

Licensing Sub-Committee of the Regulatory Committee

9.30am, Friday 24 August 2018

Present

Councillors Fullerton (Convener), Dixon, Doran (substituting for Councillor Arthur), Mowat (substituting for Councillor Smith), Rose, Neil Ross and Staniforth (substituting for Councillor Burgess).

1. Suspension of Street Trading Licences: National Gallery of Scotland Construction Work

The Council had licensed 16 street traders to trade on the Playfair Steps and The Mound Precinct. The National Gallery of Scotland had notified the Council of their plans for redevelopment and requested that the licences were suspended as required to allow the construction works to commence.

Decision

To determine the requests as detailed in Appendix 1 to this minute.

(Reference – list of applications, submitted)

2. Resolution to Consider in Private

The Sub-Committee, agreed under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting for the following items of business on the grounds that they would involve the disclosure of exempt information as defined in Paragraphs 3, 6, 12 and 14 of Part 1 of Schedule 7A of the Act.

3. Applications to Vary the Conditions of Taxi or Private Hire Car Licences: Exemption to Policy

The Regulatory Committee had agreed to amend its policy and licensing conditions regarding the age and emissions standards of licensed vehicles in Edinburgh's Taxi and Private Hire Car fleet at its meeting on 16 March 2018.

Six requests had been received for exemptions to this policy. The applicants and the appropriate Council officers were heard.

Decision

To determine the requests as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(References – Regulatory Committee, 16 March 2018 (item 2); report by the Regulatory Services Manager, submitted.)

4. Resolution to Consider in Private

The Sub-Committee, agreed under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting for the following item of business on the grounds that it would involve the disclosure of exempt information as defined in Paragraphs 3, 6, 12 and 14 of Part 1 of Schedule 7A of the Act.

5. Suspension of Private Hire Driver and Private Hire Car Licences

The Executive Director of Place, in consultation with the Convener of the Regulatory Committee, in accordance with Committee Terms of Reference and Delegated Functions 4.1 had suspended a Private Hire Car Driver's licence with immediate effect from 3 August 2018 under Schedule 1 Paragraph 12 of the Civic Government (Scotland) Act 1982.

The Sub-Committee were asked to consider what further action, if any, was required. The Chief Constable had submitted a report requesting that the licence be either revoked or suspended in terms of Schedule 1 Paragraph 11(1) of the Civic Government (Scotland) Act 1982.

Decision

To determine the request as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – report by the Regulatory Services Manager, submitted)

APPENDIX 1

Suspension of Street Trading Licences National Gallery of Scotland Construction Work

Playfair Steps		
3.1(a)	Jane Edgell	<ol style="list-style-type: none">1. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018.2. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work had been completed.
3.1(b)	Leora Grahame	<ol style="list-style-type: none">1. To agree to consider the matter in the absence of the licence holder.2. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018.3. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(c)	Margarita Cifrian	<ol style="list-style-type: none">1. To agree to consider the matter in the absence of the licence holder.2. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018.

Playfair Steps

		<ol style="list-style-type: none"> 3. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(d)	Previous licence refused by committee	To note that there was no licence in place.
3.1(e)	Benny Yadgarian	<ol style="list-style-type: none"> 1. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018. 2. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(f)	David Seddon	<ol style="list-style-type: none"> 1. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018. 2. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(g)	Adam McIntosh	<ol style="list-style-type: none"> 1. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018.

Playfair Steps

		<ol style="list-style-type: none"> 2. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(h)	Elizabeth Hiller	<ol style="list-style-type: none"> 1. To agree to consider the matter in the absence of the licence holder. 2. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018. 3. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(i)	Kuldeep Kumar	<ol style="list-style-type: none"> 1. To agree to consider the matter in the absence of the licence holder. 2. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018. 3. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(j)	Chandra Mather	<ol style="list-style-type: none"> 1. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018.

Playfair Steps

		<ol style="list-style-type: none"> 2. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(k)	William Green	<ol style="list-style-type: none"> 1. To agree to consider the matter in the absence of the licence holder. 2. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018. 3. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(l)	Elisabeth Tainsh	<ol style="list-style-type: none"> 1. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018. 2. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
3.1(m)	Blair McNeil	<ol style="list-style-type: none"> 1. To agree to consider the matter in the absence of the licence holder. 2. To suspend the licence for the unexpired portion of the duration of the licence in terms of paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982. The licence to be suspended effective from 23 September 2018.

		<ol style="list-style-type: none"> 3. To ask that the Executive Director of Place bring forward a further report on the continued sustainability of the use of Playfair Steps and walkway and the Mound Precinct after construction work has been completed.
The Mound Precinct		
3.1(n)	Renee Smith	<ol style="list-style-type: none"> 1. To note that the request for suspension had been withdrawn by the Executive Director of Place. 2. To take no further action in this case. 3. To note that the renewal application would be considered at a future meeting of the Licensing Sub-Committee and the applicant would be invited to attend that meeting.
3.1(o)	Jon Corrigan	<ol style="list-style-type: none"> 1. To note that the request for suspension had been withdrawn by the Executive Director of Place. 2. To take no further action in this case. 3. To note that the renewal application would be considered at a future meeting of the Licensing Sub-Committee and the applicant would be invited to attend that meeting.
3.1(p)	Grahame Wilson / Angela Wilson	<ol style="list-style-type: none"> 1. To note that the request for suspension had been withdrawn by the Executive Director of Place. 2. To take no further action in this case. 3. To note that the renewal application would be considered at a future meeting of the Licensing Sub-Committee and the applicant would be invited to attend that meeting.