Notice of meeting and agenda

Licensing Sub-Committee of the Regulatory Committee

2.30pm, Monday 7 January 2019

(or at the conclusion of the Regulatory Committee, whichever is the later)
Dean of Guild Court Room, City Chambers, High Street, Edinburgh
This is a public meeting and members of the public are welcome to attend.

Contacts:

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1. Order of business

1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of interests

2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Minutes

- 3.1 Minute of Licensing Sub-Committee of 19 November 2018 (circulated) submitted for approval as a correct record
- 3.2 Minute of Licensing Sub-Committee of 20 November 2018 (circulated) submitted for approval as a correct record

4. Miscellaneous Applications

4.1 Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications – list of applications (circulated)

Note: The above applicants have been invited to attend for 2.30pm.

Laurence Rockey

Head of Strategy and Communications

Committee Members

Councillors Fullerton (Convener), Arthur, Burgess, Dixon, Mitchell, Rose, Neil Ross, Smith and Wilson.

Information about the Licensing Sub-Committee

The Licensing Sub-Committee consists of 9 Councillors and usually meets twice a month.

The Licensing Sub-Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Lesley Birrell or Sarah Stirling, Committee Services, Strategy and Communications, Chief Executive, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street Edinburgh, EH8 8BG; 20131 529 4240 / 0131 529 3009 email lesley.birrell@edinnburgh.gov.uk / sarah.stirling@edinburgh.gov.uk

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to www.edinburgh.gov.uk/cpol.

The views expressed in any letters of representation are not necessarily the views of the City of Edinburgh Council.

For remaining items of business likely to be considered in private, see separate agenda.

Minutes Item 3.1

Licensing Sub-Committee of the Regulatory Committee

2.30pm, Monday 19 November 2018

Present

Councillors Fullerton (Convener), Arthur, Cameron (substituting for Councillor Wilson), Jim Campbell (substituting for Councillor Mitchell), Corbett (substituting for Councillor Burgess), Dixon, Rose, Neil Ross and Smith.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 22 October 2018 as a correct record, subject to the deletion of the words "see note 1" in relation to application 5.5.
- To approve the minute of the Licensing Sub-Committee of 23 October 2018 as a correct record.
- 2. Use of Urgency Provision of Standing Orders to Allow Variation of Licensing Conditions Street Trader's Licence Poppy Scotland

Decision

To note the action taken by the Executive Director of Place in consultation with the Convener under urgency provisions to grant a Street Trader Licence to Poppy Scotland for the period 21 October 2018 to 11 November 2018.

3. Use of Urgency Provision of Standing Orders to Allow Variation of Licensing Conditions – Cinemas Act 1985 – Scottish Independent Film Festival

Decision

To note the action taken by the Executive Director of Place in consultation with the Convener under urgency provisions to grant an application to screen specific uncertificated films as part of the Scottish Independent Film Festival at Cineworld on 26 October 2018.



4. Request for Fee Refund – Public Entertainment Licence – Unique Events

A request for a reduction in fee for a temporary Public Entertainment Licence had been received from Unique Events on behalf of Social Bite for the Sleep in the Park Event to be held on 8 December 2018. The fee reduction had been sought on the basis that Social Bite was a registered charity.

Decision

- 1) To note the terms of the request.
- 2) To refuse the request for a fee refund.
- 5. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 to consider miscellaneous applications

Details were provided of 12 applications for miscellaneous licences. The applicants and their agents were heard.

Decision

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

(Reference – list of applications, submitted)

6. 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.

7. Request to Recall a Suspension of a Private Hire Driver's Licence

The Sub-Committee considered a request to recall a suspension of a Private Hire Driver's Licence.

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)

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

Details were provided of 4 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)

9. Applications to Vary the Conditions of a Taxi Licence: 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.

A request had been received for an exemption to this policy. The licence holder and relevant Council officers were heard.

Decision

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

(References – Regulatory Committee, 16 March 2018 (item 1); report by the Regulatory Services Manager, submitted)

APPENDIX

Applications for Miscellaneous Licences

Public E	intertainment Licence (Temporary)
6.1.1	Highland Centre Ltd Mr Mark Currie	To GRANT the licence subject to the Council's standard conditions for this category of licence and subject to additional conditions set out in the Chief Constable's letter of 8 November 2018 and additional Licensing Enforcement conditions as notified to the applicant.
Street T	rader Licence (New)	
6.1.2	Edbabel Ltd Mr Marcos Ricoy Vazquez	To repel the public objection and GRANT the licence subject to the Council's standard conditions for this category of licence and subject to an additional condition of a maximum of 25 people per tour.
6.1.3	Tierras Altas Escocia Ltd Mr Raul Fabregat Valls	To GRANT the licence subject to the Council's standard conditions for this category of licence and subject to an additional condition that no permission is granted to have any structure, including any mobile structure, to be placed on the public road at any time to be used for selling tickets or advertising.
Late Ho	urs Catering Licence (N	lew)
6.1.4	Italian Connection Mr Karim Elouafkaoui	To GRANT the licence subject to the Council's standard conditions for this category of licence.
6.1.5	No. 1 Kebab Mr Recep Katil	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 7 January 2019 to allow the applicant to obtain the necessary written neighbour approvals.
6.1.6	Kurdish Best Kebab House Mr Jeger Tayeb	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 7 January 2019 to allow the applicant to obtain the necessary written neighbour approvals.

Late Hou	Late Hours Catering Licence (New)					
6.1.7	Anatolian Mr Huseyin Karatas	To note that the applicant's agent had advise that the applicant no longer wished to progrethe extended hours applied for.				
		To GRANT the licence for the hours Sun-Th 23:00-00:00 and Fri-Sat 23:00-01:00 subject the Council's standard conditions for this category of licence. This licence will come effect in 28 days' time.	ct to			
6.1.8	Scotco Northern Ireland Ltd Agent: Ms Caroline	To NOTE that the applicant had submitted a Temporary Exemption application relating to premises.				
	Loudon	 To NOTE that the premises were currently subject to a Planning Enforcement investigated relating to noise from mechanical plant. 	ation			
		To DELEGATE AUTHORITY to the Execut Director of Place to grant the Exemption on the outstanding noise issue relating to the mechanical plant had been resolved.				
		4) To CONTINUE consideration of the applicar at the request of the applicant to the meetin the Licensing Sub-Committee on 7 January 2019 to allow the applicant to supply eviden neighbour agreement.	ng of			
House ir	Multiple Occupation l	cence (Renewal)				
6.1.9	15 (2F1) Montague Street, Edinburgh Mr Richard & Mrs Alisa Loudon Agent: Mr James Brooks, Splendid Property Management and Brian Morgan, HMO Scotland Ltd	To repel the public objection and GRANT the licensubject to the Council's standard conditions for this category of licence.				

House in	louse in Multiple Occupation Licence (Renewal)				
6.1.10	45 (2F1) Lauderdale Street, Edinburgh Mr David William Hunter	To repel the public objections and GRANT the licence subject to the Council's standard conditions for this category of licence.			
6.1.11	11 (2F) Northumberland Street, Edinburgh Mrs Sandra Harrower Agent: Mr Dietrich Zank, The Flat Company Ltd	To repel the public objection and GRANT the licence subject to the Council's standard conditions for this category of licence.			
House ir	Multiple Occupation L	Licence (New)			
6.1.12	15 Craiglea Place, Edinburgh Carr Gomm Agent: Mr Keith Milligan	To repel the public objection and GRANT the licence subject to the Council's standard conditions for this category of licence.			

Minutes Item 3.2

Licensing Sub-Committee of the Regulatory Committee

9.00am, Tuesday 20 November 2018

Present

Councillors Fullerton (Convener), Jim Campbell (substituting for Councillor Mitchell), Dixon, Griffiths (substituting for Councillor Wilson), Perry (substituting for Councillor Arthur), Rose, Neil Ross, Smith and Staniforth (substituting for Councillor Burgess from item B6.1.4 onwards).

1. 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.

2. Police Requests for Suspension or Revocation of Licences

The Sub-Committee considered requests by the Chief Constable to suspend or revoke six licences.

Decision

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

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

3. Application for Renewal of Taxi Driver's Licence

On 6 February 2018 the Regulatory Committee had agreed to amend its policy regarding existing taxi and private hire car drivers who were unable to obtain the relevant criminal convictions check to apply for a licence renewal.

The Sub-Committee considered a request for renewal of a taxi driver's licence. The applicant had been unable to provide a certificate and was therefore referred to the committee to determine whether the application should be treated as an exemption to policy.

Decision

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



(References – Regulatory Committee 6 February 2018 (item 1); report by the Regulatory Services Manager, submitted)

4. Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982

Details were provided of 16 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)

5. 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.

Ten requests had been received for exemptions to this policy. The licence holders and relevant 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 1); report by the Regulatory Services Manager, submitted)

Licensing Sub-Committee of the Regulatory Committee 7 January 2019

Applications for Miscellaneous Licences

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
The follo	owing have been i	nvited for 2.30pm	,			,	
Street T	rader Licence (Re	newal)					
4.1.1	Mr Michael McVeigh	Rose Street, Edinburgh	Standard Conditions	N/A	Roads objection	N/A	09.07.19
Street T	rader Licence (Nev	w)	,				,
4.1.2	Fulbeck House Ltd Susan Grant	Middle Meadow Walk , Edinburgh	Standard Conditions	N/A		N/A	24.03.19
4.1.3	Miss Heidi Meldrum	Rose Street, Edinburgh	Standard Conditions	N/A	Roads Representation	N/A	30.05.19
4.1.4	Sweet by Scotts Ltd Mrs Cathryn Scott	Police Box, The Mound Precinct, Edinburgh	Standard Conditions	N/A		N/A	11.07.19

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
4.1.5	Mr Malcolm Milne	Johnston Terrace, Edinburgh	Standard Conditions	N/A		N/A	27.06.19
Late Ho	urs Catering Lice	nces (New)				,	
4.1.6	No.1 Kebab Mr Recep Katil	222 Morrison Street, Edinburgh	Standard Conditions Sun–Thurs 23:00–01:00	N/A	Police Scotland Representation Licensing Enforcement Representation	N/A	28.02.19
			Fri–Sat 23:00-02:00		Continued from the Licensing Sub-Committee of 19 November 2018 to allow the applicant to provide written support from neighbours.		
4.1.7	Kurdish Best Kebab House Mr Jeger Tayeb	58 Montrose Terrace, Edinburgh	Standard Conditions Sun-Thurs 23:00-01:00 Fri-Sat 23:00-02:00	N/A	Licensing Enforcement Representation Continued from the Licensing Sub-Committee of 19 November 2018 to allow the applicant to provide written support from neighbours.	N/A	23.04.19

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
4.1.8	Select Service Partner (UK Ltd) Mr Abhishek Saigal	Main Terminal, 1 Edinburgh Airport, Jubilee Road, Edinburgh Airport	Standard Conditions Mon–Sun 23:00–05:00	N/A	Licensing Enforcement representation	N/A	13.06.19
House in	n Multiple Occupat	tion Licences (Re	newal)				
4.1.9	Mr Nadim Saif Agent: Mrs Holly Graham	149 (2F2) Warrender Park Road, Edinburgh	4 occupants	Satisfactory	1 public objection	Michael Lappin	26.02.19
4.1.10	Mr Ian Roy Farquharson Agent: Ms Catriona Waugh, Arden Property Management	44 (1F1) Thirlestane Road, Edinburgh	4 occupants	Satisfactory	1 public objection	Charles Stokes	27.02.19
4.1.11	Mrs Zaida Din Agent: Mr Miles Gilham, Glenham Property Management Ltd	15 (3F2) Leopold Place, Edinburgh	4 occupants	Satisfactory	1 public objection	Inge Celini	23.04.19

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
House i	n Multiple Occupa	tion Licence (New	<i>'</i>)				
4.1.12	Lasswade Investment III Ltd Agent: Mrs Angela Watt, Watt Property	6 (1F2) Lauriston Gardens, Edinburgh	3 occupants	Satisfactory	1 public objection	Dr Duncan Robertson	22.07.19

STREET TRADER LICENCE

Renewal

APPLICANT DETAILS: NAME MANAGER	Mr Michael McVeigh
PREMISES ADDRESS	ROSE STREET
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Roads
REASON FOR BEING CALLED TO COMMITTEE	Roads objection
DETERMINATION DATE	9 th July 2019

NOTES: Rose Street application – Roads objection due to the location being between two building sites.

Held licence in this location for 5 years+. First application on APP was a renewal.

STREET TRADER LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Fullbeck House Ltd Susan Grant
PREMISES ADDRESS	Middle Meadow Walk, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	N/A
REASON FOR BEING CALLED TO COMMITTEE	Out with Council policy
DETERMINATION DATE	24 th March

NOTES: Ice Cream Vendor for a spot on Middle Meadow Walk.

Previously applied for a location on Bank Street beside High Court but was not given permission by the High Court to be there. Application was refused.

No permissions required for requested spot.

STREET TRADER LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Miss Heidi Karin Meldrum
PREMISES ADDRESS	Rose Street, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Roads
REASON FOR BEING CALLED TO COMMITTEE	Out with Council policy Roads
DETERMINATION DATE	30 th May 2019

NOTES: Rose Street art trader. Ward 11.

4.1.4

STREET TRADER LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Sweet by Scotts Ltd Mrs Cathryn Scott
PREMISES ADDRESS	Police Box, The Mound Precinct
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	N/A
REASON FOR BEING CALLED TO COMMITTEE	Out with Council policy
DETERMINATION DATE	11 th July 2019

NOTES: Princes Street/Mound Precinct police box. Wants a display table outside the box and wants to be able to trade from this stance as well.

Ward 11.

STREET TRADER LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Mr Malcolm Milne
PREMISES ADDRESS	Johnston Terrace, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	N/A
REASON FOR BEING CALLED TO COMMITTEE	Out with Council policy
DETERMINATION DATE	27 June 2019

NOTES: Walking Tours group with trading spot on Johnstone Terrace.

Ward 11. No permissions required based on location.

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Mr Recep Katil
PREMISES ADDRESS	222 Morrison Street, EH3 8EA
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Licensing Enforcement Police Scotland
REASON FOR BEING CALLED TO COMMITTEE	Out with Council policy
DETERMINATION DATE	28/2/19

NOTES: Hours applied for are: Sunday – Thursday 23:00-01:00 Friday/Saturday – 23:00-02:00

Continued from November to allow applicant to provide/ allow councillors to read written permissions.

[&]quot;Generally not granted beyond 12 midnight". Site notice received.

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Mr Jeger Tayeb
PREMISES ADDRESS	58 Montrose Terrace, Edinburgh, EH7 5DP
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE	Out with Council policy
DETERMINATION DATE	23 rd April 2019

NOTES: Hours applied for; Sunday to Thursday – 23:00 - 01:00, Friday/Saturday – 23:00 - 02:00.

"Generally not granted beyond 12 midnight."

Continued from November to allow applicant to attain permissions.

4.1.8

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: NAME MANAGER	SELECT SERVICE PARTNER(UK) LTD Mr Abhishek Saigal
PREMISES ADDRESS	Main Terminal, 1 Edinburgh Airport, Jubilee Road, Edinburgh Airport, Edinburgh, EH12 9DN
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE	Licensing Enforcement Representation
DETERMINATION DATE	13 th June 2019
1	

NOTES: Application has been made for 23:00 – 05:00. Against council policy.

Premises are airside at Edinburgh Airport.

4.1.9

HMO RENEWAL

APPLICANT DETAILS: NAME	Mr Nadim Saif
AGENT	Mrs Holly Graham
LODGING AGENT	
PREMISES ADDRESS	2f2, 149 Warrender Park Road, Edinburgh, EH9 1DT
CONDITIONS APPLIED FOR	Maximum Occupants - 4
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Michael Lappin
DETERMINATION DATE	26 February 2019
RENEWAL DATE	28 February 2021
NOTES: Late Objection – Reasons not provided	

4.1.10

HMO RENEWAL

APPLICANT DETAILS: NAME	Mr Ian Roy Farquharson
AGENT	Ms Catriona Waugh, Arden Property Management
LODGING AGENT	Arden Property Management
PREMISES ADDRESS	1f1, 44 Thirlestane Road, Edinburgh, EH9 1AW
CONDITIONS APPLIED FOR	Maximum Occupants - 4
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Charles Stokes
DETERMINATION DATE	27 February 2019
RENEWAL DATE	28 February 2021
NOTES:	

4.1.11

HMO RENEWAL

APPLICANT DETAILS: NAME	Mrs Zaida Din
AGENT	Mr Miles Gilham, Glenham Property Management Ltd
LODGING AGENT	Glenham Property Management Ltd
PREMISES ADDRESS	3f2, 15 Leopold Place, Edinburgh, EH7 5LB
CONDITIONS APPLIED FOR	Maximum Occupants - 4
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Inge Celini
DETERMINATION DATE	23 April 2019
RENEWAL DATE	30 April 2021
NOTES:	

4.1.12

HMO NEW

APPLICANT DETAILS: NAME	Lasswade Investment III Ltd
AGENT	Mrs Angela Watt, Watt Property
LODGING AGENT	
PREMISES ADDRESS	1f2, 6 Lauriston Gardens, Edinburgh, EH3 9HJ
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Dr Duncan Robertson
DETERMINATION DATE	22 July 2019
RENEWAL DATE	1 Year from date of grant
NOTES:	