

Minutes

Licensing Sub-Committee of the Regulatory Committee

1.30pm, Monday 18 November 2019

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur (for Items 1 to 5.4), Henderson (substituting for Councillor Wilson), Howie, Mitchell, Rae, Neil Ross and Rose.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 21 October 2019 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 22 October 2019 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 28 October 2019 as a correct record.

2. Proposed March - Stand with Hong Kong – Human Rights Solidarity March – 23 November 2019

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 to allow the Committee to give early consideration to the matter.

Details were provided of a notification received for a proposed march Stand with Hong Kong – Human Rights Solidarity March to be held on 23 November 2019. The Event Organiser and the appropriate Council officers were heard.

Decision

- 1) To note that no permissions had been obtained for the start of the march in Parliament Square.
- 2) To note that an emergency Temporary Traffic Regulation Order would be in place for the parade.

- 3) To note that Police Scotland had confirmed that the event would be policed on a stop and hold basis.
- 4) Subject to the applicant having further discussion with the Council's public safety team and relevant permissions being obtained from the Scottish Parliament, to make an Order in respect of the proposed Stand with Hong Kong – Human Rights Solidarity March on 23 November 2019 within the designated route and times imposing conditions that:
 - a) The parade shall proceed in accordance with the route and times specified in the Notice of Proposal.
 - b) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

(Reference – Notification, submitted)

3. Proclamation of Dissolution of Westminster Parliament 7 November 2019

Decision

To note the action taken by the Executive Director of Place in consultation with the Convener under urgency provisions to make an Order in respect of the Proclamation of Dissolution of Westminster Parliament held on 7 November 2019 imposing conditions as set out in Appendix 2 of the report.

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

4. Street Trader Application – David Woodford

Decision

To **CONTINUE** consideration of the application to the meeting of the Licensing Sub-Committee on 16 December 2019 to allow the applicant to attend.

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

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

Details were provided of nine 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)

APPENDIX

Applications for Miscellaneous Licences

Late Hours Catering Licence (New)		
5.2	DiVito Ltd Marco DiVito	To GRANT the licence for the hours Sun-Thurs 23:00-00:00 and Fri-Sat 23:00-00:30 subject to the Council's standard conditions for this category of licence.
5.3	Franco's Fish & Chips Sofiane Djaoui	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 16 December 2019 to allow the applicant to attend.
Late Hours Catering Licence (Renewal)		
5.4	Best Kebab House Huseyin Eren	To RENEW the licence for the hours Sun-Thurs 23:00 to 01:00 and Fri & Sat 23:00 to 02:00 subject to the Council's standard conditions for this category of licence.
5.5	Sultan Takeaway Edinburgh Ltd Hasan Ak	1) To RENEW the licence subject to the Council's standard conditions for this category of licence. 2) To VARY the licence subject to the Council's standard conditions for this category of licence for the hours requested as follows: Fri & Sat 23:00 to 01:00.
Street Trader Licence (New)		
5.6	Lynsey Stuart Leith Links, Edinburgh	1) To AGREE to consider the late objection. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of 6 months.
5.7	Steven Fotheringham Straiton Place Park, Portobello, Edinburgh	1) To AGREE to consider the late objection. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence.
House in Multiple Occupation Licence (Renewal)		
5.8	13 (2F2) Glengyle Terrace, Edinburgh Andrew & Catherine Morton	To GRANT the licence subject to the Council's standard conditions for this category of licence.

	Agent – Stephen Coyle, Cullen Property Ltd	
5.9	44 (1F1) Thirlestane Road, Edinburgh Ian Farquharson Agent – Gordon Watson, Cornbank Letting	To GRANT the licence subject to the Council's standard conditions for this category of licence. (on a division) See note 1.

Note 1

Item 5.9 – House in Multiple Occupation Licence (Renewal) – 44 (1F1) Thirlestane Road, Edinburgh

Motion

To **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 **GRANT** the licence for a period of 1 year subject to the Council's standard conditions for this category of licence. - moved by Councillor Rose, seconded by Councillor Neil Ross

Voting

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

(For the motion – Councillors Dixon, Fullerton, Howie and Mitchell.
For the amendment – Councillors Henderson, Rae, Rose and Neil Ross.)

There being an equality in the number of votes cast, the Convener used her casting vote in favour of the motion.

Decision

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