

Notice of meeting and agenda

Licensing Sub-Committee

2.00pm Monday, 7th February, 2022

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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

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| 3.1 | Minute of Licensing Sub-Committee of 10 January 2022 – submitted for approval as a correct record | 5 - 10 |
| 3.2 | Minute of Licensing Sub-Committee of 11 January 2022 – submitted for approval as a correct record | 11 - 20 |
| 3.3 | Minute of Licensing Sub-Committee of 28 January 2022 – submitted for approval as a correct record | 21 - 26 |

4. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 - 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 | 27 - 28 |
| 4.2 | Street Trader Licence (New) - 59 Lauriston Place, Edinburgh | 29 - 38 |
| 4.3 | Street Trader Licence (New) - Mobile | 39 - 56 |
| 4.4 | Street Trader Licence (New) - 70 Gorgie Road, Edinburgh | 57 - 64 |

Nick Smith

Service Director – Legal and Assurance

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 Lesley Birrell, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel , email lesley.birrell@edinburgh.gov.uk / emily.traynor@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.

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Minutes

Licensing Sub-Committee of the Regulatory Committee

2.00pm, Monday 10 January 2022

Present

Councillors Fullerton (Convener), Arthur, Dixon, Mitchell, Mowat, Rae (items 1 to 5.5), Rose and Neil Ross.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 22 November 2021 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 23 November 2021 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 13 December 2021 as a correct record.

2. Proposed Parades & Processions – Student Housing Rally

To note that the notification had been withdrawn by the applicant.

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

Details were provided of 6 applications for miscellaneous licences. The applicants and their agents were heard.

Decision

To determine the applications as detailed in the Appendix 1 to this minute.

(Reference – list of applications, submitted)

4. 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.

5. Landlord Registration

Details were provided of an application for entry onto the Landlord Register. The Regulatory Services Manager, applicant and their 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; written submissions and productions from the applicant’s agent, submitted)

APPENDIX 1

Applications for Miscellaneous Licences

Street Trader Licence (New)		
5.2	<p>Applicant Harem Mohamed Bahir Murdochy</p> <p>Agent Alistair Macdonald</p> <p>Premises Promenade, Pipe Lane, Edinburgh</p>	To REFUSE the application in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982.
House in Multiple Occupation Licence (New)		
5.3	<p>Applicant Pierre Carl Lever & Mrs Sarah Paul Lever</p> <p>Agent Anna Renton, Grant Property Management Ltd</p> <p>Location 7 (1F1) Bruntsfield Avenue, Edinburgh</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence.
5.4	<p>Applicant Gemma Kate Clarke</p> <p>Agent Brian Morgan, HMO Scotland Ltd</p> <p>Location 42 (3F) Dublin Street, Edinburgh</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence.
House in Multiple Occupation Licence (New)		
5.5	<p>Applicant Steven De Luca & Maria Elena De Luca</p> <p>Location 1 Meggetland Terrace, Edinburgh</p>	To note that the application had been withdrawn by the Executive Director of Place.

House in Multiple Occupation Licence (Renewal)

5.6	Applicant Martin Payne, Deeforth Ltd Agent Mike Brogan, Clan Gordon Ltd Location 11 (3F3) Temple Park Crescent, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence for one year.
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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

9.30am, Tuesday 11 January 2022

Present

Councillors Fullerton (Convener), Child (substituting for Councillor Arthur), Dixon, Mitchell, Mowat, Rose 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. Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request to suspend or revoke a Private Hire Driver Licence. Police Scotland, the Regulatory Services Manager, the licence holder and their 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)

3. Request for Suspension or Revocation of Private Hire Driver Licence Decision

The Sub-Committee considered a request to suspend or revoke a Private Hire Driver Licence. Police Scotland, the Regulatory Services Manager, the licence holder and their 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).

4. Request for Suspension or Revocation of Private Hire Driver Licence Decision

The Sub-Committee considered a request to suspend or revoke a Private Hire Driver 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).

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

Decision

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

6. 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, the licence holder and their 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)

7. 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, the licence holder and their 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)

8. 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.

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. 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, the applicants and the applicants agents 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)

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of the Local Government(Scotland) Act 1973.

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Minutes

Licensing Sub-Committee of the Regulatory Committee

12.30pm, Friday 28 January 2022

Present

Councillors Fullerton (Convener) (items 1.1-4.1), Dixon (Vice-Convener), Perry (substituting for Councillor Wilson) (items 1.1-4.1), Mowat 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. Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request to suspend or revoke a Private Hire Driver 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)

3. Applications to Vary the Conditions of Taxi or Private Hire Car Licences – Exemptions from 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.

14 requests had been received for exemption to this policy. An agent, a licence holder and relevant Council officers were heard.

Decision

To determine the requests as detailed in the Confidential Schedule, 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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of the Local Government(Scotland) Act 1973.

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Licensing Sub-Committee of the Regulatory Committee

7 February 2022

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 2.00pm							
Street Trader Licence (New)							
4.2	Applicant Mohamed Abouelsaad	59 Lauriston Place, Edinburgh	Standard Conditions Roads: 1) The applicant does not unreasonably obstruct road or footway users, affect their safety or obstruct access to public seating or waste bins. 2) Advertisements boards	N/A	NOTES: Catering unit with hot/cold food/drinks; proposed operating hours of 0700-2200.	N/A	06.05.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
			including an A – board is not permitted to be placed on a public footway.				
4.3	Applicant Malcolm Thomas Hampton	Mobile	Standard Conditions	N/A	Network Management and Enforcement Team (Transport) NOTES: Mobile catering unit serving hot/cold food/drinks; proposed operating hours of 0800-1400 around industrial/office sites.	Transport objection	29.10.22
4.4	Applicant John Smith	70 Gorgie Road, Edinburgh	Standard Conditions	N/A	Network Management and Enforcement Team (Transport)	Transport objection	30.08.22

Agenda Item 4.2

LICENSING REF NO: 457677

ITEM NO

STREET TRADER LICENCE

New

APPLICANT DETAILS: MANAGER	NAME Mr Mohamed Abouelsaad
PREMISES ADDRESS	59 Lauriston Place, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions Roads: 1) <i>The applicant does not unreasonably obstruct road or footway users, affect their safety or obstruct access to public seating or waste bins.</i> 2) <i>Advertisement boards including an A-board is not permitted to be placed on a public footway.</i>
REPRESENTATIONS RECEIVED	
REASON FOR BEING CALLED TO COMMITTEE	Within Ward 11
DETERMINATION DATE	6 May 2022
NOTES: Catering unit with hot/cold food/drinks; proposed operating hours of 0700-2200.	

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LICENSING REF NO: 463375

ITEM NO

STREET TRADER LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Mr Malcolm Thomas Hampton
PREMISES ADDRESS	Mobile
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Network Management and Enforcement Team (Transport)
REASON FOR BEING CALLED TO COMMITTEE	Transport objection
DETERMINATION DATE	29 October 2022
NOTES: Mobile catering unit serving hot/cold food/drinks; proposed operating hours of 0800-1400 around industrial/office sites.	

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Agenda Item 4.4

LICENSING REF NO: 444800

ITEM NO

STREET TRADER LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr John Smith
PREMISES ADDRESS		70 Gorgie Road, Edinburgh
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Network Management and Enforcement Team (Transport)
REASON FOR BEING CALLED TO COMMITTEE		Transport objection
DETERMINATION DATE		30 August 2022
NOTES: Catering unit serving hot/cold food/drinks; proposed operating hours of 0500-2300.		

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