

Notice of meeting and agenda

Licensing Sub-Committee

2.00pm, Monday, 19th April, 2021

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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 2 March 2021 – submitted for approval as a correct record | 5 - 10 |
| 3.2 | Minute of Licensing Sub-Committee of 8 March 2021 – submitted for approval as a correct record | 11 - 14 |
| 3.3 | Minute of Licensing Sub-Committee of 9 March 2021 – submitted for approval as a correct record | 15 - 20 |
| 3.4 | Minute of Licensing Sub-Committee of 19 March 2021 – submitted for approval as a correct record | 21 - 32 |
| 3.5 | Minute of Licensing Sub-Committee of 12 April 2021 – submitted for approval as a correct record | 33 - 36 |

4. Reports

- 4.1** Street Trader Application Comment – The Milk Wand Ltd – report by the Regulatory Services Manager
- Note: The above applicants have been invited to attend for 2.00pm.

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

- 5.1** Civic Government (Scotland) Act 1982 and Housing (Scotland) 51 - 54

Act 2006 – to consider miscellaneous applications – list of applications

5.2	House in Multiple Occupation Licence (New) - 443 (Flat 3) Gorgie Road, Edinburgh	55 - 68
5.3	House in Multiple Occupation Licence (New) - Flat 3, 10 Easter Dalry Rigg, Edinburgh	69 - 78
5.4	House in Multiple Occupation Licence (Renewal) - 3F, 27 West Maitland Street, Edinburgh	79 - 90
5.5	House in Multiple Occupation Licence (Renewal) - 2F1, 1 Appin Terrace, Edinburgh	91 - 100
5.6	Late Hours Catering Licence (New) - A&D Edinburgh Ltd	101 - 118
5.7	Late Hours Catering Licence (New) - Go Go's Takeaway Ltd	119 - 128

Andrew Kerr

Chief Executive

Committee Members

Councillors 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 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 agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to the Council's online [Committee Library](#).

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

9.30am, Tuesday 2 March 2021

Present

Councillors Fullerton (Convener), Doran (substituting for Councillor Wilson) and Neil Ross.

1. 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.

2. Applications to Vary the Conditions of Taxi or Private Hire Car Licences: Exemption to Policy

The Regulatory Committee had agreed to amend its policy and licensing conditions regarding the age and emissions standards of licensed vehicles in Edinburgh's Taxi and Private Hire Car fleet at its meeting on 16 March 2018.

16 requests had been received for exemptions to this policy. The licence holders and relevant Council officers were heard.

Decision

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

(References – Regulatory Committee 16 March 2018 (item 1); report by the Regulatory Services Manager, submitted)

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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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Minutes

Licensing Sub-Committee of the Regulatory Committee

2.00pm, Monday 8 March 2021

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur (items 2 onwards), Mitchell, Mowat, Rae, Rose, Neil Ross and Wilson (items 3 onwards).

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 29 January 2021 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 1 February 2021 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 2 February 2021 as a correct record.
- 4) To approve the minute of the Licensing Sub-Committee of 15 February 2021 as a correct record.

2. Application for Renewal of Metal Dealer's Licence – Stephen Dalton Scrap Metal Merchant

An application for a renewal of Metal Dealer's Licence for Stephen Dalton Scrap Metal Merchant was considered, including the objections to the granting of the licence.

Motion

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

- moved by Councillor Fullerton, seconded by Councillor Dixon

Amendment

To **GRANT** the licence subject to the standard conditions for this category of licence for a period of 1 year.

- moved by Councillor Rose, seconded by Councillor Neil Ross

Voting

- | | | |
|-------------------|---|---------|
| For the motion | - | 2 votes |
| For the amendment | - | 5 votes |

(For the motion – Councillors Dixon, Fullerton.

For the amendment – Councillors Arthur, Mowat, Rae, Rose and Neil Ross.)

Decision

To **GRANT** the licence subject to the standard conditions for this category of licence for a period of 1 year.

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

Declaration of Interests

Councillor Mitchell declared a non-financial interest in the above item as one of the objectors was known to him and took no part in consideration of the item.

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

Details were provided of seven 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

Market Operator Licence (Temporary)		
5.2	<p>Hands up Events Ltd / Localmotive Markets</p> <p>Castle Street, Edinburgh</p> <p>Ms Tania Pramschufer</p>	<p>1) To note that the applicant had WITHDRAWN the request for the dates 19 to 25 April 2021.</p> <p>2) To GRANT the licence subject to the standard conditions for this category of licence and subject to the four additional conditions requested by the police as set out in the letter from Police Scotland dated 5 February 2021.</p>
Street Trader Licence (Renewal)		
5.3	<p>Ms Sheila Gunderson</p> <p>Turnhouse Road, Edinburgh</p>	<p>1) To AGREE to consider the late objection.</p> <p>2) To GRANT the licence subject to the standard conditions for this category of licence and the additional condition that the applicant would liaise with Roads to move according to any ad hoc arrangements required by works.</p>
House in Multiple Occupation Licences (New)		
5.4	<p>443 (Flat 3) Gorgie Road, Edinburgh</p> <p>Mr Rupinder Kaur Bal Lodging Agent: HMO Scotland Ltd</p>	<p>To CONTINUE consideration of the request to the meeting of the Licensing Sub-Committee of 19 April 2021 to allow the applicant to attend, at the request of the agent.</p>
5.5	<p>2 (1F2) Lauriston Park, Edinburgh</p> <p>Mr John Weber- Steinhaus</p> <p>Agent: Mr Alan Fraser, Investment Property Agency</p>	<p>To GRANT the licence subject to the standard conditions for this category of licence for a period of 1 year.</p>
House in Multiple Occupation Licences (New)		
5.6	<p>48 (3F1) East Claremont Street, Edinburgh</p>	<p>1) To AGREE to consider the late objections.</p> <p>2) To GRANT the licence subject to the standard conditions for this category of licence.</p>

	Ms Phumzile Aletta Drummond Agent: Mrs Anna Jane Renton, Grant Property Management Solutions Ltd	Declaration of Interests Councillor Mitchell declared a non-financial interest as one of the objectors was known to him and took no part in consideration of this item.
5.7	54 (2F2) East Claremont Street, Edinburgh Mrs Deborah Marlyn Egan Agent: Ms Leanne Hughes, Fineholm Letting Services Ltd	1) To AGREE to consider the late objection. 2) To AGREE that the agent would contact the objector to resolve the issues raised in his objection. 3) To GRANT the licence subject to the standard conditions for this category of licence.
5.8	10 John's Place, Edinburgh K & S Mir LTD T/A CGHG Agent: Mr Kamran Akbar & Mr Neil Ellis	To GRANT the licence subject to the standard conditions for this category of licence.

Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday 9 March 2021

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur (for items 4.2(3, 4 and 6), Mitchell, Mowat, Rae, Neil Ross, Rose and Wilson.

1. 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.

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 Sub-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 to do so.

Decision

To agree that the Executive Director of Place deal with the three applications appended to the report, and any future similar applications for renewal of Taxi/PHC Driver licences under delegated powers.

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

3. Police Requests for Suspension or Revocation of Licences

The Sub-Committee considered requests by Police Scotland to suspend or revoke one Taxi Driver Licence, five Private Hire Car Driver Licences and five Private Hire Car Licences. Police Scotland, the licence holders and agents were heard.

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)

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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Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Friday 19 March 2021

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener) and Mitchell.

1. 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. The Sub-Committee agreed under Section 50(A)

2. Applications to Vary the Conditions of Taxi or Private Hire Car Licences: Exemption to Policy

The Regulatory Committee had agreed to amend its policy and licensing conditions regarding the age and emissions standards of licensed vehicles in Edinburgh's Taxi and Private Hire Car fleet at its meeting on 16 March 2018.

31 requests had been received for exemptions to this policy. The licence holders and relevant Council officers were heard.

Decision

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

(References – Regulatory Committee 16 March 2018 (item 1); report by the Regulatory Services Manager, submitted)

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Minutes

Licensing Sub-Committee of the Regulatory Committee

9.00am, Monday 12 April 2021

Present

Councillors Fullerton (Convener), Arthur, Mowat, Rose, Neil Ross and Wilson.

1. 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.

2. Revocation or Suspension of Private Hire Driver's and Private Hire Car Licences

The Sub-Committee considered requests by Police Scotland to suspend or revoke one Private Hire Car Driver Licence and one Private Hire Car Licence. Police Scotland, the licence holder and agent were heard.

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)

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Licensing Sub-Committee of the Regulatory Committee

2pm, Monday, 19 April 2021

Street Trader Application Comment – The Milk Wand Ltd

Item number
Report number
Executive/routine
Wards

Executive Summary

The Milk Wand Ltd has applied for a new mobile Street Trader's Licence, proposing to sell hot drinks and pre-packaged cakes and pastries within Zones 3 and 7. This application has attracted a comment from Road Services.

Street Trader Application Comment – The Milk Wand Ltd

1. Recommendations

- 1.1 After hearing from the Council Officers and relevant licence holder, it is recommended that the committee:
 - 1.1.1 decides whether to grant the application.

2. Background

- 2.1 The Police and other persons can make comments or complaints about applications for various licences. Committee members can consider such comments and requests. They can decide to take no further action, issue a warning to the licence holder, suspend the licence or revoke the licence.

3. Main report

- 3.1 The Milk Wand Ltd has applied for a new mobile Street Trader's Licence, proposing to sell hot drinks and pre-packaged cakes and pastries within Zones 3 and 7.
- 3.2 As a proprietor of a Mobile Shop, the holder of a Street Trader's Licence must comply with the standard conditions of licence. These include:
 - 3.2.1 Condition 2: The licence holder shall not carry on business on any street as to unreasonably obstruct road users or affect their safety; and
 - 3.2.2 Condition 5: The licence holder shall on all occasions, when carrying on business, behave in a proper and civil manner, and not carry on business in such a way as to cause a nuisance or annoyance to any person.
- 3.3 Officers from the Network Management and Enforcement team have commented on this application (Appendix 2).

4. Measures of success

- 4.1 Not relevant, as decisions on individual licences have to be considered on their own merits.

5. Financial impact

5.1 None.

6. Risk, policy, compliance and governance impact

- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 The applicant has a right of appeal against any decision made. The appeal lies to the Sheriff Court

7. Equalities impact

7.1 There is no equalities impact arising from the contents of this report.

8. Sustainability impact

8.1 There is no environmental impact arising from the contents of this report.

9. Consultation and engagement

9.1 None.

10. Background reading/external references

10.1 None.

Andrew Mitchell

Regulatory Services Manager

Contact: Andrew Mitchell, Regulatory Services Manager

E-mail: andrew.mitchell@edinburgh.gov.uk | Tel: 0131 469 5822

11. Appendices

- 11.1 Appendix 1 – Application from The Milk Wand Ltd
- 11.2 Appendix 2 – Memorandum from Stuart Harding, Transport Manager (Citywide Road Co-ordination)
- 11.3 Appendix 3 – Email from The Milk Wand Ltd dated 30 March 2021

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Licensing Sub-Committee of the Regulatory Committee

19 April 2021

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 2pm							
House in Multiple Occupation Licence (New)							
5.2	Mr Rupinder Kaur Bal Lodging Agent: HMO Scotland Ltd	443 (Flat 3) Gorgie Road, Edinburgh	4 occupants	Satisfactory	Continued from meeting on 8 March 2021 to allow the applicant to attend.	Mr Dale & Mrs Sharon Robertson Miss Joyce King	11.06.21
5.3	Ms Lisa Victoria McKinney	Flat 3, 10 Easter Dalry Rigg, Edinburgh	4 occupants	Satisfactory		Mr Adam Wheavil	14.09.21
House in Multiple Occupation Licence (Renewal)							
5.4	Mr Stephen Gilmour & Mrs Carolyn Gilmour Agent: Ms Stephanie Harkness,	3f, 27 West Maitland Street, Edinburgh	4 occupants	Satisfactory		Dag Lee Taqi Nazeer (Late Objection)	29.07.21

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
	Murray & Currie Lettings & Property Sales						
5.5	Mr William Donald Clement McKeand Agent: Ms Stephanie Harkness, Murray & Currie Lettings & Property Sales	2f1, 1 Appin Terrace, Edinburgh	3 occupants	Satisfactory		Mr Chris Asmar & Ms Laura Clark	31.07.21
Late Hours Catering Licence (New)							
5.6	A&D Edinburgh Ltd Manager: Mr Muhammad Imran Tariq	66 Home Street, Edinburgh	Standard Conditions	N/A	Outwith Council policy Police Scotland representation Licensing Enforcement representation	N/A	15.07.21
5.7	Go Go's Takeaway Ltd Manager: Miss Kelly Thomson	94 Niddrie Mains Road, Edinburgh	Standard Conditions + additional condition "Noise: "All amplified		Outwith Council policy Licensing Enforcement representation	N/A	28.08.21

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
			music and vocals to be controlled to the satisfaction of the Director of Place”				

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Agenda Item 5.2

LICENSING REF NO: 434070

ITEM NO

HMO
NEW

APPLICANT DETAILS:	NAME	Mr Rupinder Kaur Bal
	LODGING AGENT	HMO Scotland Ltd
PREMISES ADDRESS		Flat 3, 443 Gorgie Road, Edinburgh, EH11 3AA
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Dale & Mrs Sharon Robertson Miss Joyce King
DETERMINATION DATE		11 June 2021
RENEWAL DATE		1 Year from date of Grant
NOTES:		

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Agenda Item 5.3

LICENSING REF NO: 437871

ITEM NO

HMO
NEW

APPLICANT DETAILS: NAME	Ms Lisa Victoria McKinney
PREMISES ADDRESS	Flat 3, 10 Easter Dalry Rigg, Edinburgh, EH11 2TL
CONDITIONS APPLIED FOR	Maximum Occupants - 4
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr Adam Wheavil
DETERMINATION DATE	14 September 2021
RENEWAL DATE	1 Year from date of grant
NOTES:	

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Agenda Item 5.4

LICENSING REF NO: 439044

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Mr Stephen Gilmour & Mrs Carolyn Gilmour
	AGENT	Ms Stephanie Harkness, Murray & Currie Lettings & Property Sales
PREMISES ADDRESS		3f, 27 West Maitland Street, Edinburgh, EH12 5DX
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Dag Lee Taqi Nazeer (Late Objection)
DETERMINATION DATE		29 July 2021
RENEWAL DATE		3 Years from date of grant
NOTES:		

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Agenda Item 5.5

LICENSING REF NO: 439118

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Mr William Donald Clement McKeand
	AGENT	Ms Stephanie Harkness, Murray & Currie Property Sales & Lettings
PREMISES ADDRESS		2f1, 1 Appin Terrace, Edinburgh, EH14 1NN
CONDITIONS APPLIED FOR		Maximum Occupants - 3
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Chris Asmar & Ms Laura Clark
DETERMINATION DATE		31 July 2021
RENEWAL DATE		3 Years from date of grant
NOTES:		

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LICENSING REF NO: 438384

ITEM NO

**LATE HOURS CATERING
LICENCE**

New

APPLICANT DETAILS: MANAGER	NAME	A&D Edinburgh Ltd Mr Muhammad Imran Tariq
PREMISES ADDRESS		66 Home Street, Edinburgh, EH3 9NA
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Police Scotland Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE		Outwith Policy
DETERMINATION DATE		15 July 2021
NOTES: Takeaway premises within tenement style building.		

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Agenda Item 5.7

LICENSING REF NO: 443677

ITEM NO

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Go Go's Takeaway Ltd Miss Kelly Thomson
PREMISES ADDRESS		94 Niddrie Mains Road, Edinburgh, EH16 4DT
CONDITIONS RECOMMENDED		Standard Conditions Noise: "All amplified music and vocals to be controlled to the satisfaction of the Director of Place"
REPRESENTATIONS RECEIVED		Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE		Out with policy
DETERMINATION DATE		28 August 2021
NOTES: Single-storey takeaway premises within terraced building.		

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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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