### Notice of meeting and agenda

### **Licensing Sub-Committee**

9.30 am Tuesday, 28th June, 2022

Hybrid Meeting - Dean of Guild Court Room / 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 Any items under "Private Business" will not be published, although the decisions will be recorded in the minute.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 / taylor.ward@edinburgh.gov.uk





**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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6.16	House in Multiple Occupation Licence (Renewal) - 2F2 28 Madeira Street, Edinburgh	271 - 282

#### 7. Resolution to Consider in Private

7.1 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.

#### 8. Suspension/Revocation Requests

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9.3	Private Hire Driver Licence (New) - Jaspreet Singh Gill	347 - 358
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- 9.4 Private Hire Driver Licence (New) Muhammed Zohaib 359 370
- 9.5 Private Hire Driver Licence (New) Samaron Robleh Hassan 371 382
- **9.6** Private Hire Vehicle Operator Licence (Renewal) Rubal Preet 383 398 Singh

#### Nick Smith

Service Director – Legal and Assurance

#### **Committee Members**

Councillors Councillor Joanna Mowat (Convener), (Vice-Convener), Councillor Jack Caldwell, Councillor James Dalgleish, Councillor Denis Dixon, Councillor Martha Mattos Coelho, Councillor Ross McKenzie, Councillor Susan Rae, Councillor Frank Ross and Councillor Neil Ross

#### 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, email lesley.birrell@edinburgh.gov.uk / taylor.ward@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 <u>Committee Library</u>.

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

#### 2.00pm, Monday 14 March 2022

#### Present

Councillors Fullerton (Convener), Arthur (Items 1.1-5.2), Dixon, Mitchell, Mowat, Rae, Rose, Neil Ross and Wilson.

#### 1. Minutes

#### Decision

- 1) To approve the minute of the Licensing Sub-Committee of 7 February 2022 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 8 February 2022 as a correct record.

#### 2. Proposed Parades and Processions March-June 2022

#### 2.1 Yes2Edinburgh

Details were provided of a proposed parade, 'Yes2Edinburgh' to be held on 19 March 2022. The appropriate Council officers and Police Scotland were heard.

#### Decision

To make an Order in respect of the proposed Yes2Edinburgh parade on 19 March 2022 with the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notice of Proposal.
- 2) The organiser will adhere to the 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.

#### 2.2 Pedal on Parliament

Details were provided of a proposed parade, 'Pedal to Parliament' to be held on 23 April 2022. The appropriate Council officers and Police Scotland were heard.



#### Decision

To make an order in respect of the proposed Pedal on Parliament parade on 23 April 2022 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notice of Proposal.
- 2) The organiser will adhere to the 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.

#### 2.3 Edinburgh and Lothians May Day Parade

Details were provided of a proposed parade, 'Edinburgh and Lothians May Day Parade', to be held on 7 May 2022. The relevant Council officers, Police Scotland and the Event Organiser were heard.

#### Decision

To make an order in respect of the proposed Edinburgh and Lothians May Day parade on 7 May 2022 within the designated route set out in the amended notification and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notice 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.

#### 2.4 Loyal Orange Institution of Scotland – Platinum Jubilee Parade

Details were provided of a proposed parade, 'Loyal Orange Institution of Scotland – Platinum Jubilee Parade', to be held on 11 June 2022. The relevant Council officers, Police Scotland and the Event Organiser were heard.

#### Decision

To make an order in respect of the proposed Loyal Orange Institution of Scotland Platinum Jubilee parade on 11 June 2022 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notice 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.

#### 2.5 John Knox Orange and Purple Lodge – Annual Boyne Celebration Parade

Details were provided of a proposed parade, 'John Knox Orange and Purple Lodge – Annual Boyne Celebration Parade', to be held on 11 June 2022. The relevant Council officers, Police Scotland and the Organiser were heard.

#### Decision

To make an order in respect of the proposed John Knox Orange and Purple Lodge – Annual Boyne Celebration parade on 11 June 2022 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notice 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.

#### 2.6 Apprentice Boys of Derry

Details were provided of a proposed parade, 'Apprentice Boys of Derry', to be held on 4 June 2022. The relevant Council officers, Police Scotland and the Event Organiser were heard.

#### Decision

To make an order in respect of the proposed Apprentice Boys of Derry parade 4 June 2022 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.

#### 2.7 Norwegian Constitution Day

Details were provided of a proposed parade, 'Norwegian Constitution Day', to be held on 17 May 2022. The relevant Council officers and Police Scotland were heard.

#### Decision

To make an order in respect of the proposed Norwegian Constitution Day parade on 17 May 2022 within the designated route and times imposing conditions that:

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

## 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)

#### **APPENDIX 1**

#### **Applications for Miscellaneous Licences**

Public E	ntertainment Licence (	Temporary)
5.2	Applicant Edinburgh Graduate Theatre Group Manager Hannah Bradley- Croall Premises Ross Bandstand, Princes Street Gardens, Edinburgh Event Date 28 May 2022	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions and transport conditions as notified to the applicant.
Market (	Dperators Licence (Terr	nporary)
5.3	Applicant Local Motive Markets Manager Tania Pramschufer Premises Castle Street, Edinburgh Dates of Events 04.04.22 to 10.04.22 02.05.22 to 08.05.22 06.06.22 to 12.06.22 04.07.22 to 10.07.22 Hours of Operation 10:00 to 19:00	<ol> <li>To GRANT the licences subject to the Council's standard conditions for this category of licence and the additional noise conditions, health and safety conditions, and transport conditions.</li> <li>To GRANT an exemption from policy to allow up to a maximum of 3 hot food units on site.</li> <li>(On a division)</li> <li>See note 1</li> </ol>

Late Hours Catering Licence (New)						
5.4	Applicant Mobashar Firma Ltd Manager Mobashar Ali	To <b>CONTINUE c</b> onsideration of the application to a future meeting of the Sub-Committee to allow the applicant to obtain the necessary written permissions from neighbouring properties.				
	<b>Premises</b> 119 Nicolson Street, Edinburgh, EH8 9ER					
5.5	Applicant Kebabish Original Edinburgh Limited Manager Muhammad Umar Maqsood	To <b>GRANT</b> the licence for the hours Mon-Sun 23:00 01:00 subject to the Council's standard conditions for this category of licence and subject to also to an additional condition that there would be no public access to the licensed premises after 23:00.				
	<b>Agent</b> Alistair Macdonald					
	<b>Premises</b> 128 Dalry Road, EH11 2EZ					
5.6	<b>Applicant</b> Cheasty Ltd t/a Papa John's	To <b>CONTINUE</b> consideration of the application to a future meeting of the Sub-Committee to allow the applicant to obtain the necessary written permissions				
	<b>Manager</b> Andrew Eastcroft	from neighbouring properties.				
	<b>Premises</b> 12 South Clerk Street, Edinburgh, EH8 9PR					
	Hours Requested Sun-Thu 23:30 to 00:00					
	Fri & Sat 23:30 to 01.00					

Late Hou	Late Hours Catering Licence (Variation)				
5.7	Applicant Concorde Fish Bar	To <b>VARY</b> the licence subject to the Council's standard conditions for this category of licence for the hours			
	Manager Cesidio Crolla	requested, subject to the applicant providing the necessary letters of consent from neighbouring			
	<b>Agent</b> Alistair Macdonald	properties to the Regulatory Services Manager. The matter would be reported back to the Sub-Committee should the letters of consent not be made available.			
	<b>Premises</b> 49 Home Street, Edinburgh, EH3 9JP				
	Hours Requested Sun-Thu 23:00 to 01:00				
	Fri & Sat 23:00 to 02:00				

#### Note 1

## Item 5.3 – Market Operators Licence (Temporary) – Local Motive Markets – Castle Street, Edinburgh

#### Motion

To **GRANT** the licences subject to the Council's standard conditions for this category of licence and the additional noise conditions, health and safety conditions, and transport conditions, and an exemption from policy to sell hot food, and subject also to the applicant providing evidence of written permission from neighbouring properties.

- moved by Councillor Fullerton, seconded by Councillor Dixon

#### Amendment

- 1) To **GRANT** the licences subject to the Council's standard conditions for this category of licence and the additional noise conditions, health and safety conditions, and transport conditions.
- 2) To **GRANT** an exemption from policy to allow up to a maximum of 3 hot food units on site.
- moved by Councillor Mowat, seconded by Councillor Rose

#### Voting

For the motion-2 votesFor the amendment-6 votes

(For the motion – Councillors Dixon and Fullerton.

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

Licensing Sub-Committee of the Regulatory Committee -13 March 2022

#### Decision

- 1) To **GRANT** the licences subject to the Council's standard conditions for this category of licence and the additional noise conditions, health and safety conditions, and transport conditions.
- 2) To **GRANT** an exemption from policy to allow up to a maximum of 3 hot food units on site.

## **Minutes**

### Licensing Sub-Committee of the Regulatory Committee

#### 9.30am, Tuesday 15 March 2022

#### Present

Councillors Fullerton (Convener), Dixon, Griffiths (substituting for Councillor Arthur), Mowat, Rae, 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. Police Request for Suspension or Revocation of Private Hire Driver Licence

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

The Sub-Committee considered a request by the Regulatory Services Manager to suspend or revoke a Private Hire Driver Licence. The licence holder was not in attendance.

#### Decision

To continue consideration of the request to the next meeting of the Sub-Committee to allow the licence holder to attend.

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



## 4. Police Requests for Suspension or Revocation of Private Hire Driver and Taxi Driver Licences

The Sub-Committee considered 7 requests by Police Scotland to suspend or revoke Private Hire Driver and Taxi Driver licences. Police Scotland, the Regulatory Services Manager and the licence holders 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)

#### 5. Application for Private Hire Driver Licence

The Sub-committee considered an application for a Private Hire Driver Licence. The Regulatory Services Manager, Police Scotland 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.

(References – Licensing Sub-Committee 20 September 2021 (item 4); report by the Regulatory Services Manager, submitted)

#### 6. Civic Government (Scotland) Act 1982 – Applications for Miscellaneous Licences

Details were provided of 3 applications for miscellaneous licences. The Regulatory Services Manager, Police Scotland, the applicants and their agents were heard.

#### Decision

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

(Reference - list of applications, submitted)

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## **Minutes**

### Licensing Sub-Committee of the Regulatory Committee

#### 9.00am, Thursday 21 April 2022

#### Present

Councillors Fullerton (Convener), Dixon, Mowat, Rose and Wilson (Items 3.2-7.3)

#### 1. Proposed Parades and Processions May-June 2022

#### 1.1 Easter Commemoration Parade – 1 May 2022

#### Decision

To note this event had been **CANCELLED** by the organiser. The organiser will adhere to the to the recommendations of the Events Planning and Operations Group.

#### 1.2 Pride Edinburgh 2022 (25<sup>th</sup> Anniversary)

Details were provided of a proposed parade, 'Pride Edinburgh 2022 (25<sup>th</sup> Anniversary) to be held on 25 June 2022. The appropriate Council officers, Police Scotland and the Event Organiser were heard.

#### Decision

To make an order in respect of the Pride Edinburgh 2022 (25<sup>th</sup> Anniversary) parade on 25 June 2022 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notice of Proposal.
- 2) The organiser will adhere to the 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.

#### 1.3 Armed Forces Day 2022

Details were provided of a proposed parade, 'Armed Forces Day 2022', to be held on 25 June 2022. The relevant Council officers and Police Scotland were heard.

#### Decision

To make an order in respect of the proposed Armed Forces Day 2022 parade on 7 May 2022 within the designated route set out in the amended notification and times imposing conditions that:

1) The parade shall proceed in accordance with the route and times specified in the Notice of Proposal.



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- 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)

#### 2. Public Entertainment Licence – Highland Centre Ltd

Details were provided of an application to renew the Public Entertainment Licence for Highland Centre Ltd. Following representations made by Police Scotland and Public Safety Officers, discussions took place with Highland Centre Ltd. Subsequently a further application to vary the original Licence was received.

During the COVID period both Police Scotland and Council Public Safety Officers identified a number of shortcomings with adherence to the notification process that the licence holder is required to undertake. Additionally, concerns were raised about a small number of events that they considered had fallen into the category of High Risk or which requited a Policing Plan. The report highlighted those concerns and a proposed solution. The relevant Council officers, Police Scotland and the applicant were heard.

#### Decision

- 1) To note the report.
- 2) To vary the existing Public Entertainment Licence to exclude Dance, Rave or events of a similar nature from the activities licenced and to grant items 1 and 2 only of the application to vary the existing PEL.
- 3) To thereafter grant the licence renewal application attached at Appendix 2 and to attach additional conditions detailed in Appendix 8 of the report.
- 4) To note the undertaking from the licence holder to continue to engage with council officers and Police Scotland around reviewing the Notification, Categorisation and Delivery of Event document.

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

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

Details were provided of 3 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. Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request by the licensing team 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)

## 6. Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request by the licensing team 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)

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

The Sub-Committee considered a request by Police Scotland 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.

#### **APPENDIX 1**

#### **Applications for Miscellaneous Licences**

Late Hou	Irs Catering Licence (N	lew)
5.2	Applicant Papa John's Ltd Manager Andrew Eastcroft Premises 12 South Clerk Street, Edinburgh	To <b>GRANT</b> the licence for the hours Sun-Thurs 23:30- 00:00 and Fri-Sat 23:30-01:00 subject to the Council's standard conditions for this category of licence.
5.3	Applicant Mobashar Firma Ltd Manager Mobashar Ali Premises 119 Nicholson Street, Edinburgh	To <b>CONTINUE</b> consideration of the application to a future meeting of the Sub-Committee to allow the applicant to attend.
Public E	ntertainment Licence (	Temporary)
5.4	Applicant The Beltane Fire Society Ltd Manager Russell McMahon Premises Calton Hill, Edinburgh	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence and the additional condition that all amplified music and vocals to be controlled to the satisfaction of the Executive Director of Place.

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## Agenda Item 4.1

## Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday, 28 June 2022

### Cinemas Act 1985 – Variation of Licensing Conditions – Edinburgh International Film Festival 2022

Item number		
Report number		
Executive/routine		
Wards	Citywide	
Council Commitments	N/A	

#### 1. Recommendations

- 1.1 The Licensing Sub-Committee is asked to:
  - 1.1.1 Note that the Council has received a request for authorisation to screen uncertificated films during the Edinburgh International Film Festival (EIFF) 2022; and
  - 1.1.2 Grant permission to allow specific uncertificated films, from the list of titles circulated, to be shown as part of the 2022 festival between 12 and 20 August 2022 at the venues listed in Appendix 1.

#### Andrew Mitchell

#### Head of Regulatory Services

Contact: Andrew Mitchell, Regulatory Services Manager

E-mail: andrew.mitchell@edinburgh.gov.uk | Tel: 0131 529 4042



### Cinemas Act 1985 – Variation of Licensing Conditions – Edinburgh International Film Festival 2022

#### 2. Executive Summary

2.1 The Council has received a request for authorisation to screen uncertificated films during the Edinburgh International Film Festival (EIFF) 2022. This report seeks approval to grant permission.

#### 3. Background

- 3.1 Condition 2 of the Council's standard conditions, which applies to all cinema licences, states that only films with certificates from the British Board of Film Classification (BBFC) may be exhibited.
- 3.2 However, condition 3 of the cinema licence conditions allows the exhibition of any film, if the Council's permission is obtained first.
- 3.3 Committee has given approval for the EIFF to show uncertificated films in previous years.

#### 4. Main report

- 4.1 The Council received notice from the EIFF Ltd regarding films due to be screened during the 2022 festival.
- 4.2 Typically these films are yet to be released and have still to be classified by the BBFC. Therefore, as required by the Council's Standard Conditions of Licence, the EIFF is seeking permission on behalf of the various cinemas for the films within the programme to be shown. Committee has previously agreed to similar variations for a number of years.
- 4.3 Committee members should note that any permitted variation would relate only to the films specified on the list circulated to members, and any films not so specified would be required to adhere to the Council's Standard Conditions of Licence.
- 4.4 This permission will apply, as appropriate, to the licensed premises listed in Appendix 1.

#### 5. Next steps

- 5.1 The Council discharges its licensing functions appropriately.
- 5.2 This accords with statutory provisions and is consistent with standard conditions for cinema licences

#### 6. Financial impact

6.1 There are no financial implications arising from this report.

#### 7. Stakeholder and Community impact

7.1 None.

#### 8. Background reading/external references

8.1 City of Edinburgh Council Licensing Conditions – Cinema Licensing

#### 9. Appendices

9.1 Appendix 1 - list of affected licensed premises.

- Filmhouse, 88 Lothian Road
- Vue Omni, Omni Leisure Building, 61/11 Greenside PI, Leith St
- Everyman (St James Quarter), 502 Edinburgh St James, St James Crescent
- Cameo, 38 Home St
- St Andrew Square

## Agenda Item 5.1

## Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday, 28 June 2022

### Use of Urgency Provision of Standing Orders to allow 'End the War in Ukraine – 100<sup>th</sup> Day' Parade – 5 June 2022

Item number	
Report number	
Executive/routine	
Wards	City centre (11)
Council Commitments	N/A

#### 1. Recommendations

- 1.1 The Licensing Sub-Committee is asked to:
  - 1.1.1 Note that following consultation with the Convener, the relevant Executive Director used the urgency provision within Standing Orders to waive the 28 days' notice requirement, which allowed the parade to proceed as the organiser intended; and
  - 1.1.2 Note the contents of this report.

#### Andrew Mitchell

#### Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

E-mail andrew.mitchell@edinburgh.gov.uk | Tel: 0131 529 4208



### Use of Urgency Provision of Standing Orders to allow 'End the War in Ukraine – 100<sup>th</sup> Day' Parade – 5 June 2022

#### 2. Executive Summary

- 2.1 To note that notification to stage the 'End the War in Ukraine 100<sup>th</sup> Day' parade on 5 June was received by the Licensing Service on 27 May 2022.
- 2.2 Following consultation with the Convener, the relevant Executive Director used the urgency provision within Standing Orders to waive the 28 days' notice requirement, which allowed the parade to proceed as the organiser intended.

#### 3. Background

- 3.1 Under the Civic Government (Scotland) Act 1982, anyone organising a parade or procession in Scotland must notify the appropriate local authority and Police Scotland at least 28 days prior to the date of the event.
- 3.2 On 27 May 2022 the City of Edinburgh Council was notified of intent to hold the 'End the War in Ukraine – 100<sup>th</sup> Day' parade on 5 June 2022.

#### 4. Main report

- 4.1 A notification form relevant to the parade was received on 27 May 2022 and is attached at Appendix 1. Normally a parade organiser must give 28 days' notice, and in this case the organiser asked the Council to use its powers to waive that requirement.
- 4.2 An Events Planning Operation Group (EPOG) was held and, after discussions with the organisers, an amended route was proposed. As there was no planned committee available before the date of the parade, officers consulted the Convener about whether it was appropriate to use the urgency provision in the Scheme of Delegation to reach a decision on that request. The scheme permits Directors to make urgent decisions, provided the relevant Convener is consulted. Any such decision is required to be reported thereafter to Committee.
- 4.3 An urgent decision was made waiving the requirement to give 28 days' notice, and an order (Appendix 2) was issued on 1 June 2022, including standard conditions.

#### 5. Next Steps

5.1 Not applicable.

#### 6. Financial impact

6.1 There are no financial implications arising from this report.

#### 7. Stakeholder/Community impact

- 7.1 The Convener was consulted prior to the use of emergency powers, as required by the Scheme of Delegation.
- 7.2 The Council's Standing Orders and Scheme of Delegation were used to resolve this issue.

#### 8. Background reading/external references

8.1 None.

#### 9. Appendices

- 9.1 Appendix 1 Notification form
- 9.2 Appendix 2 Order dated 1 June 2022

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#### Licensing Sub-Committee of the Regulatory Committee

#### 28 June 2022

#### Applications for Miscellaneous Licences

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
The follow	ving applicants ha	ive been invite	ed for 9.30am			I	-
Public En	tertainment Licer	nce (Temporar	y)				
6.2 Dogo 17	Applicant The Neighbourhood Market Limited Over the Bridge Live Music Event Manager Ms Ambika Okhandiar	Portgower Place, Edinburgh	Standard Conditions <b>Event Date</b> 29.07.22 to 31.07.22 <b>Hours</b> <b>Requested</b> 12:00-21:00 daily	N/A	Police Scotland representation	N/A	29.07.22
Market Op	perators Licence (	Temporary)					
6.3	Applicant The Neighbourhood Market Limited	Portgower Place, Edinburgh	Standard Conditions	N/A	Police Scotland representation	N/A	29.07.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
	Over the Bridge Live Music Event		Event Date 29.07.22 to 31.07.22				
	<b>Manager</b> Ms Ambika Okhandiar		Hours Requested 12:00-21:00 daily				
Market Op	perators Licence (	Temporary)					
6.4 Page 48	Applicant Local Motive	Castle Street, Edinburgh	Standard Conditions	N/A		N/A	05.08.22
	Markets <b>Manager</b> Ms Tania Pramschufer		<b>Event Date</b> 05.08.22 to 21.08.22				
			Hours Requested 10:00-19:00				
6.5	ApplicantHunterTaylor and ScottSquare,LtdAdjacent to	Standard Conditions <b>Event</b>		Police Scotland Representation Public Safety	N/A	21.07.22	
	<b>Manager</b> Mr William Keith Taylor	Tron Kirk, Edinburgh	Dates 21.07.22 to 04.08.22		representation		

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
			05.08.22 to 29.08.22 Hours Requested 10:00-03:00				
6.6 Page 49	Applicant Taylor and Scott Ltd Manager Mr William Keith Taylor	Hunter Square, West Side of Tron Kirk, Edinburgh (Unit 11 & 12)	Standard Conditions <b>Event</b> <b>Dates</b> 21.07.22 to 04.08.22 05.08.22 to 29.08.22 <b>Hours</b> <b>Requested</b> 10:00-03:00	N/A	Police Scotland representation Transport objection Public Safety objection	N/A	05.08.22
Late Hour	s Catering Licenc	e (New)			-	_	
6.7	Applicant Zara Fast Foods Manager Mr Ozgur Yilmaz	236 Cowgate, Edinburgh	Standard Conditions <b>Hours</b> <b>Requested</b> Sun-Thu 23:00-02:00	N/A	Police Scotland representation	Old Town Community Council	23.07.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
			Fri-Sat 23:00-03:00				
6.8 Page 50	Applicant Mobashar Firma Ltd Manager Mr Mobashar Ali	119 Nicholson Street, Edinburgh	Standard Conditions Hours Requested Mon-Thu 12:00-00:00 Fri-Sun 12:00-02:00	N/A	Police Scotland representation Licensing Team representation Additional noise condition Continued from the meeting of the Licensing Sub-Committee of 14 March 2022 and 21 April 2022 to allow the applicant to obtain the necessary written permissions from neighbouring premises and to allow the applicant to attend.	N/A	03.08.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
6.9 Pag	Applicant FATEH2020 LTD Manager Mr Parvinder Singh Agent Alistair Macdonald, Macdonald Licensing der Licence (Var	49 Roseburn Terrace, Edinburgh	Standard Conditions <b>Hours</b> <b>Requested</b> Sun-Thu 23:00-01:00 Fri-Sat 23:00-02:00	N/A	Licensing Enforcement Representation		09.08.22
6.10	der Licence (Var Applicant On the Roll Manager Mr Lennart Bruggemann	iation) George Square Lane, Edinburgh	Request to remove standard conditions nos. 17 & 18	N/A	N/A	N/A	04.04.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
Street Tra	der Licence (New	/)					•
6.11 Page 52	Applicant Mr Fraser Hamilton McCowan	Adjacent to 129 Duddingston Road West, Edinburgh	Standard Conditions	N/A	9 Public Objections	Cecil & Alison Wilson Duddingston Conservation Society Hugh Smith Councillor Joan Griffiths John McLellan Cavalry Park Friends Group Deborah Smith Sandra Richardson J Pilbeam	14.07.22
House in	Multiple Occupati	ion Licence (Re	newal)				
6.12	Applicant Mr Li Yin Ooh Agent Ms Katy Fitton, Southside Property Management	Flat 7, 98 Orchard Brae Avenue, Edinburgh	4 occupants	Satisfactory	1 late public objection (reasons provided)	Caroline Stephenson	27.07.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
6.13	Applicant Mr John Ness and Mrs Patricia Ann Ness	Flat 1, Floor 1, 28 Madeira Street, Edinburgh	3 occupants	Satisfactory	1 public objector	Mr John Boyce	29.06.22
	<b>Agent</b> Mr John Davidson, Southside Property Management						
Page 53	Applicant Mr John Ness and Mrs Patricia Ann Ness Agent Mr John Davidson, Southside Property Management	Flat 1, Floor 2, 28 Madeira Street, Edinburgh	3 occupants	Satisfactory	1 public objector	Mr John Boyce	29.06.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
6.15	<b>Applicant</b> Mr John Ness and Mrs Patricia Ann Ness	Flat 1, Floor 2, 28 Madeira Street, Edinburgh	3 occupants	Satisfactory	1 public objector	Mr John Boyce	
Pa	Agent Mr John Davidson, Southside Property Management						
Page 6.16 54	<b>Applicant</b> Mr John Ness and Mrs Patricia Ann Ness	Flat 2, Floor 2, 28 Madeira Street, Edinburgh	3 occupants	Satisfactory	1 public objector	Mr John Boyce	
	Agent Mr John Davidson, Southside Property Management						

LICENSING REF NO: 473668

**ITEM NO** 

#### PUBLIC ENTERTAINMENT LICENCE

APPLICANT DETAILS: NAME MANAGER	The Neighbourgood Market Limited Ms Ambika Okhandiar
PREMISES ADDRESS	Portgower Place, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Police
REASON FOR BEING CALLED TO COMMITTEE	Large event
DETERMINATION DATE	Event 29/07/2022 to 31/7/2022
NOTES: MOL also applied for same e	vent

LICENSING REF NO: 473666

### **ITEM NO**

### MARKET OPERATORS LICENCE

APPLICANT DETAILS: NAME MANAGER	The Neighbourgood Market Limited Ms Ambika Okhandiar		
PREMISES ADDRESS	Portgower Place, Edinburgh		
CONDITIONS RECOMMENDED	Standard Conditions		
REPRESENTATIONS RECEIVED	Police		
REASON FOR BEING CALLED TO COMMITTEE	Large event		
DETERMINATION DATE			
NOTES: PEL and occasional also applied for same event.			

LICENSING REF NO: 472241

### **ITEM NO**

### MARKET OPERATORS LICENCE

APPLICANT DETAILS: NAME MANAGER	Local Motive Markets Ms Tania Pramschufer
PREMISES ADDRESS	Castle Street, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	
REASON FOR BEING CALLED TO COMMITTEE	Called due to out with policy – requesting hot food on castle street
DETERMINATION DATE	Market to start 05/08/2022
NOTES: case only being called for de out with policy for castle street.	ecision if they can be allowed hot food as

LICENSING REF NO: 469470, 469476

### **ITEM NO**

### MARKET OPERATORS LICENCE

APPLICANT DETAILS: NAME MANAGER	Taylor and Scott Ltd Mr William Keith Taylor
PREMISES ADDRESS	Hunters Square
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	
REASON FOR BEING CALLED TO COMMITTEE	Looking to operate a market in location out with policy
DETERMINATION DATE	First of 2 due to start 21/7/22
NOTES: this is one set of two concur	rent applications

LICENSING REF NO: 469483, 469488

### **ITEM NO**

### MARKET OPERATORS LICENCE

APPLICANT DETAILS: NAME MANAGER	Taylor and Scott Ltd Mr William Keith Taylor		
PREMISES ADDRESS	Tron Kirk High Street Unit 11 & 12		
CONDITIONS RECOMMENDED	Standard Conditions		
REPRESENTATIONS RECEIVED	Police Roads Public safety		
REASON FOR BEING CALLED TO COMMITTEE	Looking to operate a market in location out with policy – roads/public safety objection to location due to other use		
DETERMINATION DATE	First of 2 due to start 21/7/22		
NOTES: this is one set of two concurrent applications			

LICENSING REF NO: 472665

### **ITEM NO**

#### LATE HOURS CATERING LICENCE

APPLICANT DETAILS: NAME MANAGER	Ozgur Yilmaz
PREMISES ADDRESS	236 Cowgate, Edinburgh, EH1 1NQ
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Public objection received - Old Town Community Council Police Objection
REASON FOR BEING CALLED TO COMMITTEE	Public Objection
DETERMINATION DATE	23/7/22
NOTES: applying for 23.00 - 02.00 Su and Saturday	nday to Thursday, 23.00 - 03.00 Friday

LICENSING REF NO: 457554

**ITEM NO** 

#### LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Mobashar Firma Ltd Mobashar Ali
PREMISES ADDRESS	119 Nicolson Street, Edinburgh, EH8 9ER
CONDITIONS RECOMMENDED	Standard Conditions Noise Team: "All amplified music and vocals to be so controlled as to be inaudible within the nearest noise-sensitive premises."
REPRESENTATIONS RECEIVED	Police Scotland Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE	Out with policy
DETERMINATION DATE	03/08/2022
NOTES: Application continued from March 14 <sup>th</sup> and April 28 <sup>th</sup> Licensing Sub-	

**NOTES:** Application continued from March 14<sup>th</sup> and April 28<sup>th</sup> Licensing Sub-Committee. Initially to allow the applicant to seek neighbour permission and then to allow attendance.

The Noise Team noted that: the premises is subject to the following planning condition under Planning Permission 18/04576/FUL: "The hours of operation shall be restricted to 0800 to 2300 Monday to Sunday."

LICENSING REF NO: 462385

### **ITEM NO**

#### LATE HOURS CATERING LICENCE

APPLICANT DETAILS: NAME MANAGER	FATEH2020 LTD Parvinder Singh
PREMISES ADDRESS	49 Roseburn Terrace, Edinburgh, EH12 5NQ
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE	Out with policy regarding operating hours
DETERMINATION DATE	09/08/2022
NOTES:	

### Agenda Item 6.10

LICENSING REF NO: 475395

### **ITEM NO**

#### STREET TRADER LICENCE

### New/Renewal

APPLICANT DETAILS: NAME MANAGER	Mr Lennart Bruggemann	
PREMISES ADDRESS	Street Record, George Square Lane, Edinburgh	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Police - no objection Public safety – no objection Lic enforcement – no objection Roads – no objection Permission from assembly roxy Permission from Edinburgh University Both included with app.	
REASON FOR BEING CALLED TO COMMITTEE	Festival street trader variation	
DETERMINATION DATE		
NOTES: app to remove condition 17 and 18 for festival – last years app sent to Andrew for approval.		

# Agenda Item 6.11

LICENSING REF NO: 454131

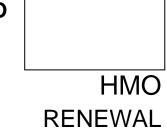
**ITEM NO** 

#### STREET TRADER LICENCE

New

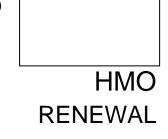
APPLICANT DETAILS: NAME MANAGER	Mr Fraser Hamilton McCowan
PREMISES ADDRESS	Adjacent to 129 Duddingston Road West, Edinburgh
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	7x public objection 1x Cllr objection
REASON FOR BEING CALLED TO COMMITTEE	objections
DETERMINATION DATE	14/7/2022
NOTES:	

### **ITEM NO**



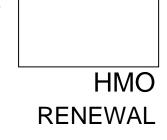
APPLICANT DETAILS: NAME	Mr Li Yin Ooi
AGENT	Miss Katy Fitton, Southside Property Management
LODGING AGENT	Southside Property Management
PREMISES ADDRESS	Flat 7, 98 Orchard Brae Avenue, Edinburgh, EH4 2GB
CONDITIONS APPLIED FOR	Maximum Occupants - 4
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Caroline Stephenson
DETERMINATION DATE	27 July 2022
RENEWAL DATE	PRS - 1 year licence recommendation (gaps in certification)
NOTES: Late objection – reasons provided	1

#### **ITEM NO**



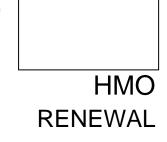
APPLICANT DETAILS: NAME	Mr John Ness & Mrs Patricia Ann Ness
AGENT	Mr John Davidson, Southside Property Management
LODGING AGENT	Southside Property Management
PREMISES ADDRESS	1f1, 28 Madeira Street, Edinburgh, EH6 4AL
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr John Boyce
DETERMINATION DATE	29 June 2022
RENEWAL DATE	1 Year from date of grant (gaps in certification)
NOTES:	

### **ITEM NO**



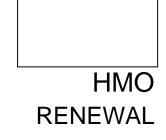
APPLICANT DETAILS: NAME	Mr John Ness & Mrs Patricia Ann Ness
AGENT	Mr John Davidson, Southside Property Management
LODGING AGENT	Southside Property Management
PREMISES ADDRESS	1f2, 28 Madeira Street, Edinburgh, EH6 4AL
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr John Boyce
DETERMINATION DATE	29 June 2022
RENEWAL DATE	30 June 2024
NOTES:	

### **ITEM NO**



APPLICANT DETAILS: NAME	Mr John Ness & Mrs Patricia Ann Ness
AGENT	Mr John Davidson, Southside Property Management
LODGING AGENT	Southside Property Management
PREMISES ADDRESS	2f1, 28 Madeira Street, Edinburgh, EH6 4AL
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr John Boyce
DETERMINATION DATE	29 June 2022
RENEWAL DATE	30 June 2024 (full continuity in certification)
NOTES:	

### **ITEM NO**



APPLICANT DETAILS: NAME	Mr John Ness & Mrs Patricia Ann Ness
AGENT	Mr John Davidson, Southside Property Management
LODGING AGENT	Southside Property Management
PREMISES ADDRESS	2f2, 28 Madeira Street, Edinburgh, EH6 4AL
CONDITIONS APPLIED FOR	Maximum Occupants - 3
24 HOUR CONTACT NUMBER	SATISFACTORY
NOTICE OF APPLICATION	SATISFACTORY
REPRESENTATIONS RECEIVED	Mr John Boyce
DETERMINATION DATE	29 June 2022
RENEWAL DATE	30 June 2024 (full continuity in certification)
NOTES:	

# Agenda Item 8.1

# Agenda Item 8.2

# Agenda Item 8.3