

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.
- 2) 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 Entertainment 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 Trader 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 Hours Catering Licence (New)		
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 Hours Catering Licence (New)

<p>6.1.7</p>	<p>Anatolian Mr Huseyin Karatas</p>	<p>1) To note that the applicant's agent had advised that the applicant no longer wished to progress the extended hours applied for.</p> <p>2) To GRANT the licence for the hours Sun-Thurs 23:00-00:00 and Fri-Sat 23:00-01:00 subject to the Council's standard conditions for this category of licence. This licence will come into effect in 28 days' time.</p>
<p>6.1.8</p>	<p>Scotco Northern Ireland Ltd Agent: Ms Caroline Loudon</p>	<p>1) To NOTE that the applicant had submitted a Temporary Exemption application relating to the premises.</p> <p>2) To NOTE that the premises were currently subject to a Planning Enforcement investigation relating to noise from mechanical plant.</p> <p>3) To DELEGATE AUTHORITY to the Executive Director of Place to grant the Exemption <u>only</u> if the outstanding noise issue relating to the mechanical plant had been resolved.</p> <p>4) To CONTINUE consideration of the application at the request of the applicant to the meeting of the Licensing Sub-Committee on 7 January 2019 to allow the applicant to supply evidence of neighbour agreement.</p>

House in Multiple Occupation Licence (Renewal)

<p>6.1.9</p>	<p>15 (2F1) Montague Street, Edinburgh Mr Richard & Mrs Alisa Loudon Agent: Mr James Brooks, Splendid Property Management and Brian Morgan, HMO Scotland Ltd</p>	<p>To repel the public objection and GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
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House 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 in Multiple Occupation 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.
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