

Licensing Sub-Committee of the Regulatory Committee

2.30pm, Monday 22 October 2018

Present

Councillors Fullerton (Convener), Child (substituting for Councillor Arthur) Dixon, Henderson (substituting for Councillor Wilson), Mitchell, Rose, Neil Ross and Smith.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 17 September 2018 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 18 September 2018 as a correct record.

2. Parades and Processions

Details were provided of notifications received for four proposed parades and processions. The Event Organisers and the appropriate Council officers were heard.

Decision

1) Edinburgh Diwali

- 1) To note that the date of the event had changed to 3 November 2018.
- 2) To make an order in respect of the proposed Edinburgh Diwali parade on 3 November 2018 within the designated route and times imposing conditions that:
 - i) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
 - ii) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
 - iii) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.
 - iv) The organiser will adhere to the additional conditions requested by Public Safety:

No playing of music until the bands / dance groups are on Bank Street due to the fact there is a 14:00 hrs wedding taking place in the Signet Library.

Maximum 180 people allowed to cross Mound / Princes Street / Hanover Street junction.

The parade will only have one opportunity to cross the above junction within the allocated 5 minute closure, any person unable to cross within this time will be redirected into West Princes Street Gardens.

The parade must remain in the left-hand lane of the road (specifically the Northbound carriage way down the mound and up Hanover Street.

2) **Edinburgh Stone of Remembrance**

To make an order in respect of the proposed Legion Scotland – Edinburgh Stone of Remembrance parade on 11 November 2018 within the designated route and times imposing conditions that:

- i) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- ii) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- iii) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

3) **Scottish War Poets Memorial Ceremony**

To make an order in respect of the proposed Scottish War Poets Memorial Ceremony parade on 23 November 2018 within the designated route and times imposing conditions that:

- i) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- ii) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- iii) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

4) **Underbelly Ltd Torchlight Procession**

To make an order in respect of the proposed Underbelly Ltd Torchlight Procession on 30 December 2018 within the designated route and times imposing conditions that:

- i) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- ii) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- iii) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

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

3. Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006

Details were provided of 35 applications for miscellaneous licences. The applicants and their agents were heard.

Decision

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

Declaration of interest

Councillor Child declared a non-financial interest in item 5.1.5 she was known to the applicant and objectors, left the room and took no part in the consideration of the items.

(Reference – list of applications, 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 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.

5. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications

Details were provided of 3 applications for miscellaneous licences. The applicants and their agents were heard.

Decision

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

(Reference – list of applications, submitted)

APPENDIX 1

Applications for Miscellaneous Licences

Public Entertainment Licence (Temporary)		
5.1.1	Edinburgh Diwali	<ol style="list-style-type: none"> 1) To agree to determine the application in the absence of the applicant. 2) To grant the licence subject to the Council's standard conditions for this category of licence.
Market Operator Licence (Temporary)		
5.1.2	Edinburgh Diwali	<ol style="list-style-type: none"> 1) To agree to determine the application in the absence of the applicant. 2) To grant the licence subject to the Council's standard conditions for this category of licence.
Public Entertainment Licence (Temporary)		
5.1.3	Underbelly Ltd Event date - 30.12.18	To grant the licence subject to the Council's standard conditions for this category of licence.
Market Operator Licence (Temporary)		
5.1.4	Underbelly Ltd Event date – 30.12.18	To grant the licence subject to the Council's standard conditions for this category of licence.
Public Entertainment Licence (Variation)		
5.1.5	Albert Reid Straiton Place Park, Portobello	<p>To grant the application to vary the terms of the licence.</p> <p>See note 1 below.</p>
Public Entertainment Licence (Temporary)		
5.1.6	Highland Centre Ltd Mark Currie	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence and subject to the additional conditions requested by Police Scotland in their letter of 19/10/2018 and the additional conditions requested by Licensing Enforcement. 2) To note that a variation application lodged in connection with this application was deemed not competent given that there was no licence in

		place which was capable of being varied at the time it was lodged and that there is no provision in the Civic Government (Scotland) Act 1982 in terms of which a temporary licence may be varied.
Market Operator Licence (Temporary)		
5.1.7	TV17 Events Limited Simon McGrath	To grant the licence subject to the Council's standard conditions for this category of licence and additional conditions requested by Licensing Enforcement.
Public Entertainment Licence (Temporary)		
5.1.8	Keasim Events Simon Keane Event dates 15.11.18 – 12.12.18	To grant the licence subject to the Council's standard conditions for this category of licence.
5.1.9	Keasim Events Simon Keane Event dates 13.12.18 – 01.01.18	To grant the licence subject to the Council's standard conditions for this category of licence and subject to event closing at 1800 hours on 31.12.18.
Market Operator Licence (Temporary)		
5.1.10	Keasim Events Simon Keane Event dates 15.11.18 – 12.12.18	To grant the licence subject to the Council's standard conditions for this category of licence.
5.1.11	Keasim Events Simon Keane Event dates 13.12.18 – 01.01.18	To grant the licence subject to the Council's standard conditions for this category of licence and subject to event closing at 1800 hours on 31.12.18.
Public Entertainment Licence (Temporary)		
5.1.12	Underbelly Ltd Event dates – 16.11.18 – 13.12.18	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.

5.1.13	Underbelly Ltd Mrs Ruth Fisher Event dates – 14.12.18 – 05.01.19	1) To grant the licence subject to the Council’s standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.14	Underbelly Ltd Event dates – 16.11.18 – 13.12.18	1) To grant the licence subject to the Council’s standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.15	Underbelly Ltd Event dates – 14.12.18 – 01.01.19	1) To grant the licence subject to the Council’s standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.16	Underbelly Ltd Event date – 18.11.18	1) To grant the licence subject to the Council’s standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.17	Underbelly Ltd Event dates – 15.12.18 – 05.01.19	1) To grant the licence subject to the Council’s standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.

5.1.18	Underbelly Ltd Event dates – 17.11.18 – 14.12.18	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.19	Underbelly Ltd Event dates – 31.12.18 – 01.01.19	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
Market Operator Licence (Temporary)		
5.1.20	Underbelly Ltd Event dates – 24.12.18 – 01.01.19	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.21	Underbelly Ltd Event dates – 24.12.18 – 05.01.19	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.22	Underbelly Ltd Event dates – 16.11.18 – 13.12.18	<ol style="list-style-type: none"> 1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications.

		3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.23	Underbelly Ltd Event dates – 17.11.18 – 14.12.18	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.24	Underbelly Ltd Event dates – 15.12.18 – 05.01.19	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.25	Underbelly Ltd Event dates – 14.12.18 – 05.01.19	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.26	Underbelly Ltd Event dates – 16.11.18 – 13.12.18	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
5.1.27	Underbelly Ltd Event dates – 31.12.18 – 01.01.19	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications.

		3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
Additio nal Item	Public Entertainment Licence (Temporary) Underbelly Ltd Event dates – 14.12.18 – 05.01.19	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
Additio nal Item	Public Entertainment Licence (Temporary) Underbelly Ltd Event dates – 16.11.18 – 13.12.18	1) To grant the licence subject to the Council's standard conditions for this category of licence. 2) Subject to point 3 below, to agree to delegate authority to the Regulatory Service Manager to determine future similar applications. 3) To agree that any significant issues or changes would be presented to the Committee for a determination to be made.
Late Hours Catering Licence (Renewal)		
5.1.28	Real Pizza Factory Maciey Troscianko	1) To repel the public objection and grant the licence subject to the Council's standard conditions for this category of licence. 2) To note the undertaking by the applicant to install soundproofing
Late Hours Catering Licence (New)		
5.1.29	Stellar Restaurant (McDonalds, ASDA Chesser) Gary Robert Paterson	To grant the licence subject to the Council's standard conditions for this category of licence.
5.1.30	Italian Connection Mr Karim Elouafkaoui	To continue consideration of the application to the meeting of the Licensing Sub-Committee on 19 November 2018 to allow the applicant to supply evidence of neighbour agreement.
5.1.31	No.1 Kebab Mr Recep Katil	To continue consideration of the application to the meeting of the Licensing Sub-Committee on 19 November 2018 to allow the applicant to attend and to supply evidence of neighbour agreement.

Houses of Multiple Occupation (Renewal)

5.1.32	<p>17 (2F1) Royal Park Terrace</p> <p>Peter Gibson</p> <p>Agent: Colette Grant, Grant Property Solutions Ltd</p>	To repel the public objection and grant the licence subject to the Council's standard conditions for this category of licence.
5.1.33	<p>25 (2F1) South Clerk Street</p> <p>Mr Zahid Mukhtar</p>	To repel the public objection and grant the licence subject to the Council's standard conditions for this category of licence.
5.1.34	<p>25 (2F2) South Clerk Street</p> <p>Tuyub Mukhtar</p> <p>Agent: Zahid Mukhtar</p>	To repel the public objection and grant the licence subject to the Council's standard conditions for this category of licence.
5.1.35	<p>32 (TF) Drummond Place</p> <p>Claudio Gino Mio</p> <p>Agent: Colette Grant, Grant Property Solutions Ltd</p>	To note that the application had been withdrawn.