

Notice of meeting and agenda

Licensing Sub-Committee

9.30am, Monday 8 August 2022

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend.

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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 / emily.traynor@edinburgh.gov.uk

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 18 July 2022 - submitted for approval as a correct record 7 - 24

4. Parades and Processions

- 4.1** Proposed Parades and Processions: September 2022 – Report by the Head of Regulatory Services 25 - 44

5. Request for Fee Waiver

- 5.1** Request for Fee Waiver - Public Entertainment Licence - Armed Forces Day 2022 – report by the Head of Regulatory Services 45 - 52

6. Request for Fee Reduction

- 6.1** Request for Fee Reduction - Saughtonhall United Reformed Church – Report by the Head of Regulatory Services 53 - 60

7. Use of Urgency Powers to Grant Retrospective Decision

- 7.1** Use of Urgency Provision of Standing Orders to Grant Late Hours Catering Licence - Mohammed Lotfi – Report by the Head of Regulatory Services 61 - 64

8. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 - To consider miscellaneous applications

8.1	Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – to consider miscellaneous applications – list of applications	65 - 70
8.2	House in Multiple Occupation Licence (Renewal) - Flat 1, 15 Kilmaurs Road, Edinburgh	71 - 82
8.3	House in Multiple Occupation Licence (Renewal) - Flat 2, 15 Kilmaurs Road, Edinburgh	83 - 96
8.4	House in Multiple Occupation Licence (Renewal) - 1f1, 6 Mardale Crescent, Edinburgh	97 - 104
8.5	House in Multiple Occupation Licence (Renewal) - 3f2, 44 Montpelier Park, Edinburgh	105 - 118
8.6	House in Multiple Occupation Licence (Renewal) - 1f1, 1 Appin Terrace, Edinburgh	119 - 128
8.7	House in Multiple Occupation Licence (Renewal) - 1f1, 1 Appin Terrace, Edinburgh	129 - 140
8.8	House in Multiple Occupation Licence (Renewal) - 10 Links Place, Edinburgh	141 - 150
8.9	House in Multiple Occupation Licence (Renewal) - 2f2, 43 Polwarth Gardens, Edinburgh	151 - 162
8.10	House in Multiple Occupation Licence (New) - 1f1, 6 Grove Street, Edinburgh	163 - 180
8.11	House in Multiple Occupation Licence (New) - 1f1, 5 Viewforth Square, Edinburgh	181 - 192
8.12	Street Trader Licence (New) - Mobile - Canmore 1947	193 - 200

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillor Joanna Mowat (Convener), Councillor Jack Caldwell, Councillor James Dalglish, Councillor Denis Dixon, Councillor Martha Mattos Coelho, Councillor Susan Rae, Councillor Frank Ross and Councillor Neil Ross and Labour Group Vacancy.

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 in the Dean of Guild Court Room, City Chambers, High Street, Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Lesley Birrell or Emily Traynor, 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 / 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.

Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday 18 July 2022

Present

Councillors Mowat (Convener), Caldwell, Dalglish, Mattos Coelho, Rae (1.1-4.4) and Neil Ross.

1. Minutes

Decision

To approve the minute of the Licensing Sub-Committee of 28 June 2022 as a correct record.

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

Details were provided of 20 applications for miscellaneous licenses. 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)

3. 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.

4. 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.

1 request had been received for exemptions to this policy. The licence holder and relevant Council officers were heard.

Decision

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

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

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. The Regulatory Services Manager was 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 1 application 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)

APPENDIX 1

Applications for Miscellaneous Licences

House in Multiple Occupation Licence (Renewal)		
4.2	<p>Applicant Kerloch Limited</p> <p>Agent Ms Charlotte Gray, Professional Property Letting</p> <p>Premises Flat 1, 15 Kilmaurs Road, Prestonfield, Edinburgh</p>	To CONTINUE consideration of the application to the next meeting of the Sub-Committee on the 08.08.2022.
4.3	<p>Applicant Kerloch Limited</p> <p>Agent Ms Charlotte Gray, Professional Property Letting</p> <p>Premises Flat 2, 15 Kilmaurs Road, Prestonfield, Edinburgh</p>	To CONTINUE consideration of the application to the next meeting of the Sub-Committee on the 08.08.2022.
4.4	<p>Applicant Mr Niall Wilson & Ms Victoria Wilson</p> <p>Agent Mr Peter Shepard, DRM Residential</p> <p>Premises Flat 1, Floor 1, 6 Mardale Crescent, Edinburgh</p>	To CONTINUE consideration of the application to the next meeting of the Sub-Committee on the 08.08.2022.
4.5	<p>Applicant Mr Brian Wilkie & Mrs Susan Wilkie</p> <p>Agent</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of three years.

	<p>Mr John Fursman, Dunpark Property Agents</p> <p>Premises</p> <p>Flat 2, Floor 1, 20 Henderson Row, Stockbridge, Edinburgh</p>	
4.6	<p>Applicant</p> <p>Ms Elizabeth Fieldman</p> <p>Agent</p> <p>Tim Edwards</p> <p>Premises</p> <p>Flat 3, Floor 2, 44 Montpelier Park, Edinburgh</p>	To CONTINUE consideration of the application to the next meeting of the Sub-Committee on the 08.08.2022.
Market Operator Licence (Temporary)		
4.7	<p>Applicant</p> <p>Underbelly Limited</p> <p>Manager</p> <p>Mr Ryan Beattie</p> <p>Agent</p> <p>Alistair Macdonald</p> <p>Premises</p> <p>East Meadow Park, Melville Drive, Edinburgh</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, environmental health conditions, transport conditions and Police Scotland conditions as notified to the applicant.
4.8	<p>Applicant</p> <p>Underbelly Limited</p> <p>Manager</p> <p>Mr Ryan Beattie</p> <p>Agent</p> <p>Alistair Macdonald</p> <p>Premises</p> <p>George Square Gardens, Edinburgh</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, environmental health conditions, transport conditions and Police Scotland conditions as notified to the applicant.
4.9	<p>Applicant</p> <p>Underbelly Limited</p> <p>Manager</p> <p>Mr Ryan Beattie</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, public safety conditions,

	Agent Alistair Macdonald Premises Medical School, Teviot Place, Edinburgh	transport conditions and Police Scotland conditions as notified to the applicant.
4.10	Applicant Underbelly Limited Manager Mr Ryan Beattie Agent Alistair Macdonald Premises Medical School, Teviot Place, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, public safety conditions, transport conditions and Police Scotland conditions as notified to the applicant.
4.11	Applicant Mr James Hay Agent Alistair Macdonald Premises BlundaBus Garden, Potterrow, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions and Police Scotland conditions as notified to the applicant, subject to a final inspection by the Roads Team and Public Safety.
Public Entertainment Licence (Temporary)		
4.12	Applicant Underbelly Limited Manager Mr Ryan Beattie Agent Alistair Macdonald Premises East Meadow Park, Melville Drive, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, transport conditions and Police Scotland conditions as notified to the applicant.
Market Operator Licence (Temporary)		
4.13	Applicant Edinburgh International Book Festival Manager Ms Janey Seymour	1) To AGREE to hear the application in the absence of the applicant. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions.

	Premises 2 West Tollcross, Edinburgh	
4.14	Applicant International Book Festival Manager Ms Janey Seymour Premises 76-78 Lauriston Place, Edinburgh	1) To AGREE to hear the application in the absence of the applicant. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, environmental health conditions and transport conditions.
4.15	Applicant Assembly Festival Ltd Manager Mr Nicholas Whybrew Agent Alistair Macdonald Premises 54a George Street, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, environmental health conditions, transport conditions and Police Scotland conditions as notified to the applicant.
4.16	Applicant Assembly Festival Ltd Manager Mr Nicholas Whybrew Premises George Square Gardens, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, environmental health conditions, transport conditions and Police Scotland conditions as notified to the applicant.
4.17	Applicant EUSACO Premises Limited Manager Ms Lorraine Bell Agent Caroline Loudon, Nicola Smith, TLT LLP Premises 42-76 Pleasance, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions, transport conditions and Police Scotland conditions as notified to the applicant.
4.18	Applicant EUSACO Premises Limited	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions and Police Scotland conditions as notified to the applicant.

	Manager Ms Lorraine Bell Agent Caroline Loudon, Nicola Smith, TLT LLP Premises Potterrow, Edinburgh	
Public Entertainment Licence (Temporary)		
4.19	Applicant Mr Franck Phillippe Denis Bruyere Manager Mr Darrell Stuart Martin Agent Caroline Loudon, Nicola Smith, TLT LLP Premises St James Square, Quarter, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions and Police Scotland conditions as notified to the applicant
4.20	Applicant Ms Jana Scholtzova Manager Mr Navida Galbraith Agent Caroline Loudon, Nicola Smith, TLT LLP Premises St James Square, Quarter, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions and Police Scotland conditions as notified to the applicant
4.21	Applicant Ms Stacey Rowan Agent Caroline Loudon, Nicola Smith, TLT LLP Premises Car Park, Level B3, St James Quarter, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence and the additional noise conditions and Police Scotland conditions as notified to the applicant

Late Hours Catering Licence (New)

Add. Item	Applicant Zara Fast Foods Manager Mr Ozgur Yilmaz Premises 236 Cowgate, Edinburgh	To GRANT the licence for the hours Sun-Thurs 2300-0000 and Fri-Sat 23:00-00:00 subject to the Council's standard conditions for this category of licence.
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by virtue of paragraph(s) 3, 6, 12, 14 of Part 1 of Schedule 7A
of the Local Government(Scotland) Act 1973.

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Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday, 8 August 2022

Proposed Parades and Processions: September 2022

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

Executive Summary

The City of Edinburgh Council has been notified of several parades which are proposed to take place in September 2022.

The Council has limited powers in respect of parades. It can take no action and the parade would proceed as the organisers intend. Alternatively, it has the power to attach conditions or, under limited circumstances, to ban the parade. The Committee needs to decide whether to exercise any of these options.

In January 2018 the Regulatory Committee decided to continue the practice that all marches involving the High Street must be submitted for Committee consideration.

Andrew Mitchell

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

Proposed Parades and Processions: September 2022

1. Recommendations

- 1.1 It is recommended that the Committee makes an order in respect of each of the proposed parades, attaching the conditions attached at Appendix 2.

2. Background

- 2.1 Under the Civic Government (Scotland) Act 1982, anyone organising a parade or procession in Scotland must notify the appropriate local authority and the police at least 28 days prior to the date of the event.
- 2.2 The City of Edinburgh Council has been notified of intent to hold the following events in the city (further details in Appendix 1). The organisers of all three parades wish to use the High Street.

	Event name	Event date
a	March for Trans Equality	5 Sept 2022
b	Pay Up for Key Workers	8 Sept 2022
c	Edinburgh Riding of the Marches	11 Sept 2022

- 2.3 The Council has limited powers available regarding the control of parades. These powers should only normally be exercised to prevent public disorder, risk to public safety, damage to property or excessive disruption to the life of the community. [Download the Scottish Government Guidance to local authorities on marches and parades.](#)
- 2.4 All parades will go ahead unless the Council decides to make use of its statutory powers. No concerns or objections have been raised by any Council team or by the Police with respect to these parades.

3. Main report

- 3.1 Notification forms relevant to the proposed parades are attached at Appendix 1.
- 3.2 The recommended conditions (Appendix 2) are sufficient to mitigate any possible disruption to the community.
- 3.3 Representatives of the organisations will be invited to address the Committee regarding the proposed parades.

4. Measures of success

- 4.1 That the Council discharges its statutory duties in respect of these notifications.
- 4.2 That any parade is facilitated wherever possible and is managed in a way that minimises potential disruption to the life of the community.

5. Financial impact

- 5.1 None arising directly from this report.
- 5.2 Council resources may need to be deployed on the day, in particular with respect to any road closures.

6. Risk, policy, compliance and governance impact

- 6.1 Should the Committee decide to restrict or prohibit the procession, the persons proposing to hold the procession may appeal against that decision to the Sheriff Court within 14 days of written reasons being received by them.

7. Equalities impact

- 7.1 In coming to a decision, the Committee will have to consider the rights of the procession organisers to stage their procession, and the Council's duty to foster good relations and ensure the protection of public order and safety. These must be discharged against the relevant statutory duties.

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8. Sustainability impact

- 8.1 Not applicable.

9. Consultation and engagement

- 9.1 Statutory consultation has taken place regarding the parade.

10. Background reading/external references

- 10.1 Scottish Government guidance - [Review of parades and marches in Scotland \(2006\)](#)

11. Appendices

- 11.1 Appendix 1: Notification forms for the following events:

	Event name	Event date
a	March for Trans Equality	5 Sept 2022
b	Pay Up for Key Workers	8 Sept 2022
c	Edinburgh Riding of the Marches	11 Sept 2022

- 11.2 Appendix 2: Proposed conditions.

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

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Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday, 8 August 2022

Request for Fee Waiver – Public Entertainment Licence – Armed Forces Day 2022

Item number

Report number

Executive/routine

Council Commitments

N/A

Wards

City Centre (11)

Executive Summary

A Public Entertainment Licence application has been received for Armed Forces Day 2022. Armed Forces Day was 25 June 2022. The former Lord Provost has written to request that the Licensing Sub-Committee considers waiving the fee for this Public Entertainment Licence, in recognition of the contribution that members of the Armed Forces make to our society.

Request for Fee Waiver – Public Entertainment Licence – Armed Forces Day 2022

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 Determines the appropriate level of fee for this event.

2. Background

- 2.1 Armed Forces Day is an annual event, recognising the contribution that members of the Armed Forces make to society. This community event and parade took place on Saturday 25 June 2022.
- 2.2 The Culture and Communities Events team works with veterans' charities and associations to help with the event planning and organisation.
- 2.3 This request is being sent to Committee for consideration as officers are required to ensure full cost recovery for all licences and have no delegation to waive fees.

3. Main report

- 3.1 A Public Entertainment Licence fee for this type of event is required, at a cost of £173. The former Lord Provost wrote to the former Convener to request that the Committee considers waiving the fee for the Public Entertainment Licence for this event. A copy of the licence application is attached at Appendix 1 and the letter from the former Lord Provost is attached at Appendix 2.
- 3.2 The charge for Public Entertainment Licences is used to offset the costs which are incurred in dealing with Licensing issues in the city.
- 3.3 A representative of the applicant will be invited to address the Committee on the request for the fee refund.

4 Measures of success

- 4.1 The premises are licensed in a proportionate and effective manner.

5 Financial impact

- 5.1 The cost of the Armed Forces Day parade and associated events are met by the Council.
- 5.2 The Council's scale of fees for licensing applications was approved with effect from 1 April 2022.
- 5.3 The Committee should note that the Council approved the following as part of the Budget Motion approved in February 2019:
 - 5.3.1 The Administration will adopt a policy of full cost recovery for major events in the city delivered by third parties. We will increase cost recovery through charges levied for licensing and regulatory services, road occupation licences and consents, where permitted by legislation.
- 5.4 The cost of waiving the licence fee will be met from the Licensing budget.

6 Risk, policy, compliance and governance impact

- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 The fee structure was agreed by Council in April 2022. Any reduction risks setting a precedent. However, the Committee has discretion to waive fees where it considers this appropriate.

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

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

Contact: Catherine Scanlin, Licensing Manager

E-mail: catherine.scanlin@edinburgh.gov.uk | Tel: 0131 529 4201

11 Appendices

11.1 Appendix 1 – Application Form

11.2 Appendix 2 - Letter from the Lord Provost dated 14 April 2022

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

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Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday, 8 August 2022

Request for Fee Reduction – Saughtonhall United Reformed Church

Item number

Report number

Executive/routine

Council Commitments

N/A

Wards

Pentland Hills (2)

Executive Summary

An application for a Public Entertainment Licence has been received from Saughtonhall United Reformed Church. The applicant has written to request that the Licensing Sub-Committee considers either reducing the Public Entertainment Licence fee or refunding the cost of the organisation's Theatre Licence.

Request for Fee Reduction – Saughtonhall United Reformed Church

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 Hears from the applicant; and refuses the request

2. Background

- 2.1 Saughtonhall United Reformed Church runs an amateur drama group.
- 2.2 The Theatres Act 1968 previously provided a licensing regime for premises which were used for the public performance of plays.
- 2.3 The Theatres Act 1968 was repealed on 27 January 2021. On [19 August 2019](#) the Regulatory Committee resolved under section 9 of the Civic Government (Scotland) Act 1982 to license theatres under its public entertainment licensing regime.

3. Main report

- 3.1 Saughtonhall United Reformed Church was granted a Theatre Licence for the period 1 June to 30 November 2020, and the relevant fee of £776 was paid. Due to restrictions imposed during the COVID-19 pandemic, all of the organisation's planned productions during that period had to be cancelled.
- 3.2 A representative of Saughtonhall United Reformed Church has written to the Council (Appendix 1) to request that the committee considers reducing the application fee paid for a Public Entertainment Licence (£1,153).
- 3.3 Refund of a licence fee granted in a previous year is not possible as the accounts for that period have closed. The charge for Public Entertainment Licence applications is used to offset the significant costs which are incurred in dealing with licensing issues in the city. Waiving the Public Entertainment licence fee after the fact would create an unfunded pressure and risks setting a precedent, in that other licence holders or applicants might seek a similar decision in respect of the fee that they have paid.

- 3.4 A representative of the applicant will be invited to address the Committee on the request for the fee reduction.

4 Measures of success

- 4.1 The premises are licensed in a proportionate and effective manner.

5 Financial impact

- 5.1 The Council's scale of fees for licensing applications was approved with effect from 1 April 2022.
- 5.2 Committee members should note that the Council approved the following as part of the Budget Motion approved in February 2019:
- 5.2.1 The Administration will adopt a policy of full cost recovery for major events in the city delivered by third parties. We will increase cost recovery through charges levied for licensing and regulatory services, road occupation licences and consents, where permitted by legislation.
- 5.3 The cost of reducing the licence fee will be met from the Licensing budget.

6 Risk, policy, compliance and governance impact

- 6.1 The process outlined takes account of the relevant statutory provisions.
- 6.2 The fee structure was agreed by Council in April 2022. Any reduction risks setting a precedent. However, the committee has discretion to waive fees where it considers this appropriate.

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 [Report to Regulatory Committee 19 August 2019](#)

Andrew Mitchell

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

Contact: Catherine Scanlin, Licensing Manager

E-mail: catherine.scanlin@edinburgh.gov.uk | Tel: 0131 529 4201

11 Appendices

11.1 Appendix 1 - Email from Saughtonhall United Reformed Church

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

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Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday, 8 August 2022

Use of Urgency Provision of Standing Orders to Grant Late Hours Catering Licence – Mohammed Lotfi

Item number

Report number

Executive/routine

Wards

Southside/Newington (15)

Council Commitments

N/A

Executive Summary

The Committee is asked to note that an application to renew a Late Hours Catering Licence was received by the Licensing Service on 24 June 2021.

The application was dealt with by the relevant Executive Director after consultation with the Convenor using the urgency provision within Standing Orders.

Use of Urgency Provision of Standing Orders to Allow Grant of Late Hours Catering Licence – Mohammed Lotfi

1. Recommendations

- 1.1 The Committee is asked to note that a Late Hours Catering Licence was granted to Mohammed Lotfi for premises known as 'Franco's Fish & Chips' at 11 Summerhall Place, Edinburgh using the urgency provision of standing orders after consultation with the Convener.

2. Background

- 2.1 Standing Orders permit Directors to make urgent decisions provided the relevant Convenor is consulted. Any such decision is required to be reported thereafter to Committee.

3. Main report

- 3.1 On 24 June 2021 the Council received a renewal application from Mohammed Lotfi for a Late Hours Catering Licence for premises known as 'Franco's Fish & Chips' at 11 Summerhall Place, Edinburgh. The application was circulated for consideration and attracted comment from Police Scotland and the Licensing Enforcement team.
- 3.2 In such circumstances the application would normally be referred to the Committee for a decision. However, this application was mislaid and it was not actively worked on until March 2022. At this point, it was identified that the application was outwith policy and objections had been received. The applicant amended the requested hours, which satisfied one of the two requirements of the late hours catering policy, however there was still an outstanding requirement which was partly met as the applicant managed to secure letters of support from some of the neighbours.
- 3.3 There was not a Committee meeting scheduled within the required timescales and thus the renewal was granted by the Executive Director of Place using urgency provisions within Standing Orders, after consultation with the Convener.
- 3.4 As required, the use of urgency provisions is hereby reported to the committee.

4. Measures of success

- 4.1 The premises are licensed in a proportionate and effective manner.

5. Financial impact

- 5.1 There are no financial implications arising from this report.

6. Risk, policy, compliance and governance impact

- 6.1 The Council's Standing Orders and Scheme of Delegation were used to resolve this issue.

7. Equalities impact

- 7.1 There is no equalities impact arising from this report.

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8. Sustainability impact

- 8.1 There is no environmental impact arising from this report.

9. Consultation and engagement

- 9.1 The Convener was consulted prior to the use of emergency powers, as required by Standing Orders.

10. Background reading/external references

- 10.1 None.

Andrew Mitchell

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

11. Appendices

None

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Licensing Sub-Committee of the Regulatory Committee

8 August 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 9.30am							
House in Multiple Occupation Licences (Renewal)							
8.2	Applicant Kerloch Limited Agent Charlotte Gray, Professional Property Letting	Flat 1, 15 Kilmaurs Road, Prestonfield, Edinburgh	4 Occupants	Satisfactory	1 public objection Continued from 18.07.22 Licensing Sub-Committee meeting	Sandra Brett and Brian Carlin	08.02.23
8.3	Applicant Kerloch Limited Agent Charlotte Gray, Professional Property Letting	Flat 2, 15 Kilmaurs Road, Prestonfield, Edinburgh	3 Occupants	Satisfactory	1 public objection Continued from 18.07.22 Licensing Sub-Committee meeting	Sandra Brett and Brian Carlin	29.09.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
8.4	Applicant Niall Wilson and Victoria Wilson Agent Peter Shepherd, DRM Residential	1F1, 6 Mardale Crescent, Edinburgh	5 Occupants	Satisfactory	1 public objection Continued from 18.07.22 Licensing Sub-Committee meeting	Peter Smith	09.12.22
8.5	Applicant Elizabeth Fieldman	3F2, 44 Montpelier Park, Edinburgh	6 Occupants	Satisfactory	8 public objections Continued from 18.07.22 Licensing Sub-Committee meeting	Mark Nailon Kirsten Brown Jamie Scriven Alison Paton Emer Drayne Lucy Murdoch Paul Fullerton Michael Davidson	20.08.22
8.6	Applicant William McKeand Agent Kim Keenan, Murray & Currie	1f1, 1 Appin Terrace, Edinburgh	3 Occupants	Satisfactory	1 public objection	J M Stewart	18.01.23

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
8.7	Applicant Barrie M Jackson & Carol H E Fyfe Agent Alan Nash, Ace Property Management	1f2, 41 Bruntsfield Gardens, Edinburgh	4 Occupants	Satisfactory	3 public objections	Catherine & Rosemary Ferguson Ian Clement Jennifer & Simon Madine	28.09.22
8.8	Applicant K&S Mir Ltd t/a Cameron Guest House Group Agent Kamran Akbar & Neil Ellis, Cameron Guest House Group	10 Links Place, Edinburgh	50 Occupants	Satisfactory	2 public objections	Alexander Reid Jim Scanlon – Leith Links Community Council (Late Objection)	01.04.23
8.9	Applicant Alan John Henderson Agent Jimmy Drynan, DJ Alexander	2f2, 43 Polwarth Gardens, Edinburgh	4 Occupants	Satisfactory	1 public objection	Imran Iqbal	29.09.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
House in Multiple Occupation Licences (New)							
8.10	Applicant Simon McEvroy & Mairead McEvoy Agent James Brooks, Splendid Property Management Ltd	1f1, 6 Grove Street, Edinburgh	4 Occupants	Satisfactory	9 public objections	Dr Adonye Banigo Mr Steinar Loekling Dr Michelle May Alexandros Vardakis Mark Walker Linda MacLeod Liz Haggard Patricia Player Zarko Vasovic	24.05.23
8.11	Applicant Woodlands Park Investments Limited Agent Anna Jane Renton, Sandstone UK Property Management Solutions Ltd	1f1, 5 Viewforth Square, Edinburgh	3 Occupants	Satisfactory	1 public objection	Elaine Robson	23.11.22

Item No	Applicant	Premises	Conditions applied for	Verified 24 Hour Contact	Remarks	Public Objectors	Determination Date
The following applicants have been invited for 10.00am							
Street Trader Licence (New)							
8.12	Applicant Canmore 1947 Manager Riaz Mohammed	Mobile	Standard Conditions Requested Hours of Operation 08:00-20:00	N/A	Roads Objection	N/A	27.04.23
Late Hours Catering Licence (New)							
8.13	Applicant Turkish Street Food Manager Hasan Gundogdu	58 Elm Row, Edinburgh	Standard Conditions Requested Hours of Operation Sun-Thu 23:00-01:00 Fri-Sat 23:00-02:00	N/A	Police Scotland representation Licensing Enforcement representation 2 public objections	Sheila Kennedy - Leith Central Community Council Cllr McNeese-Mechan	06.09.22

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Agenda Item 8.2

LICENSING REF NO: 469465

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Kerloch Limited
	AGENT	Ms Charlotte Gray, Professional Property Letting
	LODGING AGENT	Professional Property Letting
PREMISES ADDRESS		Flat 1, 15 Kilmaurs Road, Prestonfield, Edinburgh, EH16 5DA
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Ms Sandra Brett & Mr Brian Carlin
DETERMINATION DATE		8 February 2023
RENEWAL DATE		18 February 2025 (Full continuity in certification)
NOTES: Continued from Licensing Sub-Committee meeting on 18 July 2022		

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Agenda Item 8.3

LICENSING REF NO: 460476

ITEM NO

HMO
RENEWAL

APPLICANT DETAILS:	NAME	Kerloch Limited
	AGENT	Charlotte Gray, Professional Property Letting
	LODGING AGENT	Professional Property Letting
PREMISES ADDRESS		Flat 2, 15 Kilmaurs Road, Edinburgh, EH16 5DA
CONDITIONS APPLIED FOR		Maximum Occupants - 3
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Ms Sandra Brett & Mr Brian Carlin
DETERMINATION DATE		29 September 2022
RENEWAL DATE		4 October 2024 (Full continuity in certification)
NOTES: Continued from Licensing Sub-Committee meeting on 18 July 2022		

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Agenda Item 8.4

LICENSING REF NO: 466211

ITEM NO

HMO
RENEWAL

APPLICANT DETAILS:	NAME	Mr Niall Wilson and Ms Victoria Wilson
	AGENT	Mr Peter Shepherd, DRM Residential
	LODGING AGENT	Mr Peter Shepherd, DRM Residential
PREMISES ADDRESS		1f1, 6 Mardale Crescent, Edinburgh, EH10 5AG
CONDITIONS APPLIED FOR		Maximum Occupants - 5
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Peter Smith
DETERMINATION DATE		9 December 2022
RENEWAL DATE		14 December 2024 (Full continuity in certification)
NOTES: Continued from Licensing Sub-Committee meeting on 18 July 2022		

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Agenda Item 8.5

LICENSING REF NO: 459551

ITEM NO

HMO
RENEWAL

APPLICANT DETAILS:	NAME	Ms Elizabeth Fieldman
	AGENT	
	LODGING AGENT	
PREMISES ADDRESS		3f2, 44 Montpelier Park, Edinburgh, EH10 4NH
CONDITIONS APPLIED FOR		Maximum Occupants - 6
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mark Nailon Kirsten Brown Jamie Scriven Alison Paton Emer Drayne Lucy Murdoch Paul Fullerton Michael Davidson
DETERMINATION DATE		20 August 2022
RENEWAL DATE		1 year from date of grant (gaps in certification)

NOTES: Continued from Licensing Sub-Committee meeting on 18 July 2022

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LICENSING REF NO: 468222

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Mr William McKeand
	AGENT	Ms Kim Keenan, Murray & Currie
	LODGING AGENT	Murray & Currie
PREMISES ADDRESS		1f1, 1 Appin Terrace, Edinburgh, EH14 1NN
CONDITIONS APPLIED FOR		Maximum Occupants - 3
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		J M Stewart
DETERMINATION DATE		18 January 2023
RENEWAL DATE		31 January 2025
NOTES:		

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Agenda Item 8.7

LICENSING REF NO: 469739

ITEM NO

HMO
RENEWAL

APPLICANT DETAILS:	NAME	Mr Barrie M Jackson & Ms Carol H E Fyfe
	AGENT	Mr Alan Nash, Ace Property Management
	LODGING AGENT	Ace Property Management
PREMISES ADDRESS		1f2, 41 Bruntsfield Gardens, Edinburgh, EH10 4DY
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Catherine and Rosemary Ferguson Ian Clement Jennifer and Simon Madine
DETERMINATION DATE		28 September 2022
RENEWAL DATE		30 September 2024
NOTES:		

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Agenda Item 8.8

LICENSING REF NO: 473336

ITEM NO

HMO
RENEWAL

APPLICANT DETAILS:	NAME	K&S Mir Ltd
	AGENT	Mr Kamran Akbar & Mr Neil Ellis, Cameron Guest House Group
	LODGING AGENT	K&S MIR Ltd T/A Cameron Guest House Group
PREMISES ADDRESS		10 Links Place, Edinburgh, EH6 7EZ
CONDITIONS APPLIED FOR		Maximum Occupants - 50
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Alexander Reid Mr Jim Scanlon – LL Community Council
DETERMINATION DATE		1 April 2023
RENEWAL DATE		26 May 2025
NOTES:		

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LICENSING REF NO: 460573

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Mr Alan John Henderson
	AGENT	Mr Jimmy Drynan, DJ Alexander
	LODGING AGENT	Mr Jimmy Drynan, Benaird
PREMISES ADDRESS		2f2, 43 Polwarth Gardens, Edinburgh, EH11 1LB
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Imran Iqbal
DETERMINATION DATE		29 September 2022
RENEWAL DATE		1 year from date of grant (gaps in certification)
NOTES:		

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LICENSING REF NO: 477122

ITEM NO

HMO
NEW

APPLICANT DETAILS:	NAME	Mr Simon McEvoy & Mrs Mairead McEvoy
	AGENT	Mr James Brooks, Splendid Property Management Ltd
	LODGING AGENT	Splendid Property Management Ltd
PREMISES ADDRESS		1f, 6 Grove Street, Edinburgh, EH3 8BB
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Dr Adonye Banigo Mr Steinar Loekling Dr Michelle May Mr Alexandros Vardakis Mr Mark Walker Mrs Linda MacLeod Mrs Liz Haggard Mrs Patricia Player Zarko Vasovic
DETERMINATION DATE		24 May 2023
RENEWAL DATE		1 year from date of grant
NOTES:		

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LICENSING REF NO: 465322

ITEM NO

HMO
NEW

APPLICANT DETAILS:	NAME	Woodlands Park Investments Limited
	AGENT	Ms Anna Jane Renton, Sandstone UK Property Management Solutions Ltd
	LODGING AGENT	Sandstone UK Property Management Solutions Ltd
PREMISES ADDRESS		1f1, 5 Viewforth Square, Edinburgh, EH10 4LP
CONDITIONS APPLIED FOR		Maximum Occupants - 3
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Elaine Robson
DETERMINATION DATE		23 November 2022
RENEWAL DATE		1 Year from date of grant
NOTES:		

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LICENSING REF NO: 474986

ITEM NO

STREET TRADER LICENCE

New

APPLICANT DETAILS: MANAGER	NAME Canmore 1947 Riaz Mohammed
PREMISES ADDRESS	MOBILE
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Roads Objection
REASON FOR BEING CALLED TO COMMITTEE	Roads Objection
DETERMINATION DATE	27/4/23
NOTES: application for mobile trader, applicant has also applied for 4 employee licences relating to this application.	

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LICENSING REF NO: 472636

ITEM NO

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: NAME MANAGER	Mr Hasan Gundogdu
PREMISES ADDRESS	58 Elm Row, Edinburgh, EH7 4AQ
CONDITIONS RECOMMENDED	Standard Conditions
REPRESENTATIONS RECEIVED	Leith Central Community Council Police Cllr McNeese-Mechan Licensing Enforcement
REASON FOR BEING CALLED TO COMMITTEE	Objections – out with policy
DETERMINATION DATE	06/09/2022
NOTES: application out with policy for late hours catering.	

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