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 Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.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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1. Order of Business

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

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

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

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

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

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

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

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

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

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 / 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

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

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

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

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

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

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

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 C	Market Operator Licence (Temporary)				
4.2	Taylor Scott Ltd Hunter Square, Edinburgh	To NOTE the application.			
4.3	LocalMotive Markets Ms Tania Pramschufer Castle Street, Edinburgh	 To GRANT 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. To REFUSE the request for the marquee. 			
House in	Multiple Occupation L	icence (Renewal)			
4.4	16 (1F2) Grove Street, Edinburgh Mr Eric Gardiner Agent: Mr David Rowand, Cairn Letting	To REFUSE 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. DECLARATION OF INTERESTS 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. Councillor Doran declared a non-financial interest in this item as the applicant and objectors were constituents of her ward. Councillor Doran was appointed Convener for this item.			
House in	Multiple Occupation L	Licence (New)			
4.5	90 (3F2) Hamilton Place, Edinburgh Mr William Hubert Rutherford	To note that this application had been WITHDRAWN from the agenda by the Executive Director of Place.			

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
The follo	owing applicants I	have been invi	ted for 9.30am				
Street T	rader Licence (Te	mporary)					
4.2 P	The Business Incentives Group Mr Alan Adie	Waverley Bridge, Edinburgh	Standard Conditions	N/A		N/A	26.10.20
	rader Licence (Re	newal & Variat	ion)	<u> </u>			1
ώ _{4.3}	Mrs Amanda French	Craigentinny Avenue North, Edinburgh	Standard Conditions	N/A		Licensing Enforcement/Envir onmental Health Public Objections: June Sutherland F.E McBrierty Billy Millar	Renewal - 30 January 2021 Variation – 11 November 2020

Agenda Item 4.1

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
House i	n Multiple Occupa	tion Licence	(Renewal)	· · ·			
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
	n Multiple Occupa	tion Licence	(New)				
4.5 Page 14	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
Page	Edinburgh, EH9 2PS				Nigel & Dianah EsdaileYvonne & David FilsellIan Girot – Late objection with reasons for lateness providedJoyce Holt – Late objectionBill McWilliam Douglas Turner	

Agenda Item 4.2

LICENSING REF NO: 438862

ITEM NO

STREET TRADER LICENCE

Temporary

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

LICENSING REF NO: 433014 & 429670

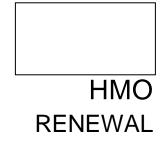
ITEM NO

STREET TRADER LICENCE

Renewal & Variation

APPLICANT DETAILS: NAME MANAGER	Mrs Amanda French
PREMISES ADDRESS	Street Record, Craigentinny Avenue North, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
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	Public Objections and variation is out with council policy.
DETERMINATION DATE	Renewal - 30 January 2021 Variation – 11 November 2020
NOTES: The applicant is applying for remain on site overnight.	a renewal and variation to have the van

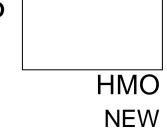
ITEM NO



APPLICANT DETAILS: NAME	Mr Carlo Perrotta
AGENT	Ms Rachel Whale, ESPC Lettings
LODGING AGENT	Ms Rachel Whale, ESPC Lettings
PREMISES ADDRESS	4f2, 51 Salisbury Road, Edinburgh, EH16 5AA
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr Peter McGrath (Late Objection) Mr J.D. Withington (Late Objection) Ms Alexandra Taylor (Late Objection)
DETERMINATION DATE	11 December 2020
RENEWAL DATE	13 December 2022
NOTES:	

Recommendation of a one year licence from the HMO Inspection Team due to breaks in certification.

ITEM NO



APPLICANT DETAILS: NAME AGENT	
PREMISES ADDRESS	2f2, 51 Salisbury Road, Edinburgh, EH16 5AA
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr Peter McGrath Mr J.D. Withington (Late Objection - reasons for lateness provided)
DETERMINATION DATE	9 June 2021
RENEWALDATE	1 Year From Date Of Grant
NOTES:	

ITEM NO



APPLICANT DETAILS: NAME	Ms Briony Isobel Chitty
LODGING AGENT	Mr Brian Morgan, HMO Scotland
PREMISES ADDRESS	Flat 2, 1 Esdaile Park, Edinburgh, EH9 2PS
CONDITIONS APPLIED FOR	Maximum Occupants - 4
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	James Brunton Patricia & Robbie Burnett 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
DETERMINATION DATE	18 March 2021
RENEWAL DATE	1 Year from Date of Grant
NOTES:	

Agenda Item 6.1

Agenda Item 6.2

Agenda Item 7.1

Agenda Item 7.2