fees remained outstanding.
- 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 LSOs have provided 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.

3. Recommendation

- 3.1 The Board is asked:-
 - (a) To hold review hearings for each of the premises where annual fees remain outstanding;

PREMISES LICENCE REVIEW HEARINGS – NON-PAYMENT OF ANNUAL
PREMISES LICENCE FEES – 2023/24

- (b) To decide what action requires to be taken in each case, having regard to the licensing objectives.

4. Background Papers

- 4.1 Premises with details of outstanding annual licence fees – 2023/24

Depute Clerk of the Licensing Board