

# Notice of meeting and agenda

## Licensing Sub-Committee

**9.30 am Tuesday, 27th October, 2020**

Virtual Meeting - via Microsoft Teams

The law allows the Council to consider some issues in private. Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

### Contacts

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Tel: 0131 529 4340 / 0131 529 4237

## **1. Order of Business**

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- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **2. Declaration of Interests**

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **3. Minutes**

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- 3.1 Minute of Licensing Sub-Committee of 28 September 2020 - 5 - 12  
submitted for approval as a correct record

## **4. Civic Government (Scotland) Act 1982 - To consider miscellaneous applications**

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- 4.1 Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications – list of applications 13 - 16
- 4.2 Street Trader Licence (Temporary) - The Business Incentives Group 17 - 30
- 4.3 Street Trader Licence (Renewal & Variation) - Mrs Amanda French 31 - 48
- 4.4 House in Multiple Occupation Licence (Renewal) - 4f2, 51 Salisbury Road 49 - 76
- 4.5 House in Multiple Occupation Licence (New) - 2f2, 51 Salisbury Road 77 - 90
- 4.6 House in Multiple Occupation Licence (New) - Flat 2, 1 Esdaile Park 91 - 140

## 5. Resolution to Consider in Private

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- 5.1 The Sub-Committee, is requested 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.Suspension/Revocation Requests

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- |     |                                                                                                       |           |
|-----|-------------------------------------------------------------------------------------------------------|-----------|
| 6.1 | Suspension or Revocation of Private Hire Driver's Licence – Report by the Regulatory Services Manager | 141 - 150 |
| 6.2 | Police Requests for Suspension or Revocation of Licences – Report by the Regulatory Services Manager  | 151 - 164 |
| 6.3 | Suspension or Revocation of Licence – Report by the Regulatory Services Manager                       | To Follow |
| 6.4 | Suspension or Revocation of Licence – Report by the Regulatory Services Manager                       | To Follow |

## 7. Civic Government (Scotland) Act 1982 - To consider miscellaneous applications

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- |     |                                                                                                                                      |           |
|-----|--------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 7.1 | Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications – list of applications | 165 - 166 |
| 7.2 | Private Hire Driver Licence (New) - Hector Garcia Montelongo                                                                         | 167 - 176 |

### Laurence Rockey

Head of Strategy and Communications

### Committee Members

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Councillor Catherine Fullerton (Convener), Councillor Denis Dixon (Vice-Convener), Councillor Scott Arthur, Councillor Max Mitchell, Councillor Joanna Mowat, Councillor

Susan Rae, Councillor Cameron Rose, Councillor Neil Ross and Councillor Donald Wilson

## **Information about the Licensing Sub-Committee**

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The Licensing Sub-Committee consists of 9 Councillors and usually meets twice a month.

This Licensing Sub-Committee meeting is being held virtually by Microsoft Teams

## **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Lesley Birrell / Martin Scott, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4340 / 0131 529 4237, email [lesley.birrell@edinburgh.gov.uk](mailto:lesley.birrell@edinburgh.gov.uk) / [martin.scott@edinburgh.gov.uk](mailto:martin.scott@edinburgh.gov.uk).

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to

<https://democracy.edinburgh.gov.uk/ieDocHome.aspx?bcr=1>.

The views expressed in any letters of representation are not necessarily the views of the City of Edinburgh Council.

# Minutes

## Licensing Sub-Committee of the Regulatory Committee

2.30pm, Monday 28 September 2020

### Present

Dixon (acting as Convener), Arthur, Doran (substituting for Councillor Wilson, Convener for item 4.4), Mitchell (items 1 to 4.5, 6.2), Mowat, Rae and Neil Ross (items 1 to 4.3).

### 1. Minutes

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#### Decision

- 1) To approve the minute of the Licensing Sub-Committee of 25 February 2020 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 9 March 2020 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 10 March 2020 as a correct record.
- 4) To approve the minute of the Licensing Sub-Committee of 17 March 2020 as a correct record.

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

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Details were provided of four 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)

### 3. Resolution to Consider in Private

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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.

#### **4. Suspension or Revocation of Private Hire Car and Private Hire Driver's Licences**

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The Sub-Committee considered a request by Police Scotland to suspend or revoke a Private Hire Car Licence and a Private Hire Driver's Licence. Police Scotland and the Regulatory Services Manager were heard.

##### **Decision**

- 1) To agree to consider the matter in the absence of the applicant.
- 2) 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)

#### **5. Suspension or Revocation of Private Hire Driver's Licence**

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The Sub-Committee considered a request by Police Scotland to suspend or revoke a Private Hire Driver's Licence. Police Scotland, the Regulatory Services Manager and the licence holder were heard.

##### **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)

#### **6. Police Requests for Suspension or Revocation of Licences**

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

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

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Details were provided of one application for miscellaneous licence.

##### **Decision**

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

(Reference – list of applications, submitted)

## APPENDIX

### Applications for Miscellaneous Licences

Market Operator Licence (Temporary)		
<b>4.2</b>	Taylor Scott Ltd Hunter Square, Edinburgh	To <b>NOTE</b> the application.
<b>4.3</b>	LocalMotive Markets Ms Tania Pramschufer Castle Street, Edinburgh	<p>1) To <b>GRANT</b> the licence for the dates 26 November 2020 to 23 December 2020, for the hours 10:00 to 20:00, subject to the Council's standard conditions for this category of licence and the additional conditions listed in the meeting papers.</p> <p>2) To <b>REFUSE</b> the request for the marquee.</p>
House in Multiple Occupation Licence (Renewal)		
<b>4.4</b>	16 (1F2) Grove Street, Edinburgh  Mr Eric Gardiner  Agent: Mr David Rowand, Cairn Letting	<p>To <b>REFUSE</b> the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the agent was not fit and proper to hold a licence.</p> <p><b><u>DECLARATION OF INTERESTS</u></b></p> <p>Councillor Dixon declared a non-financial interest in this item he was known to one of the objectors and took no part in the consideration of the item.</p> <p>Councillor Doran declared a non-financial interest in this item as the applicant and objectors were constituents of her ward.</p> <p>Councillor Doran was appointed Convener for this item.</p>
House in Multiple Occupation Licence (New)		
<b>4.5</b>	90 (3F2) Hamilton Place, Edinburgh  Mr William Hubert Rutherford	To note that this application had been <b>WITHDRAWN</b> from the agenda by the Executive Director of Place.

	Lodging Agent: Mr Brian Morgan, HMO Scotland	
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by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A  
of the Local Government(Scotland) Act 1973.

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Licensing Sub-Committee of the Regulatory Committee

27 October 2020

Applications for Miscellaneous Licences

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
<b>The following applicants have been invited for 9.30am</b>							
<b>Street Trader Licence (Temporary)</b>							
4.2	The Business Incentives Group Mr Alan Adie	Waverley Bridge, Edinburgh	Standard Conditions	N/A		N/A	26.10.20
<b>Street Trader Licence (Renewal &amp; Variation)</b>							
4.3	Mrs Amanda French	Craightinny Avenue North, Edinburgh	Standard Conditions	N/A		Licensing Enforcement/Environmental Health Public Objections: June Sutherland F.E McBrierty Billy Millar	Renewal - 30 January 2021 Variation – 11 November 2020

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
<b>House in Multiple Occupation Licence (Renewal)</b>							
4.4	Mr Carlo Perrotta Lodging Agent: Ms Rachel Whale, ESPC Lettings	4f2, 51 Salisbury Road, Edinburgh, EH16 5AA	3 occupants	Satisfactory		Mr Peter McGrath (Late Objection) Mr J.D. Withington (Late Objection) Ms Alexandra Taylor (Late Objection)	11.12.20
<b>House in Multiple Occupation Licence (New)</b>							
4.5	Mr Nicholas Edward O'Neill & Mrs Mary Jane O'Neill Lodging Agent: Ms Gemma Gilmour, The University of Edinburgh Mr Kevin Michael O'Neill	2f2, 51 Salisbury Road, Edinburgh, EH16 5AA	3 occupants	Satisfactory		Mr Peter McGrath Mr J.D. Withington (Late Objection - reasons for lateness provided)	09.06.21
4.6	Ms Briony Isobel Chitty Lodging Agent:	Flat 2, 1 Esdaile Park,	4 Occupants	Satisfactory		James Brunton Patricia & Robbie Burnett	18.03.21

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
	Mr Brian Morgan, HMO Scotland	Edinburgh, EH9 2PS				Nigel & Dianah Esdaile Yvonne & David Filsell Ian Girot – Late objection with reasons for lateness provided Joyce Holt – Late objection Bill McWilliam Douglas Turner H Wang	

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LICENSING REF NO: 438862

**ITEM NO**

**STREET TRADER LICENCE**

Temporary

APPLICANT DETAILS: MANAGER	NAME	<b>The Business Incentives Group Ltd</b> <b>Mr Alan Adie</b>
PREMISES ADDRESS	<b>Street Record, Waverley Bridge, Edinburgh</b>	
CONDITIONS RECOMMENDED	<b>Standard Conditions</b>	
REPRESENTATIONS RECEIVED	N/A	
REASON FOR BEING CALLED TO COMMITTEE	<b>Out with Council policy</b>	
DETERMINATION DATE	<b>Event requested start date – 26/10/20</b>	
<b>NOTES: Official merchandise trader for Poppy Scotland.</b>		

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LICENSING REF NO: 433014 & 429670

**ITEM NO**

## STREET TRADER LICENCE

### Renewal & Variation

APPLICANT DETAILS: MANAGER	NAME	<b>Mrs Amanda French</b>
PREMISES ADDRESS		<b>Street Record, Craigentiny Avenue North, Edinburgh</b>
CONDITIONS RECOMMENDED		<b>Standard Conditions</b>
REPRESENTATIONS RECEIVED		June Sutherland (Public Objection) F.E McBrierty (Public Objection) Billy Millar (Public Objection) Licensing Enforcement/Environmental Health
REASON FOR BEING CALLED TO COMMITTEE		<b>Public Objections and variation is out with council policy.</b>
DETERMINATION DATE		<b>Renewal - 30 January 2021                  Variation – 11 November 2020</b>
<b>NOTES: The applicant is applying for a renewal and variation to have the van remain on site overnight.</b>		

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# Agenda Item 4.4

LICENSING REF NO: 425935

ITEM NO

**HMO  
RENEWAL**

APPLICANT DETAILS:	NAME	<b>Mr Carlo Perrotta</b>
	AGENT	<b>Ms Rachel Whale, ESPC Lettings</b>
	LODGING AGENT	<b>Ms Rachel Whale, ESPC Lettings</b>
PREMISES ADDRESS		<b>4f2, 51 Salisbury Road, Edinburgh, EH16 5AA</b>
CONDITIONS APPLIED FOR		<b>Maximum Occupants - 3</b>
24 HOUR CONTACT NUMBER		<b>SATISFACTORY</b>
NOTICE OF APPLICATION		<b>SATISFACTORY</b>
REPRESENTATIONS RECEIVED		<b>Mr Peter McGrath (Late Objection) Mr J.D. Withington (Late Objection) Ms Alexandra Taylor (Late Objection)</b>
DETERMINATION DATE		<b>11 December 2020</b>
RENEWAL DATE		<b>13 December 2022</b>
<b>NOTES:</b> <b>Recommendation of a one year licence from the HMO Inspection Team due to breaks in certification.</b>		

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# Agenda Item 4.5

LICENSING REF NO: 431689

ITEM NO

HMO  
NEW

APPLICANT DETAILS:	NAME	<b>Mr Nicholas Edward O'Neill &amp; Mrs Mary Jane O'Neill</b>
	AGENT	<b>Ms Gemma Gilmour, The University of Edinburgh Mr Kevin Michael O'Neill</b>
PREMISES ADDRESS		<b>2f2, 51 Salisbury Road, Edinburgh, EH16 5AA</b>
CONDITIONS APPLIED FOR		<b>Maximum Occupants - 3</b>
24 HOUR CONTACT NUMBER		<b>SATISFACTORY</b>
NOTICE OF APPLICATION		<b>SATISFACTORY</b>
REPRESENTATIONS RECEIVED		<b>Mr Peter McGrath Mr J.D. Withington (Late Objection - reasons for lateness provided)</b>
DETERMINATION DATE		<b>9 June 2021</b>
RENEWAL DATE		<b>1 Year From Date Of Grant</b>
<b>NOTES:</b>		

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# Agenda Item 4.6

LICENSING REF NO: 432244

**ITEM NO**

**HMO  
NEW**

<b>APPLICANT DETAILS:</b>	<b>NAME</b>	<b>Ms Briony Isobel Chitty</b>
	<b>LODGING AGENT</b>	<b>Mr Brian Morgan, HMO Scotland</b>
<b>PREMISES ADDRESS</b>		<b>Flat 2, 1 Esdaile Park, Edinburgh, EH9 2PS</b>
<b>CONDITIONS APPLIED FOR</b>		<b>Maximum Occupants - 4</b>
<b>24 HOUR CONTACT NUMBER</b>		<b>SATISFACTORY</b>
<b>NOTICE OF APPLICATION</b>		<b>SATISFACTORY</b>
<b>REPRESENTATIONS RECEIVED</b>		<b>James Brunton</b> <b>Patricia &amp; Robbie Burnett</b> <b>Nigel &amp; Dianah Esdaile</b> <b>Yvonne &amp; David Filsell</b> <b>Ian Girot – Late objection with reasons for lateness provided</b> <b>Joyce Holt – Late objection</b> <b>Bill McWilliam</b> <b>Douglas Turner</b> <b>H Wang</b>
<b>DETERMINATION DATE</b>		<b>18 March 2021</b>
<b>RENEWAL DATE</b>		<b>1 Year from Date of Grant</b>
<b>NOTES:</b>		

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