

Notice of meeting and agenda

Licensing Sub-Committee

2.00pm, Monday, 20th September, 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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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

Email: lesley.birrell@edinburgh.gov.uk / rachel.gentleman@edinburgh.gov.uk

Tel: 0131 529 4340 / 0131 529 4107

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 23 August 2021 – 5 - 12
submitted for approval as a correct record
- 3.2 Minute of Licensing Sub-Committee of 24 August 2021 – 13 - 18
submitted for approval as a correct record

4. Resolution to Consider in Private

- 4.1 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.

5. Police Request for Suspension or Revocation of Licence

- 5.1 Police Requests for Suspension or Revocation of Licences – 19 - 32
Report by the Regulatory Services Manager

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

- 6.1 Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications – list of applications 33 - 34
- 6.2 Private Hire Driver Licence (Renewal) - Muhammad Amjad Butt 35 - 46

6.3	Private Hire Driver Licence (Renewal) - Lee Grieve	47 - 56
6.4	Private Hire Driver Licence (Renewal) - Ahmad Kamekhli	57 - 68
6.5	Private Hire Driver Licence (Renewal) – Samuel Blasi	69 - 78

Nick Smith

Service Director – Legal and Assurance

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 Lesley Birrell, 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 4107, email lesley.birrell@edinburgh.gov.uk / rachel.gentleman@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.

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](#)..

This page is intentionally left blank

Minutes

Licensing Sub-Committee of the Regulatory Committee

2.00pm, Monday 23 August 2021

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur, Mitchell, Mowat, Neil Ross, Rose and Wilson.

1. Minutes

Decision

To approve the minute of the Licensing Sub-Committee of 20 July 2021 as a correct record.

2. Cinemas Act 1985 – Variation of Licensing Conditions – Edinburgh Spanish Film Festival 2021

Details were provided of a request for authorisation to screen uncertificated films during the Edinburgh Spanish Film Festival 2021. The Event Organiser and the appropriate Council officers were heard.

Decision

To grant permission to allow specific uncertificated films from the list of titles to be circulated to be shown as part of the Edinburgh Spanish Film Festival in October 2021 at the Filmhouse, 88 Lothian Road and the Odeon, 118 Lothian Road.

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

3. Proposed Parades and Processions August/September 2021

3.1 National Protest by Northern Ireland Veterans Movement

Details were provided of a proposed parade, 'National Protest by Northern Ireland Veterans Movement' to be held on 28 August 2021. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed National Protest by Northern Ireland Veterans Movement on 28 August 2021 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- 2) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- 3) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

3.2 **Royal Scots Dragoon Guards 50th Anniversary Parade**

Details were provided of a proposed parade "Royal Scots Dragoon Guards 50th Anniversary Parade" to be held on 3 September 2021. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Royal Scots Dragoon Guards 50th Anniversary Parade on 3 September 2021 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- 2) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- 3) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

3.3 **Edinburgh World Naked Bike Ride**

Details were provided of a proposed parade "Edinburgh World Naked Bike Ride" to be held on 4 September 2021. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Edinburgh World Naked Bike Ride on 4 September 2021 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- 2) The organiser will adhere to the recommendations of the Events Planning and Operations Group.
- 3) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

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

4. Applications for Temporary Market Operator and Public Entertainment Licences – Fly Events Ltd – Princes Street Gardens

Details were provided of applications received for a Temporary Market Operator's Licence and a Temporary Public Entertainment Licence from Fly Events Ltd for an event to be held in Princes Street Gardens between 17 and 19 September 2021. The relevant Council officers, Police Scotland and the applicants were heard.

Decision

To delegate authority to the Executive Director of Place to grant the Temporary Market Operator's Licence and the Temporary Public Entertainment Licence subject to the outstanding issues being resolved to the satisfaction of all parties involved as part of the EPOG process.

(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 9 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)

Declaration of Interest

Councillor Neil Ross declared a non-financial interest in item 5.5 – HMO Licence (New) - 116 (1F1) Gilmore Place as he was known to the objectors, left the meeting and took no part in consideration of the application.

APPENDIX

Applications for Miscellaneous Licences

Street Traders Licence (New)		
5.2	Mr Lucien Arsene 320 Gorgie Road, Edinburgh	<ol style="list-style-type: none"> 1) To agree to consider the matter in the absence of the applicant. 2) To REFUSE the application in terms of Paragraph 3(c) (iv), (v) and 3(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.
5.3	Mr Ewen Hutchison t/a Shrimpwreck Seafield Road East, Edinburgh	<ol style="list-style-type: none"> 1) To agree to consider the matter in the absence of the applicant. 2) To REFUSE the application in terms of Paragraph 3(c) (iv), (v) and 3(d) of Schedule 1 of the Civic Government (Scotland) Act 1982. <p style="color: red; text-align: center;">See note 1</p>
Late Hours Catering Licence (New)		
5.4	Dough Pizzeria Ltd Ms Michele Rubinacci 47 South Clerk Street, Edinburgh	<p>To GRANT 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.</p> <p style="color: red; text-align: center;">See note 2</p>
House in Multiple Occupation Licence (New)		
5.5	Kamo Holdings Ltd 116 (1F1) Gilmore Place, Edinburgh	To CONTINUE consideration of the application to a future meeting to allow time for the Council's Public Safety Team to revisit the premises and report back to the Sub-Committee.
House in Multiple Occupation Licences (Renewal)		
5.6	Track Twelve Ltd (Trevor Dugan, Director) 31 (Flat 2) Grove Street, Edinburgh	<ol style="list-style-type: none"> 1) To note the public objection. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence.
5.7	Michael & Elizabeth Davidson 27 (3F1) Harden Place, Edinburgh	<p>To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p> <p style="color: red; text-align: center;">See note 3</p>

House in Multiple Occupation Licences (Renewal)

5.8	Terri Ann & Stephen James Young 5 (2F2) Merchiston Place, Edinburgh	1)	To note the public objection.
		2)	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
5.9	Franziska Lappin-Smith 3 (3F2) Mertoun Place, Edinburgh	1)	To note the public objection.
		2)	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
5.10	Gillian Stephens 43 (3F1) Polwarth Gardens, Edinburgh	1)	To note the public objection.
		2)	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.

Note 1

Item 5.3 – Street Trader Licence (New) – Ewen Hutchison t/a Shrimpwreck – Seafield Road East, Edinburgh

Motion

To refuse the application in terms of Paragraph 3(c) (iv), (v) and 3(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.

- moved by Councillor Fullerton, seconded by Councillor Dixon

Amendment

To continue consideration of the application to the next meeting of the Sub-Committee for further information on the width of the path at the proposed location on Seafield Road East.

- moved by Councillor Mowat, seconded by Councillor Rose

Voting

For the motion - 5 votes

For the amendment - 3 votes

(For the motion – Councillors Arthur, Dixon, Fullerton, Neil Ross and Wilson.

For the amendment – Councillors Mitchell, Mowat and Rose.

Decision

To approve the motion by Councillor Fullerton.

Note 2

Item 5.4 – Late Hours Catering Licence (New) – Dough Pizzeria - 47 South Clerk Street, Edinburgh

Motion

To grant the licence for the hours Sun-Thurs 23:00 to 12 midnight and Fri-Sat 23:00 to 01:00 subject to the Council's standard conditions for this category of licence and the additional condition that the premises close at 23:00 for on-street public access and that the business operates on a delivery only basis between 23:00 and 12 midnight Sun-Thurs and between 23:00 and 01:00 Fri-Sat.

- moved by Councillor Neil Ross, seconded by Councillor Arthur

Amendment

To grant 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.

- moved by Councillor Fullerton, seconded by Councillor Dixon

Voting

For the motion - 4 votes

For the amendment - 4 votes

For the motion – Councillors Arthur, Mowat, Rose and Neil Ross.

(For the amendment – Councillors Dixon, Fullerton, Mitchell and Wilson.

In the division, 4 members having voted for the motion and 4 members for the amendment the Convener gave her casting vote for the amendment.

Decision

To approve the amendment by Councillor Fullerton.

Note 3

Item 5.7 – HMO Licence (Renewal) – Michael & Elizabeth Davidson – 27 (3F1) Harden Place, 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 Wilson

Amendment

To grant the licence for a period of one year subject to the Council's standard conditions for this category of licence.

- moved by Councillor Neil Ross, seconded by Councillor Rose

Voting

For the motion - 3 votes

For the amendment - 5 votes

(For the motion – Councillors Dixon, Fullerton and Wilson.

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

Decision

To approve the amendment by Councillor Neil Ross.

This page is intentionally left blank

Minutes

Licensing Sub-Committee of the Regulatory Committee

11.30am, Tuesday 24 August 2021

Present

Councillors Fullerton (Convener), Dixon, Mitchell, Mowat, Rae, 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. Request for Variation – Private Hire Car Licence

The Sub-Committee considered a request to vary a private hire car licence to exempt the requirement to display “Pre-Booked Hires Only” signage on the front door of the vehicle. The Executive Director of Place 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)

3. Applications for Grant of Taxi Licences – LPG Conversions

Decision

To note that the report had been withdrawn at the request of the Executive Director of Place.

4. Request for Suspension or Revocation of Taxi Driver’s Licence

The Sub-Committee considered a request to suspend or revoke a Taxi Driver’s Licence. The Executive Director of Place, Police Scotland, the licence holder and representative 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)

5. Police Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request from Police Scotland to suspend or revoke a Private Hire Driver Licence. Police Scotland 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. Civic Government (Scotland) Act 1982 – Applications for Miscellaneous Licences

Details were provided of 4 applications for miscellaneous licences. The Executive Director of Place, Police Scotland and the applicants were heard.

Decision

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

(Reference – list of applications, submitted)

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank

by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A of the Local Government(Scotland) Act 1973.

Document is Restricted

This page is intentionally left blank