

Minutes

Licensing Sub-Committee of the Regulatory Committee

2.30pm, Monday 16 September 2019

Present

Councillors Fullerton (Convener) (items 1 to 5.12), Dixon (Vice-Convener) (in the Chair for item 5.13 onwards), Rae, Neil Ross and Rose.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 19 August 2019 as a correct record subject to changing the word “agreed” to “indicated” at item 2, point i) of the amendment by Councillor Arthur.
- 2) To approve the minute of the Licensing Sub-Committee of 20 August 2019 as a correct record.

2. Proposed Parades and Processions: September/October 2019

Details were provided of a number of proposed parades and processions during September and October 2019. The event organisers and the appropriate Council officers were heard.

Decision

1) **Edinburgh March and Rally for Peace in Europe – 21 September 2019**

- 1) To note that a TTRO would not be in place for the march.
- 2) To note the concerns raised by Police Scotland regarding sufficient resources being available to police the march.
- 3) To make an Order in respect of the proposed Edinburgh March and Rally for Peace in Europe on 21 September 2019 imposing conditions that:
 - a) The parade shall proceed in accordance with the times set out in the Notice of Proposal (12.30 start, 15.00 finish).

- b) The standard conditions for parades, set out in appendix 2 of the report by the Council's Regulatory Services Manager shall be adhered to.
- c) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.
- 4) The organiser will contact the Police Events Planning Team as soon as possible.

2) Edinburgh Diwali – 26 October 2019

To make an Order in respect of the proposed Edinburgh Diwali procession on 26 October 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.
- 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. Proposed Parade: March and Rally for Independence – 5 October 2019

Decision

To note that the notification had been **WITHDRAWN** by the event organiser.

(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. Request for Consideration of Landlord Registration

An application had been received to renew a landlord registration that had expired.

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 Revocation of Landlord Registration

The Sub-Committee considered a request by the Executive Director of Place to revoke a Landlord Registration.

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.)

APPENDIX

Applications for Miscellaneous Licences

Public Entertainment Licence (Temporary)		
5.2	Highland Centre Ltd Mark Currie	To GRANT the licence subject to the Council's standard conditions for this category of licence and additional licensing enforcement conditions, noise conditions and Roads conditions.
5.3	Edinburgh Diwali Mohindra Dhall	To GRANT the licence subject to the Council's standard conditions for this category of licence and Police Scotland conditions.
Market Operator Licence (Temporary)		
5.4	Edinburgh Diwali Anil Chugh	To GRANT the licence subject to the Council's standard conditions for this category of licence and Police Scotland conditions.
5.5	Edinburgh Diwali Anil Chugh	To GRANT the licence subject to the Council's standard conditions for this category of licence and Roads conditions.
Public Entertainment Licence (Temporary)		
5.6	Edinburgh Cocktail Week Ltd Gary Anderson	To GRANT the licence subject to the Council's standard conditions for this category of licence, noise conditions and Roads conditions.
Market Operators Licences (Temporary)		
5.7	Edinburgh Cocktail Week Ltd Gary Anderson	To GRANT the licence subject to the Council's standard conditions for this category of licence, noise conditions and Roads conditions.
Public Entertainment Licence (Temporary)		
5.8	World Wide Festival UK Ltd Carsten Raun	To GRANT the licence subject to the Council's standard conditions for this category of licence and Police Scotland conditions.
Street Trader Licence (New)		

5.9	NTA Productions Natalie Allison	<p>1) To AGREE to consider the application in the absence of the applicant.</p> <p>2) To GRANT the licence subject to the Council's standard conditions for this category of licence, Roads conditions and an additional condition that the number of participants on a tour be restricted to 20.</p> <p>(on a division)</p> <p>See note 1.</p>
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House in Multiple Occupation Licence (Renewal)

5.10	44 (3F2) Montpelier Park, Edinburgh – report by the Executive Director of Place Elizabeth Fieldman	<p>To REFUSE the licence in terms of section 131 of the Housing (Scotland) Act 2006 as the premises were not suitable for occupation as a HMO and could not be made so suitable by including conditions in the HMO licence.</p> <p>(During consideration of the above item, the Sub-Committee agreed to adjourn to allow deliberation to be held in private.)</p>
5.11	18 Carrick Knowe Drive, Edinburgh James Robert Ewen Agent: Steven Murray, Rentlocally	To GRANT the licence subject to the Council's standard conditions for this category of licence.
5.12	2 (2F2) Sciennes Hill Place, Edinburgh Barrie Neilson Agent: Gemma Gilmour, University of Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence.

House in Multiple Occupation Licence (New)

5.13	96 Findhorn Place, Edinburgh Henry Fung Agent: Brian Morgan, HMO Scotland Ltd	To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of 6 months.
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House in Multiple Occupation Licence (New)

5.14	31 (Flat 2) Grove Street, Edinburgh Stance 11, Playfair Steps, Edinburgh Track Twelve Ltd Agent: Stephen Coyle, Cullen Property Ltd	To GRANT the licence subject to the Council's standard conditions for this category of licence.
5.15	27 (Flat 4) Mortonhall Road, Edinburgh Mohammed Ather Bashir	To GRANT the licence subject to the Council's standard conditions for this category of licence.
5.16	6 (3F) York Place, Edinburgh Andrew Dalziel Finnie Agent: Brian Morgan, HMO Scotland Ltd	To GRANT the licence subject to the Council's standard conditions for this category of licence.

Note 1

Item 5.9 – Street Trader Licence (New) – NTA Productions – Natalie Allison

Motion

- 1) To **AGREE** to consider 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, roads conditions and an additional condition that the number of participants on a tour be restricted to 30.
- moved by Councillor Fullerton, seconded by Councillor Rose

Amendment

- 1) To **AGREE** to consider 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, Roads conditions and an additional condition that the number of participants on a tour be restricted to 20.

- moved by Councillor Rae, seconded by Councillor Dixon

Voting

For the motion - 2 votes

For the amendment - 3 votes

(For the motion – Councillors Fullerton and Rose.

For the amendment – Councillors Dixon, Rae and Neil Ross.)

Decision

- 1) To **AGREE** to consider 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, Roads conditions and an additional condition that the number of participants on a tour be restricted to 20.