

Item 3.2 - Minutes

Licensing Sub-Committee of the Regulatory Committee

2.30pm, Tuesday 23 April 2019

Present

Councillors Fullerton (Convener), Cameron (substituting for Councillor Arthur), Corbett (substituting for Councillor Burgess), Doran (substituting for Councillor Wilson for items 6.1.2 onwards), Dixon, Henderson (substituting for Councillor Wilson for items 1 to 6.1.1), Mitchell, Rose, Neil Ross and Smith.

1. Minutes

Decision

- 1) To approve the minute of the additional meeting of the Licensing Sub-Committee of 1 March 2019 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 11 March 2019 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 12 March 2019 as a correct record.
- 4) To approve the minute of the additional meeting of the Licensing Sub-Committee of 19 March 2019 as a correct record.
- 5) To approve the minute of the additional meeting of the Licensing Sub-Committee of 21 March 2019 as a correct record.
- 6) To approve the minute of the additional meeting of the Licensing Sub-Committee of 1 April 2019 as a correct record.
- 7) To approve the minute of the additional meeting of the Licensing Sub-Committee of 12 April 2019 as a correct record.

2. Parades and Processions – Orange Order Parades – 29 June 2019

Details were provided of a notification received from the Loyal Orange Institution of Scotland to hold a parade on 29 June 2019.

The Event Organisers and the appropriate Council officers were heard.

Decision

To make an Order in respect of the proposed Orange Order Parades on 29 June 2019 imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times agreed at the meeting of the Events Planning and Operations Group held on 23 April 2019.
- 2) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- 3) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

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

3. Request for Fee Reduction – Meadows Festival Association

Details were provided of a request received from the Meadows Festival Association for a reduction in the application fee for a Market Operator's Licence for an event on 1 and 2 June 2019.

The Event Organisers and the appropriate Council officers were heard.

Motion

To agree a 25% fee reduction for this year.

- moved by Councillor Fullerton, seconded by Councillor Cameron

Amendment

- 1) To agree a fee of £1000 for this year.
- 2) To note the intention to review licence fee charges for the City Centre Ward at a future meeting of the Regulatory Committee.

- moved by Councillor Rose, seconded by Councillor Corbett

Voting

For the motion - 4 votes

For the amendment - 5 votes

(For the motion – Councillors Cameron, Dixon, Fullerton and Henderson.

For the amendment – Councillors Corbett, Mitchell, Rose, Neil Ross and Smith.)

Decision

- 1) To agree a fee of £1000 for this year.
- 2) To note the intention to review licence fee charges for the City Centre Ward at a future meeting of the Regulatory Committee.

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

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

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 Appendix to this minute.

(Reference – list of applications, submitted)

5. 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.

6. Police Requests for Suspension or Revocation of Licences

The Sub-Committee considered two requests by Police Scotland to suspend or revoke a Private Hire Driver Licence and a Taxi Driver Licence.

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)

7. Request for Suspension or Revocation of Licences

The Sub-Committee considered a request to suspend or revoke a Private Hire Driver 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)

Applications for Miscellaneous Licences

Market Operator Licence (Temporary)		
6.1.1	Tanya Eadie	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 20 May 2019 to allow the applicant to attend.
Street Trader Licence (Variation)		
6.1.2	Mr Michael McVeigh Rose Street, Edinburgh	To VARY the licence subject to the Council's standard conditions for this category of licence until the planned public realm works for Rose Street were concluded.
Street Trader Licence (Renewal)		
6.1.3	Sandemans New Europe Tours High Street, Edinburgh	To repel the public objection and GRANT the licence subject to the Council's standard conditions for this category of licence. (on a division) See Note 1 below
6.1.4	Mr Benny Yadgarian Rose Street, Edinburgh	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 20 May 2019 to allow the applicant to attend.
Street Trader Licence (New)		
6.1.5	Iberia + Ltd Mr Davit Khutsishvili Rutland Street, Edinburgh	To REFUSE the application in terms of paragraph 5 (3) (c) (i) of Schedule 1 of the Civic Government (Scotland) Act 1982.
6.1.6	Mr Tudor Dinu St Leonard's Street, Edinburgh	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 20 May 2019 at the request of the applicant's agent to allow the applicant to make further enquiries regarding the location.

Late Hours Catering Licence (New)

<p>6.1.7</p>	<p>Scotco Northern Ireland Jamie Fowler 1 South Charlotte Street</p>	<p>To GRANT the licence for policy hours only Sun to Thurs 23:00-02:00 and Fri & Sat 23:00-03:00 subject to the Council's standard conditions for this category of licence.</p>
<p>6.1.8</p>	<p>Erbil Mr Raibar Pirmus 54 Rodney Street</p>	<p>To repel the public objection and GRANT the licence for policy hours only Sun to Thurs 23:00-01:00 and Fri & Sat 23:00 to 02:00 subject to the Council's standard conditions for this category of licence and an additional condition that all amplified music and vocals to be controlled to the satisfaction of the Executive Director of Place.</p>
<p>6.1.9</p>	<p>Best One Mr Muhammad Tahir Sharif 301 Leith Walk, Edinburgh</p>	<p>To repel the public objection and GRANT the licence for policy hours only Sun to Thurs 23:00-12:00 and Fri-Sat 23:00-01:00 subject to the Council's standard conditions for this category of licence and an additional condition that all amplified music and vocals to be controlled to the satisfaction of the Executive Director of Place.</p>

House in Multiple Occupation Licences (Renewal)

<p>6.1.10</p>	<p>81 Colinton Mains Road, Edinburgh Redcroft Care Homes Ltd Mr Rajen Mawjee</p>	<p>To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 20 May 2019 to allow the applicant to attend.</p>
<p>6.1.11</p>	<p>64(3F2) Findhorn Place, Edinburgh Mr David Thomas Coombs Agent: Ms Natalie Cotton, Clan Gordon Ltd</p>	<p>1) To note that the objectors had withdrawn their objections. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>

House in Multiple Occupation Licences (Renewal)

6.1.12	16(1F2) Grove Street, Edinburgh Mr Eric Gardiner Agent: Mr David Rowand, Cairn Letting	To repel the public objection and GRANT the licence subject to the Council's standard conditions for this category of licence for a period of one year only.
6.1.13	10(2F2) Henderson Row, Edinburgh Mr Ghazanfar Hussain	1) To AGREE to consider the late public objections. 2) To repel the public objections and GRANT the licence subject to the Council's standard conditions for this category of licence.
6.1.14	5(1F1) Merchiston Place, Edinburgh Orla Properties Limited Agent: Mrs Rachel MacDonell, Braemore	To repel the public objections and GRANT the licence subject to the Council's standard conditions for this category of licence.

House in Multiple Occupation Licences (New)

6.1.15	46(3F2) Polwarth Gardens, Edinburgh Mrs Allison Christine Hilton Agent: Mr Andrew Anderson, Southside Property Management	To repel the public objections and GRANT the licence subject to the Council's standard conditions for this category of licence for a period of six months only.
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House in Multiple Occupation Licences (New)

6.1.16	125(3F2) Warrender Park Road, Edinburgh Norrby Investments Limited Lodging Agent: HMO Scotland Ltd	1) To AGREE to consider the late public objections. 2) To REFUSE the licence in terms of section 131 (1) (a) and (2) (f) of the Housing (Scotland) Act 2006 as the premises were not suitable for occupation as an HMO and there was the possibility of undue public nuisance.
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Note 1

Item 6.1.3 – Application for Street Trader Licence (Renewal) – Sandemans New Europe Tours – High Street, Edinburgh

Motion

To repel the public objection and **GRANT** the licence subject to the Council's standard conditions for this category of licence.

- moved by Councillor Fullerton, seconded by Councillor Dixon

Amendment

To repel the public objection and **GRANT** the licence subject to the Council's standard conditions for this category of licence and an additional condition imposing a maximum number of 30 persons per tour.

- moved by Councillor Cameron, seconded by Councillor Doran

Voting

For the motion - 5 votes
For the amendment - 4 votes

(For the motion – Councillors Dixon, Fullerton, Mitchell, Rose and Smith.
For the amendment – Councillors Cameron, Corbett, Doran and Neil Ross.)

Decision

To repel the public objection and **GRANT** the licence subject to the Council's standard conditions for this category of licence.