

THE CITY OF EDINBURGH LICENSING BOARD

MINUTES OF MEETING

23rd MARCH 2015

Members present: Councillors Eric Milligan (Convener); Gavin Barrie; Chas Booth; Nick Cook; Cammy Day; Vicki Redpath; Norman Work

Police Officers present: Inspector Dianne Bruce

**Council Officers present: Colin Baxter (Licensing and Trading Standards Manager); Muir Somerville (Team Manager – Building Standards); Colin McCulloch (Building Standards)
Depute Clerk: Morag Leck**

1. Minutes of meeting of 23rd February 2015

The minutes and decision lists from the meeting of 23rd February 2015 were considered and approved as providing an accurate record of that meeting.

2. Gambling Act 2005 – Application for Licensed Premises Gaming Machine Permit (More than 2 Category C/D Machines)

The Depute Clerk reported on an application for Licensed Premises Gaming Machine Permit, which was considered as follows:

278839	Barshelf 2 Limited	Gamestec Leisure Limited B10 Wira House Wira Business Park Ring Road Leeds LD16 6EB	35 Hanover Street Edinburgh EH2 2PJ	Two areas within the downstairs bar, the toilets and the routes to access them.	4	approved
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3. List of applications for personal licences, premises licences, variation of existing premises licences, representations etc

The Board considered three applications for Personal Licences, fifteen applications for variation of premises licence and six applications for Provisional/Premises licences, the decisions for which are detailed in the decision list appended to these minutes

NHS Lothian representations

None

4. Premises Licence review application – 15 Frederick Street, Edinburgh

The Depute Clerk referred to the application for review of the premises licence which had been considered by the Board on a number of occasions. The Board agreed to a final continuation of the matter, to its meeting on 27th April 2015.

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

5. Premises Licence Ceasing to Have Effect – 95 South Bridge, Edinburgh

The Depute Clerk advised of premises where the licence holder had been sequestrated, which in terms of the 2005 Act caused the premises licence to cease to have effect. The Board agreed to note that the premises licence for 95 South Bridge had, on that basis, ceased to have effect.

6. Premises Licence Annual Fees – update by Clerk

With reference to item 9 of the minutes of meeting of 23rd February 2015, the Depute Clerk referred again to the mandatory condition of all premises licences that annual fees were paid timeously. She advised the Board that it been intended that a report, providing details of premises where fees were still to be paid, would be presented to the Board but that it had not been possible to obtain the information for the March meeting. The Board agreed that this matter should be continued, with the information to be provided to the April meeting.

7. Personal Licence Holders – Refresher Training – Section 87 – update by Clerk

With reference to item 5 of the minutes of the meeting of 23rd February 2015, the Depute Clerk advised the Board of the continuing requirement for Personal Licence holders to ensure completion of refresher training and notification to the Board within statutory timescales. She advised that it had been hoped to provide the Board with more details of notifications received, and instances where personal licences would have to be revoked, but that it had not been possible to obtain the information for the March meeting. The Board agreed that this matter should be continued, with the information to be provided to the April meeting.

8. Improving Equalities Outcomes and Mainstreaming the Public Sector Equality Duty

The Depute Clerk referred to the work which had been done to ensure that the Board as a public body to comply with the requirements of the Equality Act 2010, in relation to improving equalities outcomes and mainstreaming the Public Sector Equality Duty. The Board consulted the Forum on the terms of a proposed draft Equality Policy document which had been prepared in this regard.

The final version of the policy and associated documentation was now ready for approval. The Board heard also from Wendy Henderson, Diversity and Equalities Manager (SfC) on the work which would be undertaken if the policy were to be approved. Thereafter the Board agreed to adopt the policy and the proposed equalities outcomes and agreed that these should be published as soon as possible.

Councillor Eric Milligan
Convener of the Licensing Board

DECISION LIST

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
CONTINUED VARIATION TO PREMISES LICENCE APPLICATIONS
23 MARCH 2015

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
1.	272668	Innlaw Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	27-29 Marshall Street, Edinburgh, EH8 9BJ	No	No	Yes	Increase terminal hour for on sales to 01:00 hrs Allow activities to take place prior to licensed hours (but not before 08:00 hrs), or during seasonal variations or with the benefit of any extended hours application Include deliveries/takeaways outside catering. Amend childrens access. Include external area within licenced area CCO SFC	Request has been lodged to continue to April 2015 meeting CONTINUED TO APRIL
2.	281296	Spirit Pub Company (Inns) Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	16-20a Morrison Street, Edinburgh, EH3 8BJ	No	No	Yes	Amend children and young persons access to allow them on the premises until 10pm or for the duration of a function. CCO SFC	GRANTED WITH AMENDMENT TO INCLUDE THE WORD PRIVATE FOR FUNCTIONS

DECISION LIST

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
VARIATION OF PREMISES LICENCE APPLICATIONS
23 MARCH 2015

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
3.	286036	Cafe Piccante Limited	Andrew D Williams WS 24 Canning Street, Edinburgh, EH3 8EG	19 Broughton Street, Edinburgh, EH1 3JU	Yes	No	No	To permit restaurant facilities outwith Licensed Hours To permit recorded music outwith Licensed Hours To allow premises to open from 05:00 hrs without the sale of alcohol To permit takeaways and home deliveries whenever premises are open CCO SFC	GRANTED WITH AMENDMENT TO COMMENCEMENT HOUR – PREMISES TO OPEN AT 6.30AM DURING FESTIVAL AND CHRISTMAS PERIOD
4.	285929	Gard Investments Limited	Caledonian Heritable Limited 4 Hope Street, Edinburgh, EH2 4DB	683A Ferry Road, Edinburgh, EH4 2TX	No	No	Yes	Transfer / Commence on and off sales from 11am on a Sunday and change named manager CCO	CONTINUED TO APRIL
5.	285915	Frederick Street Investments Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	24a Frederick Street, Edinburgh, EH2 2JR	Yes	No	No	To increase capacity to 490 Approve internal reconfiguration CCO BSR	GRANTED
6.	285881	Centotre Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	103 George Street, Edinburgh, EH2 3ES	No	No	Yes	To commence on and of sale hours from 11am on a Sunday CCO	GRANTED

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7.	285844	Punch Partnership Limited	Lindsays 4f - 5f, 19a Canning Street, Edinburgh, EH3 8HE	316-320 Gorgie Road, Edinburgh, EH11 2QZ	No	No	Yes	Allow certain activities outwith core hours. Include activities conference facilities, restaurant, receptions, theatre, corporate and community events, tastings, product launches, catering, takeaway coffee/breakfasts and childrens access. Change manager, delete adult entertainment, amend description of premises to Bar/Cafe and internal reconfiguration CCO SFC BSR O	CONTINUED TO APRIL
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8.	286001	Civerinos Edinburgh Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	5 Hunter Square, Edinburgh, EH1 1QW	No	No	Yes	Increase terminal hour to 03:00 hrs; include outside area within licensed footprint; Add takeaways, deliveries and outside catering as activities; Provide for a stance selling takeaway food(subject to the obtaining of a street traders licence if necessary) within the outside area which forms part of the licensed premises; Change DPM CCO SFC BSR O	ONLY INCREASE IN TERMINAL HOUR AND CHANGE OF MANAGER GRANTED THE REMAINDER WAS REFUSED
9.	284937	Caledonian Heritable Limited	Caledonian Heritable Limited 4 Hope Street, Edinburgh, EH2 4DB	17 Iona Street, Edinburgh, EH6 8SG	No	No	Yes	Include outdoor drinking and live performances as activities Situated in a tenement building, this outlet has residential properties above. On ground floor level, there is a main bar area, a separate side room and male & female toilets. The cellar is situated in the basement CCO SFC	GRANTED WITH AMENDMENT - OUTDOOR AREA TO 10PM ONLY

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10.	285937	Corte Leisure Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	3 Jordan Lane, Edinburgh, EH10 4RB	No	No	Yes	<p>To increase on sale hours on Wednesday, Thursday and Sunday from midnight to 1am.</p> <p>To add Deliveries, Takeaways and Outside Catering as Activities.</p> <p>To increase the capacity to 150. To amend the provisions for access by children and young persons, so that children under 11 must be accompanied at all times, but children over 11 can be unaccompanied if playing snooker or pool until 6pm; children will require to vacate the premises by 11pm, young persons require to vacate the premises by 1am, but there is no restriction subject to management discretion, if attending a pre-booked function.</p> <p>CCO SFC BSR O</p>	CONTINUED TO APRIL
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11.	284427	City of Edinburgh Council	Hill Brown Licensing 3 Newton Place, Glasgow, G3 7PU	Church Hill Theatre, 33 Morningside Road, Edinburgh, EH10 4DR	No	No	Yes	To extend on sales terminal hour until 2am each night. To allow off sale purchases of alcohol (10am-10pm Monday to Sunday) CCO SFC	TERMINAL HOUR OF 2AM WAS REFUSED THE REMAINDER OF APPLICATION WAS GRANTED
12.	285946	Gondola Restaurants Limited	Pinsent Masons LLP 141 Bothwell Street, Glasgow, G2 7EQ	9 Shandwick Place, Edinburgh, EH2 4RG	No	No	No	Increase Capacity to 180 Addition of external seating area to the front of premises CCO SFC BSR	CONTINUED TO APRIL
13.	285976	Anglepark Leisure Limited	Macdonald Licensing 21a Rutland Square, Edinburgh, EH1 2BB	99 Slateford Road, Edinburgh, EH11 1QY	Yes	No	No	To amend the condition on the Licence relating to the terminal hours for the sale of alcohol at 18th or 21st Birthday Functions, from 11pm to midnight, with the premises to be cleared of patrons by 00.30am CCO SFC	REFUSED WITH A DIRECTION OF 6 MONTHS

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14.	285882	MMN Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	74 South Bridge, Edinburgh, EH1 1HN	No	No	Yes	To increase on sales hours on Friday (into Saturday) and Saturday (into Sunday) to 3am. To commence on sale and off sale hours on a Sunday from 11am. To provide for Live Music Events. Premises are a cafe bar with food services CCO SFC	CONTINUED TO APRIL
15.	285962	Summerhall Distillery Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	1 Summerhall, Edinburgh, EH9 1PL	No	Yes	No	To increase the alcohol display area to 10.4 linear metres. To increase the licensed premises in terms of an additional room, used for bottling, labelling etc as shown on the plan. To add "Tours and Educational Lectures" as Activities. The Premises are within the Summerhall Building , originally the Royal Dick Veterinary College. BSR	GRANTED

DECISION LIST

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
NEW PREMISES LICENCE APPLICATIONS
23 MARCH 2015

No	Reference	Applicant	Agent Details	Premises	On Sale	Off Sale	On & Off Sale	Remarks	Decision
16.	285757	Signature Pubs Limited	Lindsays 19a Canning Street, Edinburgh, EH3 8HE	32 Castle Street, Edinburgh (Provisional)	No	No	Yes	Restaurant and Lounge Bar over two floors CCO SFC BSR O	GRANTED WITH MUSIC CONDITION
17.	285940	The Edinburgh Woollen Mill Limited	TLT LLP 140 West George Street, Glasgow, G2 2HG	11 High Street, Edinburgh, EH1 1SR (Provisional)	No	Yes	No	High Street Scottish Tourist Store selling a wide range of clothing, woollen goods, gifts and tourist items including speciality liquor. CCO SFC BSR	GRANTED WITH MUSIC CONDITION
18.	285952	A Crolla & Son (Catering) Limited	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	113-117 Lothian Road, Edinburgh, EH3 9AN (Provisional)	No	No	Yes	Restaurant premises located on the ground floor in a tenement on Lothian Road CCO SFC BSR	GRANTED WITH MUSIC CONDITION

DECISION LIST

THE CITY OF EDINBURGH LICENSING BOARD
LICENSING (SCOTLAND) ACT 2005
PERSONAL LICENCE APPLICATIONS
23 MARCH 2015

No	Reference	Applicant	Agent Details	Remarks	Decision
19.	275639	Malcolm Vincent Boyes		Continued from February CCO	CONTINUED TO APRIL
20.	284837	Jamie Thomas W Dunlop	Macdonald Licensing Bf, 21 Rutland Square, Edinburgh, EH1 2BB	CCO	GRANTED
21.	281122	Ryan Sneddon		Continued from February CCO	CONTINUED TO APRIL