

THE CITY OF EDINBURGH LICENSING BOARD

MINUTES OF MEETING

MONDAY 28th NOVEMBER 2011

Members present: Councillors Thomas (Convener), Day, Hawkins, Bridgman, McKay, Paisley, Barry, Balfour

1. Licensing (Scotland) Act 2005 – list of applications, representations etc

Applications in terms of the Licensing (Scotland) Act 2005 were submitted.

The Board resolved that these be determined in accordance with the list as signed by the Convener and appended to these minutes.

2. Licensing (Scotland) Act 2005 – section 37 Premises licence review proposal – 74 South Bridge, Edinburgh

The Clerk circulated a report advising of a proposal for review of the premises licence, following concerns expressed by the City of Edinburgh Council's Building Standards Officers about alterations being carried out to the premises. The Board had previously considered and granted an application for variation of the premises licence.

The Board heard from Alistair Macdonald on behalf of the premises licence holder and noted that there was now agreement with Building Standards Officers with regard to amended layout plans for the premises. The Board agreed that there were grounds for review of the premises licence and resolved to vary the premises licence, substituting the new layout plans.

3. Confirmation of Licensing Hours during Festive Period

The Clerk circulated a report reminding the Board of the terms of its Statement of Licensing Policy regarding the two hour extension to terminal hour for premises licences where provision had been made in their operating plans, for the festive period. The Clerk confirmed the festive period as operating from 18th December to 3rd January in each year and that, where provision was made, for this year the two hour extension would commence into the early hours of Monday 19th December 2011 and would end into the early hours of Wednesday 4th January 2012.

4. Alcohol Minimum Pricing Bill – Call for Written Evidence

The Clerk circulated a report seeking the Board's approval of the terms of a response to the Scottish Government's questionnaire on the general principles of the Alcohol (Minimum Pricing) (Scotland) Bill.

The Board noted the terms of the suggested response and was in general agreement that the response reflected the Board's view on the terms of the Bill.

The Convener, seconded by Councillor Hawkins, moved that the Board should adopt the terms of the suggested response as stated.

Councillor Barry moved as an amendment that in light of the additional income generated from the adoption of minimum pricing, the Board would welcome an indication as to the use of that income, with particular regard to health and alcohol awareness education.

Following further discussion, the Board agreed to incorporate the terms of the amendment within its response to the consultation.

(Appendix – Response to Consultation)

5. Supplementary Statement of Licensing Policy 2011 – Overprovision

The Clerk circulated a report seeking the Board's decision on a proposed amendment to its current Statement of Licensing Policy with regard to consideration of overprovision.

The Clerk summarised the Board's recent consideration of its overprovision assessment as currently contained in the policy statement. He reminded the Board that it had given an indication in its current policy statement that further consideration of overprovision would be forthcoming.

The Clerk referred to the terms of detailed statistical analysis provided to the Board by NHS Lothian, working with the Edinburgh Alcohol and Drug Partnership, detailed by reference to localities in the Board's area.

With particular regard to the current terms of the policy statement, the Clerk provided a suggested amended wording (paragraph 9.3 of the statement), taking account of the Board's considerations of overprovision, advising the Board that any amendment to the policy statement would require a process of consultation.

The Board agreed to consult on the terms of the proposed amendment to paragraph 9.3, with a view to considering responses at its meeting scheduled for 20th February 2012.

(Appendix – draft paragraph 9.3 – Statement of Licensing Policy)

Councillor Marjorie Thomas
Convener

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
PERSONAL LICENCE APPLICATIONS
28 November 2011

No	Reference	Applicant	Agent Details	Remarks	Decision
1.	11/17599	Craig Fisher		CCO	GRANTED

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS – VARIATION OF PREMISES LICENCE APPLICATION
31 OCTOBER 2011

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
2.	11/15723	Saltire Taverns Limited	Lindsays WS Caledonian Exchange 19a Canning Street Edinburgh EH3 8HE	16 George Street Edinburgh EH2 2SL (Le Monde)	No	No	Yes	Extend terminal hour to 3am for function suite only, allow restaurant and bar meals outwith core hours, amend wording to live entertainment activity, amend terms for access for children and amend description of premises. CCO SFC	GRANTED WITH AMENDMENTS AND CONDITIONS
3.	11/15336	Greene King Retailing Limited	Belhaven Brewery Company Limited Atrium House 6 Back Walk Stirling FK8 2QA	72 - 74 Newington Road Edinburgh EH9 1QN (Steamie)	No	No	Yes	Change children and young persons statement for times which they are allowed entry to 9pm or end of meal or private event CCO BSR	GRANTED WITH AMENDMENT – CHILDREN TO 21.00 HOURS

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS – VARIATION OF PREMISES LICENCE APPLICATION
28 NOVEMBER 2011

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
4.	11/17651	Heineken UK Limited	Morton Fraser Quartermile Two 2 Lister Square Edinburgh EH3 9GL	2 - 4 Broadway Park Edinburgh EH12 9JQ (Heineken UK Limited)	N	N	Y	Include Live Performances, Theatre and Indoor Sports as activities; Change address for DPM	GRANTED
5.	11/16732	Whitbread Restaurants Limited	John Gaunt & Partners Omega Court 372-374 Cemetary Road Sheffield S11 8FT	7 Builyeon Road South Queensferry EH30 9YJ (The Queens Crossing & Premier Inn)	N	N	Y	Increase core hours for on and off sales; include seasonal variations; include external area within licensed area; increase capacity; amend children's access	GRANTED SUBJECT TO FINAL INSPECTION
6.	11/17365	Waitrose Limited	Brunton Miller 22 Herbert Street Glasgow G20 6NB	38 Comely Bank Edinburgh EH4 1AG (Waitrose)	N	Y	N	Increase hours for sale of alcohol to 22:00 hrs Monday - Sunday; remove reference to commencement of trading hours in activities	GRANTED
7.	11/17890	Deltahill Limited	Warners Attn Craig Innes 26 George Square Edinburgh EH8 9DL	37 - 39 Cowgate Edinburgh EH1 1JR (Budget Backpackers Hostel)	Y	N	N	Include Live Performances and Indoor/outdoor sport during core hours; amend access for children; increase capacity	CONTINUED TO DECEMBER 2011

8.	11/17768	Niclfepach Limited	Macdonald Licensing Solicitors 21a Rultand Square EDINBURGH EH1 2BB	23 Edinburgh Road Edinburgh EH30 9HR (Bella Vista)	N	N	Y	Increase on sales hours to 09:00 - 01:00 hrs Monday - Saturday and 12:30 - 23:00 hrs Sunday; include off sales, live performances, TV sport, outdoor drinking, deliveries, takeaways and outside catering. Amend access for children; change DPM	PARTIAL GRANT AND SUBJECT TO FINAL INSPECTION WITH CONDITION AND THE L.H.C AMENDMENT TO BE REFERRED TO COMMITTEE
9.	11/17877	Hakki Ciloglu	Macdonald Licensing Limited 21a Rutland Square Edinburgh EH1 2BB	107 - 109 Fountainbridge Edinburgh EH3 9QG (Topkapi Turkish Kebab House)	Y	N	N	Increase terminal hour for on sales to 03:00hrs Sunday to Thursday and 04:00 hrs Friday & Saturday	L.H.C AMENDMENT TO BE REFERRED TO COMMITTEE AND CONTINUED TO DECEMBER 2011
10.	11/17807	Caledonian Heritable Limited	Caledonian Heritable Limited 4 Hope Street Edinburgh EH2 4DB	437 Gorgie Road Edinburgh EH11 2RT (Horseshoe Inn)	N	N	Y	Amend Ages for children's access	GRANTED
11.	11/17227	Rock Stock Limited	Lindsays WS Caledonian Exchange 19a Canning Street Edinburgh EH3 8HE	97A Hanover Street Edinburgh EH2 1DJ (Garibaldi's)	Y	N	N	Increase terminal hour to 03:00 hrs	GRANTED FOR 3 MONTHS

12.	11/17656	City Centre Restaurants (UK) Limited	McGrigors LLP 141 Bothwell Street Glasgow G2 7EQ	130 High Street Edinburgh EH1 1QS (Garfunkels)	N	N	Y	Increase occupant capacity; allow Bar Meals, Club & Group Meetings, Live Performances, Dance Facilities as activities, internal reconfiguration to include function room	GRANTED WITH AMENDMENT - OUTSIDE AREA TO 22.00 HOURS
13.	11/17657	City Centre Restaurants (UK) Limited	McGrigors LLP 141 Bothwell Street Glasgow G2 7EQ	144 High Street Edinburgh EH1 1QS (Garfunkles Coffee Shop)	N	N	Y	Amend commencement hour to 09:00 daily; decrease capacity; amend access for children; decrease capacity; allow Restaurant Facilities, Receptions, Recorded Music and Outside Drinking outwith core hours; internal refurbishment	GRANTED WITH AMENDMENTS TO COMMENCEMENT HOUR AND OUTSIDE AREA TO 22.00 HOURS
14.	11/17922	Whitbread Group Plc	John Gaunt & Partners Omega Court 372 Cemetery Road Sheffield S11 8FT	Land 373 Metres South East Of 1 Lochside Way Edinburgh EH12 9DT (Premier Inn)	N	N	Y	Increase capacity; amend times for children	GRANTED
15.	11/16657	Jewel & Esk Commercial Enterprises Limited	Tods Murray 133 Fountainbridge Edinburgh EH3 9AG	24 Milton Road East Edinburgh EH15 2PP (Jewel And Esk College - Auditorium Building)	Y	N	N	Include bar meals and indoor/outdoor sports; include other activities; amend access for children	GRANTED

16.	11/17366	Waitrose Limited	Brunton Miller 22 Herbert Street Glasgow G20 6NB	145 Morningside Road Edinburgh EH10 4AX (Waitrose)	N	Y	N	Increase hours for sale of alcohol to 22:00 hrs Monday - Sunday; remove reference to commencement of trading hours in activities	GRANTED
17.	11/17884	Whitbread Restaurants Limited	John Gaunt & Partners Omega Court 372 Cemetary Road Sheffield S11 8FT	51 - 53 Newhaven Place Edinburgh EH6 4TX (The Newhaven Quay)	N	N	Y	Increase core hours for on sales; include external area within licensed area; amend rules for children; amend capacity	GRANTED SUBJECT TO A FINAL INSPECTION
18.	11/17169	Greene King Brewing And Retailing Limited	Belhaven Pubs Atrium House 6 Back Walk Stirling FK8 2QA	1 Ratcliffe Terrace Edinburgh EH9 1SX (Swany's)	N	N	Y	Increase terminal hour on Sundays to 01:00 hrs; allow live performances in lounge area	GRANTED
19.	11/17885	Barshelf 2 Limited	TLT LLP One Redcliffe Street Bristol BS1 6TP	26 - 28 Shandwick Place Edinburgh EH2 4RT (Grosvenor)	N	N	Y	Extend commencement hour to 10:00 hrs Monday - Saturday; extend terminal hour to 02:00 hrs Friday & Saturday	WITHDRAWN
20.	11/17054	Mumtaz Ali	Macdonald Licensing Limited 21a Rutland Square EDINBURGH EH1 2BB	43 - 44 South Bridge Edinburgh EH1 1LL (Price Crushers)	N	Y	N	Increase alcohol display area	CONTINUED TO DECEMBER 2011
21.	11/17883	22 - 26 South Clerk Street Limited	Macdonald Licensing Solicitors 21a Rutland Square EDINBURGH EH1 2BB	22 - 26 South Clerk Street Edinburgh EH8 9PR (Southern Bar)	N	N	Y	Increase terminal hour to 01:00 hrs, allow recorded music; allow certain activities prior to core hours without the sale of alcohol	CONTINUED TO DECEMBER 2011

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS – CONTINUED NEW PREMISES LICENCE APPLICATION
28 NOVEMBER 2011

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
22.	11/14291	Mustafa Yildrim	Mustafa Yildrim Flat 10 1 New Cut Rigg Edinburgh EH6 4QR	52 West Richmond Street Edinburgh EH8 9DZ (The Richmond Cafe)	Yes	No	No	CCO BSR	GRANTED

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LICENSING (SCOTLAND) ACT 2005
NOTICE OF APPLICATIONS – NEW PREMISES LICENCE APPLICATION
28 NOVEMBER 2011

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
23.	11/17734	The Partnership Of Bellevue Newsagents	Macdonald Licensing Solicitors 21a Rutland Square Edinburgh EH1 2BB	42 Bellevue Road Edinburgh EH7 4DB (Provisional)	N	Y	N		GRANTED WITH AMENDMENT – PREMISES CLOSES AT 20.00 HOURS
24.	11/16880	Naseem Aslam	Macdonald Licensing Solicitors 21a Rutland Square Edinburgh EH1 2BB	313 Cowgate Edinburgh EH1 1NA (Provisional)	N	Y	N		REFUSED

25.	11/17065	Tesco Stores Limited	Hill Brown Licensing 3 Newton Place Glasgow G3 7PU	76 Haymarket Terrace Edinburgh EH12 5LQ (Tesco Express) (Provisional)					CONTINUED TO DECEMBER 2011
26.	11/17255	Sainsbury's Supermarkets Limited	Shepherd & Wedderburn WS 1 Exchange Crescent Conference Square Edinburgh EH3 8UL	10 Inglis Green Road Edinburgh EH14 2ER (Sainsbury's Store) (Provisional)	N	Y	N		CONTINUED TO DECEMBER 2011
27.	11/17789	Prince Parvelikkudy Pathrose		62 Morningside Road Edinburgh EH10 4BZ (Morningside News) (Provisional)	N	Y	N		GRANTED
28.	11/17878	E & L (Scotland) Limited	Macdonald Licensing Solicitors 21a Rutland Square Edinburgh EH1 2BB	370 - 372 Morningside Road Edinburgh EH10 5HS (Provisional)	N	N	Y		GRANTED
29.	11/17843	Majestic Wine Warehouses Limited	Brodies LLP 15 Atholl Crescent Edinburgh EH3 8HA	Unit 2 517 - 525 Queensferry Road Edinburgh EH4 7QD (Majestic Wine Warehouse) (Provisional)	N	Y	N		GRANTED
30.	11/17880	The Firm Of France Tradition	Macdonald Licensing Solicitors 21a Rutland Square Edinburgh EH1 2BB	13 Randolph Crescent Edinburgh EH3 7TT (Cafe/Restaurant At French Institute) (Provisional)	Y	N	N		GRANTED WITH MUSIC CONDITION AND OPERATING CONDITION