

## Licensing Sub-Committee of the Regulatory Committee

**2.00 pm, Wednesday, 13 November 2013**

### Present

Councillor Barrie (Convener), Blacklock (Vice-Convener), Aitken, Booth (substituting for Councillor Burgess), Gardner, Bill Henderson, McVey (substituting for Councillor Cairns) and Redpath.

### 1. Resolution to Consider in Private

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

### 2. Application for Miscellaneous Licence – Civic Government (Scotland) Act 1982

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Details were provided of 8 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982.

### Decision

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

(Reference – application details, submitted.)

### 3. Police Comments and Requests for Suspension of Licences

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The Head of Service, Services for Communities, advised the Sub-Committee of letters of comment and requests for suspension of Licences from the Chief Constable.

### Decision

That the requests be determined as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – report by the Head of Service, Services for Communities, submitted.)

## Licensing Sub-Committee of the Regulatory Committee

10.00 am, Friday, 15 November 2013

### Present

Councillor Barrie (Convener), Blacklock (Vice Convener), Aitken, Gardner, Bill Henderson, Heslop, Lewis (substituting for Cairns), Main (substituting for Burgess) and Redpath.

### 1. Request for Fee Reduction – Market Operator Licence

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Details were provided of an application by Victoria Macdonald on behalf of Edinburgh Markets for a reduction of the fee paid for an annual market operator licence for the 'St Mary's Market' to be held in the space outside St Mary's Metropolitan Cathedral, Top of Broughton Street.

#### Decision

To refuse the request for a reduction of the market operators fee.

(Reference: report by the Head of Service, Community Safety, submitted)

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

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Details were provided of 39 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

#### Decision

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

(Reference – list of applications, submitted.)

#### Declarations of Interest

Councillors Gardner and Redpath declared a non financial interest in agenda item 6.1.7 as they knew one of the objectors and left the room and took no part in consideration of that item.

### **3. Cinemas Act 1985- Variation of Licensing Conditions – BAFTA Scotland Cinema Audience Award**

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Details were provided of the action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in accordance with Committee Terms of Reference and Delegated Functions to vary the licensing conditions of the Cinema licence.

#### **Decision**

To note the action by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in accordance with Committee Terms of Reference and Delegated Functions 3.1, to approve the variation of licensing conditions to screen uncertificated films for the BAFTA Scotland Cineworld Audience Award at Cineworld Edinburgh between 20 – 29 October 2013.

### **4. Variation of Street Traders Licence: James Stevens, Trading as Café Renee**

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The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency in order that it be considered timeously.

Details were provided of a request to vary the street trader licence for Café Renee on the Mound, to extend the hours of operation to 8.00 pm daily, for the period 22 November 2013 to 5 January 2014.

#### **Decision**

To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.

(Reference: report by the Head of Service, Community Safety, Tabled)

### **5. Resolution to Consider in Private**

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

## **6. Application for Miscellaneous Licence – Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006**

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Details were provided of 12 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

### **Decision**

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

(Reference – application details, submitted.)

## APPENDIX 1

### Applications for Miscellaneous Licences

Item No/Type of Licence/Applicant/Premises	Conditions applied for	Decision
Item No 6.1.1 Dorathea McAreavey 2F2 28 London Street EH3 6NA	4 Occupants	To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.
Item No 6.1.2 Aileen Nellas Cuthbertson 2F2 40 Learmonth Crescent EH4 1DE	3 Occupants	To repel the objection and authorise the Director of Services for Communities to grant the renewal of licence subject to the Council's Standard Conditions for this category of licence when the outstanding work had been completed to his satisfaction.
Item No 6.1.3 Fenner Austin 3F2 13 Annandale Street EH7 4AW	5 Occupants	To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.
Item No 6.1.4 David, Gail and Rachel Nuttall 3F1 13 Fredrick Street EH2 2EY	4 Occupants	To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.
Item No 6.1.5 Grant Investment 2F2 11 Jamieson Place EH6 8NZ	3 Occupants	To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.
Item No 6.1.6 New Caledonian Properties Limited 2F1 70 Strathearn Road EH9 2AF	4 Occupants	To repel the objection and grant the licence subject to the Council's Standard Conditions for this category of licence.

Item No 6.1.7 Pam and Brian Roberts Flat 3 12 Tower Place EH6 7BZ	3 Occupants	To repel the objections and grant the renewal licence subject to the Council's standard conditions for this type of licence.
Item No 6.1.8 Julie Wilson 3F1 34 Kirk Street EH6 5EZ	5 Occupants	To repel the objection and authorise the Director of Services for Communities to grant the renewal licence subject to the Council's Standard Conditions for this category of licence when the outstanding work had been completed to his satisfaction.
Item No 6.1.9 Khawja Ajbar Mir 46 Ferry Road EH6 4AE	25 Occupants	To repel the objection and to grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.
Item 6.1.10 Andrew and Gabrielle Murphy 3F2 1 Alva Street EH2 4PH	4 Occupants	To repel the objection and authorise the Director of Services for Communities to grant the renewal of licence subject to the Council's Standard Conditions for this category of licence when the outstanding work had been completed to his satisfaction.
Item No 6.1.11 Georg Van Heyer 1 Duddingston Crescent EH15 3AS	17 Occupants	To repel the objections and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.
Item No 6.1.12 Andrew George Norval 3F2 9 Mertoun Place EH11 1JU	3 Occupants	To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.

<p>Item No 6.1.13 Benny Yadgrian Rose Street outside the fourth window of Triodos Bank premises near Hanover Street</p>	<p>N/A</p>	<p>To refuse the application in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982.</p>
<p>Item 6.1.14 Veronese Giancarlo South St David Street</p>	<p>N/A</p>	<p>To refuse the application in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982.</p>
<p>Item No 6.1.15 Veroneese Giancarlo Corner of Waverley Bridge at the Junction with Princes Street</p>		<p>To grant the licence subject to the Council's Standard Conditions for this category of licence and provided the applicant does not unreasonably obstruct road or footway users, affect their safety or obstruct access to public seating or waste bins.</p>
<p>Item 6.1.16 Phillip Paterson Meadow Place Edinburgh</p>		<ol style="list-style-type: none"> <li>1. To repel the objections and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To add a further condition to ensure stall is removed from location at the end of each day</li> </ol>
<p>Item No 6.1.17 Bonnie Scotland Promotions Limited NCP Car Park 38 Castle Street Edinburgh</p>	<p>180 stalls approximately</p>	<ol style="list-style-type: none"> <li>1. To note the application had been withdrawn</li> <li>2. To refund the application fee paid</li> <li>3. The Director of Services for Communities to report on options for a fee structure for car boot sales</li> </ol>



<p>Item No 6.1.18 Cheque Centre Limited Second Hand Dealers Licence (Renewal) 6A Parkhead Gardens EH11 4SQ</p>		<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable : <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>
<p>Item No 6.1.19 Cheque Centre Limited Second Hand Dealers Licence (Variation) 6A Parkhead Gardens EH11 4SQ</p>	<p>Change of Manager to Gillian Cuthbert (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>
<p>Item No 6.1.20 Cheque Centre Limited Second Hand Dealers Licence (Renewal) 681 Ferry Road EH4 2TX</p>	<p>23.00 – 00.00 daily</p>	<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>

<p>Item No 6.1.21 Cheque Centre Limited Second Hand Dealers (Variation) 681 Ferry Road EH4 2TX</p>	<p>Change of Manager to Gillian Cuthbert (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>
<p>Item No 6.1.22 Cheque Centre Limited Second Hand Dealers (Renewal) 212 Gorgie Road EH11 2PN</p>	<p>N/A</p>	<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>
<p>Item No 6.1.23 Cheque Centre Limited Second Hand Dealers Licence (Variation) 212 Gorgie Road EH11 2PN</p>	<p>Change of Manager to Gillian Cuthbert (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>

<p>Item No 6.1.24  Cheque Centre Limited Second Hand Dealers Licence (Renewal)  36 Great Junction Street  EH6 5LA</p>		<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>
<p>Item No 6.1.25  Cheque Centre Limited Second Hand Dealers Licence (Variation)  36 Great Junction Street  EH6 5LA</p>	<p>Change of Manager to  Gillian Cuthbert  (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>
<p>Item No 6.1.26  Cheque Centre Limited Seond Hand Dealers Licence (Variation)  14 Home Street  EH3 9LY</p>	<p>Change of Manager to  Gillian Cuthbert  (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>

<p>Item No 6.1.27</p> <p>Cheque Centre Limited Second Hand Dealers Licence (Renewal)</p> <p>218 Morrison Street</p> <p>EH3 8AE</p>		<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>
<p>Item No 6.1.28</p> <p>Cheque Centre Limited Second Hand Dealers Licence (Variation)</p> <p>218 Morrison Street</p> <p>EH3 8AE</p>	<p>Change of Manager to Gillian Cuthbert (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>
<p>Item No 6.1.29</p> <p>Cheque Centre Limited Second Hand Dealers Licence (Renewal)</p> <p>90 Nicolson Street</p> <p>EH8 9EW</p>		<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>

<p>Item No 6.1.30 Cheque Centre Limited Second Hand Dealers Licence (Variation) 90 Nicolson Street EH8 9EW</p>	<p>Change of Manager to Gillian Cuthbert (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>
<p>Item No 6.1.31 Cheque Centre Limited Second Hand Dealers Licence (Renewal) 134 Portobello High Street EH15 1AH</p>		<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>
<p>Item No 6.1.32 Cheque Centre Limited Second Hand Dealers Licence (Variation) 134 Portobello High Street EH15 1AH</p>	<p>Change of Manager to Gillian Cuthbert (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>

<p>Item No 6.1.33  Cheque Centre Limited Second Hand Dealers Licence (Renewal)  Cheque Centre Unit 22  Westside Plaza Shopping Centre  EH14 2SW</p>		<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. Also subject to the following additional conditions recommended by the Chief Constable <ul style="list-style-type: none"> <li>• Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available and the other shall show the seller's name and address and be no more than 3 months old.</li> <li>• A photograph shall be taken of every seller at the time of transaction.</li> <li>• The above records must be preserved for two years.</li> </ul> </li> </ol>
<p>Item No 6.1.34  Cheque Centre Limited Second Hand Dealers Licence (Variation)  Cheque Centre Unit 22  Westside Plaza Shopping Centre  EH14 2SW</p>	<p>Change of Manager to  Gillian Cuthbert  (Regional Manager)</p>	<ol style="list-style-type: none"> <li>1. To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To note a further variation would be submitted in the name of David McMillan (Field Product Manager)</li> </ol>

<p>Item No 6.1.35  GrayPaul Motors T/A GrayPaul  Edinburgh Second Hand Dealers  Licence - Exemption  8 Whitehill Road EH15 3HR</p>	<p>Exemption from the requirement to keep goods for 48 hours</p>	<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To grant the exemption in terms of Section 25 of the Civic Government (Scotland) Act 1982 from the requirement to keep goods for at least 48 hours from the time of acquisition for a period of six months subject to the following additional conditions recommended by the Chief Constable:  All vehicles being purchased must be subject to the following: <ul style="list-style-type: none"> <li>(i) An HPI check</li> <li>(ii) A mileage check if required</li> <li>(iii) A V5 registration document to be checked</li> <li>(iv) MOT document being checked against VOSA system</li> <li>(v) Verification of the vehicle against all checks undertaken</li> <li>(vi) The seller or purchaser of any goods covered by the licence to confirm their identity with two original proof of ID, one of which must be photographic</li> <li>(vii) All CCTV records are properly maintained and made available for inspection on request by the police or Council.</li> </ul> </li> </ol>
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<p>Item No 6.1.36  Synter Cars Ltd T/A Porsche  Centre Edinburgh Second Hand  Dealers - Exemption  8 Whitehill Road EH15 3HR</p>	<p>Exemption from the  requirement to keep  goods for 48 hours</p>	<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To grant the exemption in terms of Section 25 of the Civic Government (Scotland) Act 1982 from the requirement to keep goods for at least 48 hours from the time of acquisition for a period of six months subject to the following additional conditions recommended by the Chief Constable</li> </ol> <p>All vehicles being purchased must be subject to the following:</p> <ol style="list-style-type: none"> <li>(i) An HPI check</li> <li>(ii) A mileage check if required</li> <li>(iii) A V5 registration document to be checked</li> <li>(iv) MOT document being checked against VOSA system</li> <li>(v) Verification of the vehicle against all checks undertaken</li> <li>(vi) The seller or purchaser of any goods covered by the licence to confirm their identity with two original proof of ID, one of which must be photographic</li> <li>(vii) All CCTV records are properly maintained and made available for inspection on request by the police or Council.</li> </ol>
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<p>Item No 6.1.37  Ron Stratton &amp; Co Ltd T/A Bentley  Edinburgh Second Hand Dealers  Licence - Exemption  8 Whitehill Road EH15 3HR</p>	<p>Exemption from the  requirement to keep  goods for 48 hours</p>	<ol style="list-style-type: none"> <li>1. To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2 To grant the exemption in terms of Section 25 of the Civic Government (Scotland) Act 1982 from the requirement to keep goods for at least 48 hours from the time of acquisition for a period of six months subject to the following additional conditions recommended by the Chief Constable</li> </ol> <p>All vehicles being purchased must be subject to the following:</p> <ol style="list-style-type: none"> <li>(i) An HPI check</li> <li>(ii) A mileage check if required</li> <li>(iii) A V5 registration document to be checked against VOSA system</li> <li>(iv) MOT document being checked against VOSA system</li> <li>(v) Verification of the vehicle against all checks undertaken</li> <li>(vi) The seller or purchaser of any goods covered by the licence to confirm their identity with two original proof of ID, one of which must be photographic</li> <li>(vii) All CCTV records are properly maintained and made available for inspection on request by the police or Council.</li> </ol>
<p>Item No 6.1.38  Faisal Rashid Late Hours Catering  - 1 Year Licence (Renewal)</p>	<p>3 – 5a Sciennes,  Edinburgh EH9 1NH  (The Codfather)</p>	<p>To repel the objections and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence and a further condition that all amplified music and vocals be controlled to the satisfaction of the Director of Services for Communities.</p>

<p>Item No 6.1.39 Ban Sabai Limited Public Entertainment Commercial Operation Licence (Renewal)</p>	<p>Castle Thai Spa 9A Castle Street Edinburgh EH2 3AH</p>	<p>To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence and subject to the following additional conditions recommended by the Chief Constable.</p> <ol style="list-style-type: none"> <li>1. The licence holder will ensure that no other activities shall take place on the premises other than those described on the licence</li> <li>2. The licence holder will ensure that no other business will be conducted from the licensed premises outwith the hours granted</li> <li>3. Persons under the age of eighteen years shall only be permitted access to the waiting area of the premises</li> <li>4. The premises will not be used as a place of residence</li> <li>5. No alcohol will be consumed on the premises</li> <li>6 The sauna should be in good working order</li> </ol>
<p>Tabled Item - Application for Variation of Street Traders Licence; James Stevens, trading as Café Renee</p>	<p>The Mound</p>	<p>To grant the variation of licence subject to the Council's Standard Conditions for this category of licence.</p>

## Licensing Sub-Committee of the Regulatory Committee

2.00 pm, Wednesday, 11 December 2013

### Present

Councillor Barrie (Convener), Blacklock (Vice-Convener), Aitken, Main (substituting for Councillor Burgess), Gardner, Bill Henderson, Heslop and Redpath.

### 1. Resolution to Consider in Private

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

### 2. Application for Miscellaneous Licence – Civic Government (Scotland) Act 1982

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Details were provided of 16 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982.

### Decision

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

(Reference – application details, submitted.)

### 3. Medical Reports

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The Head of Service, Services for Communities, advised the Sub-Committee of adverse reports from the Council's Medical Advisor in regard to licence holders which he had referred to the Sub-Committee for consideration.

### Decision

That the reports be determined as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – report by the Head of Service, Services for Communities, submitted.)

#### **4. Police Comments and Requests for Suspension of Licences**

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The Head of Service, Services for Communities, advised the Sub-Committee of letters of comment regarding licence holders and reports requesting suspension of Licences from the Chief Constable and the Head of Community Safety.

##### **Decision**

That the requests and reports be determined as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – report by the Head of Service, Services for Communities, submitted.)

## Licensing Sub-Committee of the Regulatory Committee

10.00 am, Friday, 13 December 2013

### Present

Councillor Barrie (Convener), Blacklock (Vice Convener), Aitken, Gardner, Bill Henderson, Heslop and Redpath.

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

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Details were provided of 14 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

#### Decision

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

(Reference – list of applications, submitted.)

#### Declarations of Interest

Councillor Barrie declared a financial interest in agenda item 6.1.4 as he had rented property managed by the same agent, he left the room and took no part in consideration of the item.

### 2. Use of Emergency Powers to Grant an Indoor Sports Entertainment Licence For an Indoor Boxing Event: 1 December 2013

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Details were provided of the action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in accordance with Committee Terms of Reference and Delegated Functions to grant an application for an indoor sports entertainment licence for an indoor boxing event to be held on 1 December 2013.

#### Decision

To note the action by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in accordance with Committee Terms of Reference and Delegated Functions 3.1, to grant a Temporary Indoor Sports

Entertainment Licence for an indoor Boxing Event on 1 December 2013 in the Edinburgh Masonic Club, 1 Shrub Place Lane, Edinburgh.

(Reference – report by the Head of Service, Community Safety, submitted)

### **3. Application for Temporary Market Operators Licence, Unique Events, Various City Centre Sites 31 December 2013 to 1 January 2014**

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The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency as a decision was required at this meeting

Details were provided of an Application for a Temporary Market Operators Licence, by Unique Events for Various City Centre Sites for the period 31 December 2013 to 1 January 2014

The applicant was heard

#### **Decision**

1. To grant the application, subject to standard conditions for this type of licence.
2. To note the undertaking of the applicant that future applications would be lodged timeously.

(Reference: application, tabled)

### **4. Resolution to Consider in Private**

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

### **5. Private Rented Sector Tenancy Management Report**

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At the Licensing Sub-Committee meeting on 16 August 2013 the committee granted an HMO Renewal licence for a property in Edinburgh. However the committee were concerned about the licence holder's approach to managing the tenancies of his properties and requested the Director of Services for Communities to provide a report on the applicant's tenancy management practices.

The licence holder advised that he had now appointed a property management company and that they would deal with the day to day management of all his properties

### **Decision**

1. To note the report and take no further action subject to
2. The Acting Head of Housing and Regeneration to confirm that a managing agent had been appointed.

(Reference – report by the Acting Head of Housing and Regeneration)

## **6. Application for Miscellaneous Licence – Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006**

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Details were provided of 9 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

### **Decision**

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

(Reference – application details, submitted.)

## **7. Request For Immediate Suspension of Taxi Driver Licence**

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Details were provided of action taken by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in accordance with Terms of Reference and Delegated Functions 3.1 to suspend a taxi driver's licence with immediate effect on the grounds that the licence holder had a medical condition which could put public safety at risk.

The Community Safety Manager advised that the licence holder had now been declared fit to drive by the Council's medical Advisor

### **Decision**

1. To note the action by the Director of Services for Communities in consultation with the Convener of the Regulatory Committee in accordance with Committee Terms of Reference and Delegated Functions 3.1 to suspend the licence with immediate effect on medical grounds.
2. To recall the suspension.

(Reference – report by the Head of Service, Community Safety)

## APPENDIX 1

### Applications for Miscellaneous Licences

Item No/Type of Licence/Applicant/Premises	Conditions applied for	Decision
Item No 6.1(1) - Application for a House in Multiple Occupation Licence - Claire Chalmers -Watson - 53(1F1) Spottiswoode Street	4 Occupants	<ol style="list-style-type: none"> <li>1. To repel the objection and grant the licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. To accept the objections submitted outwith the statutory period</li> </ol>
Item No 6.1(2) - Application for a House in Multiple Occupation Licence - Steven Teague - 51(2F2) Lauderdale Street	6 Occupants	To repel the objection and authorise the Director of Services for Communities to grant the licence subject to the Council's Standard Conditions for this category of licence
Item No 6.1(3) - Application for a House in Multiple Occupation Licence - Kwai heung Siu - 4(1F4) Rosebank Grove	4 Occupants	<ol style="list-style-type: none"> <li>1. To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. The Director of services for Communities to arrange for a further noise study / test on the door closers to be carried out.</li> <li>3. Should any further work be required by the Director following the test this to be completed by 31 January 2014.</li> </ol>
Item No 6.1(4) - Application for a House in Multiple Occupation Licence - Horsburgh Murray Partnership - 43(1F1) Ashley Terrace	4 Occupants	To continue consideration of the matter for the Director of Services to carry out monitoring and report back to the Licensing Sub-Committee on 7 March 2014



Item No 6.1(5) - Application for a Market Operators Licence - Unique Events Ltd - West Parliament Square	Torchlight procession West Parliament Square Edinburgh	To grant the licence subject to the Council's Standard Conditions for this category of licence.
Item No 6.1(6) - Application for a Market Operators Licence - Grassmarket Area Traders Association - Grassmarket	To trade from 28 December to 2 January 2014	To note the application had been withdrawn
Item No 6.1(7) - Application for a Street Trader Licence - Neil Moodie - Middle Meadow Walk	Standard	To refuse the application in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982.
Item No 6.1(8) - Application for a Street Trader Licence - Honorata Mroczkowska - 30 Inglis Green Road	N/A/	To repel the objection and grant the licence subject to the Council's Standard Conditions for this category of licence and subject to satisfactory examination of the vehicle.
Item No 6.1(9) - Application for a Street Trader Licence - Jozsef Huszti - North Meadow Walk	N/A	To refuse the application in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982.
Item No 6.1(10) - Application for a Street Trader Licence - Gilroy Leisure Limited - George IV Bridge	N/A	To note that the application had been withdrawn.

<p>Item No 6.1(11) - Application for a Second Hand Dealer Licence - Syed HHussan Zahid - 15 Bonnington Road Lane</p>	<p>N/A</p>	<ol style="list-style-type: none"> <li>1. To grant the licence subject to the Council's Standard Conditions for this category of licence.</li> <li>2. The existing licence to be surrendered by 12 Noon on 31 December 2013</li> <li>3. The current licence holder to take no part in the running of the business</li> <li>4. To authorise the Director of Services for Communities to refuse the application in terms of Paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982 if the existing licence had not been surrendered by 12 Noon on 31 December 2013.</li> </ol>
<p>Item No 6.1(12) - Application for a Second Hand Dealer Licence - CEX Ltd - 19B Rose Street</p>	<p>N/A</p>	<p>To repel the objection and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.</p>
<p>Item No 6.1(13) - Application for a Second Hand Dealer Exemption Licence - CEX Ltd - 19B Rose Street</p>	<p>N/A</p>	<p>To refuse the exemption.</p>
<p>Tabled – Temporary Market Operator's Licence – Unique Events Edinburgh's Hogmany</p>	<p></p>	<ol style="list-style-type: none"> <li>1. To grant the application, subject to standard conditions for this type of licence.</li> <li>2. To note the undertaking of the applicant that future applications would be lodged timeously.</li> </ol>