

Notice of meeting and agenda

Licensing Sub-Committee

9.30 am Tuesday, 8th December, 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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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

Email: rachel.gentleman@edinburgh.gov.uk / sarah.stirling@edinburgh.gov.uk

Tel: 0131 529 4107 / 0131 529 3009

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 24 November 2020 – 5 - 20
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 | 21 - 22 |
| 4.2 | Skin Piercing/Tattooing Licence (New) - Allure Beauty Lounge | 23 - 30 |
| 4.3 | Late Hours Catering (Variation) - WM Morrison Supermarkets Plc | 31 - 34 |
| 4.4 | Late Hours Catering (Variation) - WM Morrison Supermarkets Plc | 35 - 38 |

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	Police Request for Suspension or Revocation of Taxi Driver's Licence – Report by the Regulatory Services Manager	39 - 46
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7. Landlord Registrations

7.1	Request for Revocation of Landlord Registration – Report by the Regulatory Services Manager	47 - 56
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8. Civic Government (Scotland) Act 1982 - To consider miscellaneous applications

8.1	Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications – list of applications	57 - 58
8.2	Private Hire Car Driver Licence (Renewal) – Imran Razzaq	59 - 70
8.3	Private Hire Car Driver Licence (New) - Javed Khan	71 - 84
8.4	Private Hire Car Driver Licence (New) - Marcin Kapowicz	85 - 96
8.5	Private Hire Car Driver Licence (New) - Mohammad Ethari	97 - 106
8.6	Private Hire Car Driver Licence (New) - Hekmet Momen	107 - 118

Andrew Kerr

Chief Executive

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 meeting of the Licensing Sub-Committee is being held virtually by Microsoft Teams.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Rachel Gentleman or Sarah Stirling, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4107 / 0131 529 3009, email rachel.gentleman@edinburgh.gov.uk / sarah.stirling@edinburgh.gov.uk.

The above items are not for publication as they fall within the description of exempt information and, consequently, are likely to be considered in private.

Members are reminded that they may appoint substitutes. If members intend to appoint substitutes, they should contact Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street Edinburgh, EH8 8BG ☎ 529 4261, email committee.services@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>.

Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday 24 November 2020

Present

Fullerton (Convener), Dixon (Vice-Convener), Arthur (items 1 to 10, 11(c) onwards), Mitchell, Mowat (items 1 to 10, 12(9.3)), Rae, Rose, Neil Ross and Wilson.

1. Minutes

Decision

To approve the minute of the Licensing Sub-Committee of 27 October 2020 as a correct record.

2. Applications for Renewal of Taxi or Private Hire Driver's Licences – Use of Delegated Powers

Applications for the renewal of Taxi or Private Hire Driver's Licences had been received by the Licensing Service. The applicants had been unable to provide a criminal convictions certificate. These applications would normally be referred to the committee to determine whether the applications should be treated as an exemption to policy.

The Executive Director of Place intended to deal with these applications under delegated powers and sought agreement of committee to do so.

Decision

To **AGREE** that the Executive Director of Place deal with these applications under delegated powers.

(References – Regulatory Committee 6 February 2018 (item 1); report by the Regulatory Services Manager, submitted)

3. Application for New Taxi Vehicle Licence

The Sub-Committee considered an application for a new taxi licence from 599 Scottaxis Ltd.

Decision

- 1) To **GRANT** the licence subject to the standard conditions for this category of licence and a suitable vehicle being presented for, and passing inspection, by the Taxi Examination Centre within six weeks.
- 2) To **VARY** the licence conditions to allow an exemption to policy for a period of 1 year to expiry of licence on 23 November 2021.

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

4. Application for New Taxi Vehicle Licence

The Sub-Committee considered an application for a new taxi licence from Cronin Ltd.

Decision

To **GRANT** the licence subject to the standard conditions for this category of licence and a suitable vehicle being presented for, and passing inspection, by the Taxi Examination Centre within six weeks.

(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 five applications for miscellaneous licences. The applicants and their agents were heard.

An additional application for a Street Trader Licence was ruled urgent by the convener.

Decision

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

(Reference – list of applications, submitted)

6. 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.

7. 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 and the Regulatory Services Manager 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)

8. Suspension or Revocation of Taxi Driver's Licence

The Sub-Committee considered a request by Police Scotland to suspend or revoke a Taxi Driver's Licence. Police Scotland, the Regulatory Services Manager and the licence holder's agent 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)

9. Police Objection to Taxi Driver's Licence Renewal and Request for Suspension or Revocation of Licence

The Sub-Committee considered a request by Police Scotland to suspend or revoke a Taxi Driver's Licence. In addition, Police Scotland had objected to the renewal of the licence.

Police Scotland, the Regulatory Services Manager and the licence holder's agent 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)

10. Request for Refusal of Landlord Registration

The Sub-Committee considered a request by the Executive Director of Place to refuse the entry of a landlord onto the Register of Landlords.

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)

11. Police Requests for Suspension or Revocation of Licences

The Sub-Committee considered three requests by Police Scotland to suspend or revoke Private Hire Driver and Taxi Driver Licences. Police Scotland, the licence holders and their agents 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)

12. 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)

13. Request for Refusal of Landlord Registration

The Sub-Committee considered a request by the Executive Director of Place to refuse the entry of a landlord onto the Register of Landlords.

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)

14. Request for Refusal of Landlord Registration

The Sub-Committee considered a request by the Executive Director of Place to refuse the entry of a landlord onto the Register of Landlords.

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

Street Trader Licence (New)		
5.2	Edinburgh Bus Tours Ltd Mr Kenneth Campbell	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional condition that the applicant does not unreasonably obstruct road or footway users, affect their safety or obstruct access to public seating or waste bins and also subject to the additional conditions to limit the area in which tickets can be sold to Waverley Bridge or, if Waverley Bridge is closed to vehicles, to St Andrews Square only; and to limit the number of employees authorised to sell tickets on Waverley Bridge or, where Waverley Bridge is closed to vehicles in St Andrews Square, to a maximum of 7 at any one time
Skin Piercing/Tattooing Licence (New)		
5.3	Allure Beauty Lounge Ms Shannon Twist	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 8 December 2020 to allow the applicant to attend.
House in Multiple Occupation Licence (Renewal)		

5.4	4f2, 51 Salisbury Road, Edinburgh Mr Carlo Perrotta Lodging Agent: Ms Rachel Whale, ESPC Lettings	<p>1) To AGREE to accept the additional information provided by the objector and applicant.</p> <p>2) To REFUSE the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the applicant is not a fit and proper person to hold a licence.</p> <p>Note: As this application was continued from the Licensing Sub-Committee meeting of 29 October 2020, Councillor Dixon acted as convener for this item and only Councillors Arthur, Mitchell, Mowat, Rose and Neil Ross participated.</p>
5.5	47 (3F2) East London Street, Edinburgh Mrs Ella Plummer Agent: Mr James Brooks, Splendid Property Management	<p>1) To AGREE to consider the late objections.</p> <p>2) To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of 1 year.</p>
5.6	34 Sighthill View, Edinburgh Ms Xiaoye Shan	To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of 1 year.
Additional Item – Street Trader Licence (New)		
	Ms Chandra Mather	To GRANT the licence subject to the Council's standard conditions for this category of licence for stance 3.

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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

8 December 2020

Applications for Miscellaneous Licences

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
The following applicants have been invited for 9.30am							
Skin Piercing/Tattooing Licence (New)							
4.2	Allure Beauty Lounge Ms Shannon Twist	25 Marchmont Crescent, Edinburgh	Standard Conditions	N/A	Public Safety Objection Continued from Licensing Sub-Committee meeting of 24 November 2020 to allow the applicant to attend.		28.02.21
Late Hours Catering Licence (Variation)							
4.3	WM Morrison Supermarkets Plc Manager: Mr Mark Lavery	4 Piersfield Terrace, Edinburgh, EH8 7BQ	Standard Conditions	N/A	Variation to amend current operating hours from 2300-000 to 2300-0500.		18.09.21

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
4.4	WM Morrison Supermarkets Plc Manager: Mr David McCafferty	30 New Swanston, Oxfangs, Edinburgh, EH10 5NT	Standard Conditions	N/A	Variation to amend current operating hours from 2300-000 to 2300-0500.	N/A	15.09.21

LICENSING REF NO: 425166

ITEM NO

**SKIN PIERCING/TATTOOING
LICENCE**

New

APPLICANT DETAILS: MANAGER	NAME Allure Beauty Lounge Ms Shannon Twist
PREMISES ADDRESS	25 Marchmont Crescent, Edinburgh, EH9 1HQ
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Public Safety Objection
REASON FOR BEING CALLED TO COMMITTEE	Public Safety Objection
DETERMINATION DATE	28 February 2021
NOTES: New application for electrolysis. Continued from Licensing Emergency Panel in July.	

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LICENSING REF NO: 440830

ITEM NO

**LATE HOURS CATERING
LICENCE**

VARIATION

APPLICANT DETAILS: MANAGER	NAME WM Morrison Supermarkets Plc Mr Mark Lavery
PREMISES ADDRESS	4 Piersfield Terrace, Edinburgh, EH8 7BQ
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	
REASON FOR BEING CALLED TO COMMITTEE	Operating hours out with policy
DETERMINATION DATE	18 September 2021
NOTES: Variation to amend current operating hours from 2300-000 to 2300-0500.	

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LICENSING REF NO: 440832

ITEM NO

**LATE HOURS CATERING
LICENCE**

VARIATION

APPLICANT DETAILS: MANAGER	NAME WM Morrison Supermarkets Plc Mr David McCafferty
PREMISES ADDRESS	30 New Swanston, Oxfangs, Edinburgh, EH10 5NT
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	
REASON FOR BEING CALLED TO COMMITTEE	Operating hours out with policy
DETERMINATION DATE	15 September 2021
NOTES: Variation to amend current operating hours from 2300-000 to 2300-0500.	

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