

Notice of meeting and agenda

Licensing Sub-Committee

9.30am, Friday, 13th October, 2023

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.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: taylor.ward@edinburgh.gov.uk / carolanne.eyre@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 11 September 2023 – submitted for approval as a correct record. | 5 - 18 |
| 3.2 | Minute of Licensing Sub-Committee of 12 September 2023 – submitted for approval as a correct record. | 19 - 30 |

4. Parades and Processions

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| 4.1 | Parades and Processions – Report by the Head of Regulatory Services | 31 - 42 |
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5. Reports

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|-----|--|-----------|
| 5.1 | Application for House in Multiple Occupation Licence – 354 (2f1) Morningside Road – Report by the Head of Regulatory Services | 43 - 56 |
| 5.2 | Application for House in Multiple Occupation Licence - 98 Marchmont Crescent – Report by the Head of Regulatory Services | To Follow |
| 5.3 | Application for House in Multiple Occupation Licence – 34 (3f1) Marchmont Crescent – Report by the Head of Regulatory Services | 57 - 70 |
| 5.4 | Application for House in Multiple Occupation Licence – 59 (Pf2) Marchmont Road – Report by the Head of Regulatory Services | 71 - 86 |

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

6.1	Late Hours Catering Application (New) - 52 North Bridge	87 - 102
6.2	Late Hours Catering Application (New) - 21 Great Junction Street	103 - 110
6.3	Application for Public Entertainment Licence (New) - Murrayfield Ice Arena Ltd	111 - 118
6.4	Application for House in Multiple Occupation Licence (Renewal) - 70 Thirlestane Road. Objections	119 - 154
6.5	Application for House in Multiple Occupation Licence (Renewal) - 5 Savile Place Objections	155 - 164
6.6	Short Term Lets Application for Licence (New) - 56 Lochrin Buildings	165 - 188
6.7	Short Term Lets Application for Licence (New) - 20 Bonaly Drive	189 - 218
6.8	Short Term Lets Application for Licence (New) - 14 Old Tolbooth Wynd	219 - 242
6.9	Short Term Lets Application for Licence (New) - 21 Broomhouse Crescent	243 - 260
6.10	Application for Market Operators Licence (New) - Manse Road	261 - 290

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillors Councillor Joanna Mowat (Convener), Councillor Jack Caldwell, Councillor Denis Dixon, Councillor Margaret Arma Graham, Councillor Martha Mattos Coelho,

Councillor Susan Rae, Councillor Neil Ross, Councillor Val Walker and Councillor Norman Work

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 of the City Chambers and virtually by Microsoft Teams.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Taylor Ward Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, taylor.ward@edinburgh.gov.uk / carolanne.eyre@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 11 September 2023

Present

Councillors Mowat (Convener), Caldwell, Dixon (with the exception of item 5.20), Graham, Mattos Coelho (with the exception of item 5.21), Rae (items 1 to 5.8), Ross, Walker (items 5.22 onwards) and Work (items 1 to 5.17).

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 14 August as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 15 August 2023 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 15 August, reconvened on 29 August 2023 as a correct record.

2. Parades and Processions – September and October 2023

a) End Fossil Fuels - Friends of The Earth Scotland - 16 September 2023

Details were provided of a proposed parade, End Fossil Fuels - Friends of The Earth Scotland” to be held on 16 September 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed parade End Fossil Fuels by Friends of The Earth Scotland on 16 September 2023 applying the Council’s general conditions for parades and marches.

b) March for Independence - 7 October 2023

Details were provided of a proposed “March for Independence” to be held on 7 October 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed, March for Independence on 7 October 2023 applying the Council's general conditions for parades and marches.

c) Boys Brigade Band Tour

Details were provided of a proposed parade "Boys Brigade Band Tour" to be held on 26 October 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Boys Brigade Band Tour parade on 26 October 2023 applying the Council's general conditions for parades and marches.

(Reference – report by the Head of Regulatory Services, submitted)

3. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – Applications for Miscellaneous Licences

Details were provided of 30 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 7(A) of the Act.

5. Civic Government (Scotland) Act 1982 - Application for Miscellaneous Licence

Details were provided of 1 application for a miscellaneous licence. The applicant was heard.

Decision

To determine the application 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

Public Entertainment Licence (Temporary)		
5.2	<p>Applicant Edinburgh Cocktail Week Ltd</p> <p>Location Festival Square, Lothian Road,</p> <p>Agent Caroline Loudon</p> <p>Event Dates 05.10.23 to 16.10.23</p>	To GRANT the licence subject to the standard conditions for this category of licence.
Market Operator Licence (Temporary)		
5.3	<p>Applicant Edinburgh Cocktail Week Ltd</p> <p>Location Festival Square, Lothian Road</p> <p>Agent Caroline Loudon</p> <p>Event Dates 05.10.23 to 16.10.23</p>	To GRANT the licence subject to the standard conditions for this category of licence.
Public Entertainment Licence (Temporary)		
5.4	<p>Applicant Highland Centre Ltd</p> <p>Location Royal Highland Centre</p> <p>Manager Mark Currie</p> <p>Agent Niall Hassard</p>	To GRANT the licence for a capacity of 6000, subject to the standard conditions for this category of licence and the additional Police Scotland conditions, noise conditions and roads conditions.

	Event EH1 Festival Event Dates 23.09.23	
Market Operator Licence (Temporary)		
5.5	Applicant Highland Centre Ltd Location Royal Highland Centre Manager Mark Currie Agent Niall Hassard Event EH1 Festival Event Dates 23.09.23	To GRANT the licence subject to the standard conditions for this category of licence and the additional Police Scotland conditions, noise conditions and roads conditions.
Public Entertainment Licence (Temporary)		
5.6	Applicant Highland Centre Ltd Location Royal Highland Centre Edinburgh Manager Mark Currie Agent Nicola Smith Event Terminal V – Halloween Trilogy Event Date 27.10.23 to 29.10.23	1) To note that the Sub-Committee was MINDED TO GRANT the application. 2) To DELEGATE authority to the Head of Regulatory Services to determine the application subject to all matters being satisfactorily agreed at the Events Planning and Operations Group scheduled for 19 September 2023. but that if there were any remaining outstanding issues the application would be returned to the Sub-Committee for determination.
Market Operator Licence (Temporary)		

5.7	<p>Applicant Highland Centre Ltd</p> <p>Location Royal Highland Centre Edinburgh</p> <p>Manager Mark Currie</p> <p>Agent Nicola Smith</p> <p>Event Terminal V – Halloween Trilogy</p> <p>Event Dates 27.10.23 to 29.10.23</p>	<p>1) To note that the Sub-Committee was MINDED TO GRANT the application.</p> <p>2) To DELEGATE authority to the Head of Regulatory Services to determine the application subject to all matters being satisfactorily agreed at the Events Planning and Operations Group scheduled for 19 September 2023. but that if there were any remaining outstanding issues the application would be returned to the Sub-Committee for determination.</p>
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Public Entertainment Licence (Temporary)

5.8	<p>Applicant Edinburgh Lindy Exchange (ELX)</p> <p>Manager Vicky McMurray</p> <p>Location Mound Precinct Edinburgh</p>	To GRANT the licence subject to the standard conditions for this category of licence.
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Public Entertainment Licence (New)

5.9	<p>Applicant Surgeons Quarter Ltd</p> <p>Manager Stewart Munro</p> <p>Location Surgeons Hall & Campus, 11B Hill Square Gardens, Edinburgh</p>	To GRANT the licence subject to the standard conditions for this category of licence for the following operating hours – September 2023 to July 2024 12:00 to 22:00 and August 2024 10:00 to 22:00.
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Street Trader Licence (New)

5.10	Red Bus Bistro Company Ltd Manager Alison Simpson Location Waverley Bridge at junction with Princess Street Edinburgh	1) To agree to consider the application in the absence of the applicant. 2) To GRANT the licence for one mobile seller for the hours Mon-Sun 09:30 to 15:30 subject to the standard conditions for this category of licence and the additional roads conditions.
5.11	Applicant Mr Alessio Augello Location Rose Street Edinburgh	To GRANT the licence subject to the standard conditions for this category of licence and the additional roads conditions.
Street Trader Licence (Renewal)		
5.12	Applicant Mr Gareth Campbell Paxton Location Corner of Roseburn Street & Russell Road	To DELEGATE authority to the Head of Regulatory Services to determine the application subject to a suitable alternative trading location being identified and agreed to the satisfaction of the Executive Director of Place no later than 18 September 2023.
Late Hours Catering Licence (New)		
5.13	Licence Holder Haymarket Fish and Chips Ltd Location 10 Clifton Terrrace Edinburgh	To GRANT the licence subject to the standard conditions for this category of licence.
5.14	Applicant Cafer Dogan Location 21 Great Junction Street	To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 13 October 2023 to allow the applicant to attend.
House in Multiple Occupation Licence (Renewal)		

<p>5.15</p>	<p>Licence Holder Vidhi Misra</p> <p>Agent Craig Penman</p> <p>Premises Flat 2F2, 70 Thirlestane Road, Edinburgh</p>	<p>To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 13 October 2023:</p> <ol style="list-style-type: none"> 1). To allow the licence holder’s agent to provide evidence of the joint ownership being disposed to Vidhi Misra. 2) To allow the licence holder time to carry out the required repairs and upgrades to the property set out in the schedule of works within the required 28 day period. 3) To allow the letting agent DRM Residential to attend at the request of the Licensing Sub-Committee. <p>PART HEARD</p>
<p>5.16</p>	<p>Licence Holder Mr Raymond Alexander White</p> <p>Agent Ashley White</p> <p>Premises Flat 1f2, 24 Polwarth Gardens, Edinburgh</p>	<p>To note this application had been withdrawn at the request of the Head of Regulatory Services.</p>
<p>5.17</p>	<p>Licence Holder John Richard Scarlett-Streatfield</p> <p>Agent Alan Nash - ACE Property Management Ltd</p> <p>Premises Flat 1f1, 3B Grassmarket, Edinburgh</p>	<p>To GRANT the licence for a period of three years subject to the Council’s standard conditions for this category of licence.</p>

House in Multiple Occupation Licence (Renewal)

<p>5.18</p>	<p>Licence Holder Professor Asif Sohail Usmani & Mrs Saadia Usmani</p> <p>Agent Gemma Gilmour - University of Edinburgh Accommodation Services</p> <p>Premises 2 Spence Street, Edinburgh</p>	<p>1) To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p> <p>2) To note the undertaking by the Licence Holder that an independent noise assessment would be carried out in the property.</p>
<p>5.19</p>	<p>Licence Holder Denise Neill</p> <p>Agent Umega Lettings</p> <p>Premises Flat 2f1, 35 West Preston Street, Edinburgh</p>	<p>To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>

House in Multiple Occupation Licence (New)

<p>5.20</p>	<p>Applicant Calait Ltd</p> <p>Agent Professional Property Letting</p> <p>Premises 70 Kingston Avenue, Edinburgh</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note the undertaking from the applicant to provide a 24-hour contact number to neighbours.</p>
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House in Multiple Occupation Licence (Renewal)

Additional item	<p>Licence Holder Henry Prosper James Tregar</p> <p>Agent Barry Kirk</p> <p>Premises 2f2, 32 Dundas Street Edinburgh</p>	<p>1) To GRANT the licence for a period of 6 months subject to the Council's standard conditions for this category of licence.</p> <p>2) To note the undertaking from the licence holder's agent to provide a 24-hour contact number to the objectors present which could be shared with local residents.</p>
Short Term Lets Licence (New)		
5.21	<p>Applicant Miss Katie Godfrey</p> <p>Premises 1/21 Upper Bow, Edinburgh</p>	To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence for a period of one year.
5.22	<p>Applicant Julian and Ariel Silverman</p> <p>Letting Agent The Edinburgh Concierge Company</p> <p>Premises 16 Robertson's Close, Cowgate, Edinburgh</p>	<p>1) To agree not to accept the late objection.</p> <p>2) To GRANT the licence subject to the mandatory conditions and the Council's standard conditions for this type of licence for a period of one year.</p>
5.23	<p>Applicant Nicola Karen Hay</p> <p>Premises 6 Rutland Court Lane Edinburgh EH3 8ES</p>	<p>1) To agree not to accept the late objection.</p> <p>2) To GRANT the licence subject to the mandatory conditions and the Council's standard conditions for this type of licence for a period of one year.</p>
Short Term Lets Licence (New)		

<p>5.24</p>	<p>Applicant Mrs Rashida Saeed</p> <p>Premises 17 Stoneyflatts, South Queensferry</p>	<p>1) To agree not to accept the late objection.</p> <p>2) To GRANT the licence subject to the mandatory conditions and the Council's standard conditions for this type of licence for a period of one year.</p>
<p>5.25</p>	<p>Applicant Mr Konrad Morawski</p> <p>Premises Flat 7, 5 Murano Place, Edinburgh</p>	<p>1) To agree not to accept the late objection.</p> <p>2) To GRANT the licence subject to the mandatory conditions and the Council's standard conditions for this type of licence for a period of one year.</p>
<p>5.26</p>	<p>Applicant Mr Jamie Webb</p> <p>Premises Flat 1F1, 10 Marchmont Street, Edinburgh</p>	<p>1) To agree not to accept the late objection.</p> <p>2) To GRANT the licence subject to the mandatory conditions and the Council's standard conditions for this type of licence for a period of one year.</p>
<p>5.27</p>	<p>Applicant Mr Jae-Young Jang</p> <p>Premises Ashgrove House, 12 Osborne Terrace, Edinburgh</p>	<p>1) To agree not to accept the late objection.</p> <p>2) To GRANT the licence subject to the mandatory conditions and the Council's standard conditions for this type of licence for a period of one year.</p>
<p>5.28</p>	<p>Applicant Mr Sandor Plosz</p> <p>Premises 21 Broomhouse Crecent, Edinburgh</p>	<p>To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 13 October 2023 to allow the applicant to attend.</p>

Short Term Lets Licence (New)

<p>5.29</p>	<p>Applicant Andrew French & Rui Liu</p> <p>Premises 1/1 Dicksonfield, Edinburgh</p>	<p>To GRANT the licence subject to the mandatory conditions and the Council’s standard conditions for this type of licence for a period of one year.</p>
<p>5.30</p>	<p>Applicant Thomas Kenneth Murray & Sophie Patricia Jane Murray</p> <p>Premises Flat 2f2, 19 Union Street, Edinburgh</p>	<p>1) To GRANT the licence subject to the mandatory conditions and the Council’s standard conditions for this type of licence for a period of one year.</p> <p>2) To note the undertaking from the applicant to provide a 24-hour contact number to neighbours.</p>

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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 12 September 2023

Present

Councillors Mowat (Convener), Caldwell (items 1-5 (applications 10-32), Dixon (items 1-5 (applications 10-32), Graham (items 1-5 (applications 1-9), Mattos-Coehlo (items 1-4), Rae (item 4 (application 3)) and Ross (item 4-5 (applications 1-9)).

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 of Private Hire Driver Licence

The Sub-Committee considered a request to suspend or revoke a Private Hire Driver Licence. The Head of Regulatory Services and Police Scotland 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 Head of Regulatory Services, submitted)

3. Application for Variation of Taxi Vehicle Licence

The Sub-Committee considered a request to vary a Taxi Vehicle Licence. The Head of Regulatory Services and Police Scotland 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 Head of Regulatory Services, submitted)

4. Applications to Grant or Renew Taxi Driver Licences and Private Hire Driver Licences

Details were provided of 3 applications to grant or renew Taxi Driver and Private Hire Driver Licences. The Head of Regulatory Services, Police Scotland, the licence holders, applicants, and agents were heard.

Decision

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

5. 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 licenced vehicles in Edinburgh's Taxi and Private Hire Car fleet at its meeting on 16 March 2018.

19 requests had been received for exemptions to this policy. The licence holders, agents 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.

(Reference – Regulatory Committee 16 March 2018 (item 1); report by the Head of Regulatory Services, submitted)

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

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Licensing Sub-Committee of the Regulatory Committee

9.30am, Friday, 13 October 2023

Proposed Parade: 12 November 2023

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 a parade which is proposed for November 2023.

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 Parade: 12 November 2023

1. Recommendations

- 1.1 It is recommended that the Committee makes an orders in respect of the proposed parade, attaching standard conditions (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 event in the city (further details in Appendix 1):

	Name	Date
a	Scottish National Remembrance Day Parade and Service	12 November 2023

- 2.3 It is proposed that the parade will take place and use the High Street.
- 2.4 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.](#)

3. Main report

- 3.1 The notification form relevant to the proposed parade is attached at Appendix 1.
- 3.2 Officers recommend that the standard conditions (Appendix 2) remain sufficient to mitigate any possible disruption to the community.
- 3.3 Representatives of the relevant organisation 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 this notification.
- 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 any 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.

8. Sustainability impact

- 8.1 Not applicable.

9. Consultation and engagement

- 9.1 Statutory consultation has taken place regarding the parades.

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 form

	Name	Date
a	Scottish National Remembrance Day Parade and Service	12 November 2023

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, Friday, 13 October 2023

Application for House in Multiple Occupation Licence – 354 (2f1) Morningside Road

Executive/routine

Wards

Ward 10 – Morningside

Council Commitments

N/A

Executive Summary

An application for a new House in Multiple Occupation ('HMO') Licence has been received for a property at 354 (2f1) Morningside Road, Edinburgh.

The applicant requests an exemption from policy. The report sets out relevant sections of the policy background which should be considered when determining this application.

Andrew Mitchell

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

Application for House in Multiple Occupation Licence – 354 (2f1) Morningside Road

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the contents of this report; and
 - 1.1.2 determines the application and the request for exemption, and, if granted, attaches standard conditions to the licence.

2. Background

- 2.1 The requirement to hold a House in Multiple Occupation ('HMO') Licence is set out in the Housing (Scotland) Act 2006 ('the Act'). The procedures for processing such applications and considering objections etc. are set out in the Act.
- 2.2 The Housing (Scotland) Act 1987 introduced the concept of the 'tolerable standard', which all homes must meet in order to be considered fit for habitation. Subsequent Acts incorporated and made amendments the requirements.
- 2.3 The Committee can add reasonable conditions as it sees fit, if it is minded to grant the licence.

3. Main report

- 3.1 An application (Appendix 1) for the grant of an HMO Licence for a property for three persons has been received from Matson Properties c/o Roberts Residential. The property at 354 (2f1) Morningside Road has previously been an HMO licensed for three people for several years, but the licence was allowed to lapse and thus this is a new application.
- 3.2 The applicant requests an exemption from policy (Appendix 2) with respect to the 'tolerable standard' requirements for three person occupancy noted at 3.3 below and points noted in the attached Appendix 3. The property was previously licensed as an HMO for three people, having been assessed against the standard that applied at the date of initial licensing. Policy allows this to continue to be the relevant standard for any continuation of the licence, and it is only when there is

any break in the licensing of the property that the current assessment criteria ('Tolerable standard') become the legally required standard.

- 3.3 'Tolerable standard' criteria specify the minimum requirements for a HMO property for three persons. As a result of this application the property has been inspected by Council officers regarding its suitability for use as an HMO for three persons. The 'Tolerable standard' requirements are not met with respect to the dimensions of the kitchen/lounge and one of the bedrooms (Appendix 3).
- 3.4 It is recommended that the Committee considers this application and the request for exemption. The Committee may wish to consider whether it would be appropriate to agree exemption from policy and grant a licence for a three person HMO which does not fully comply with Tolerable Standard requirements.
- 3.5 After hearing from the Executive Director of Place or his representative regarding this report, it is recommended that members of the Committee then hear from the applicant. The applicant or their representative have been invited to address the Committee.

4 Measures of success

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

5 Financial impact

- 5.1 All associated costs are contained within the existing Licensing budget.

6 Risk, policy, compliance and governance impact

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

7 Equalities impact

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

8 Sustainability impact

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

9 Consultation and engagement

9.1 None.

10 Background reading/external references

10.1

11 Appendices

11.1 Appendix 1 – application form

11.2 Appendix 2 – email from applicant requesting exemption from policy

11.3 Appendix 3 - report on inspection carried out on 18 May 2023

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, Friday, 13 October 2023

Application for House in Multiple Occupation Licence – 34 (3f1) Marchmont Crescent

Executive/routine

Wards

Ward 10 – Morningside

Council Commitments

N/A

Executive Summary

An application for a new House in Multiple Occupation ('HMO') Licence has been received for a property at 34 (3f1) Marchmont Crescent, Edinburgh.

The applicant requests an exemption from policy. The report sets out relevant sections of the policy background which should be considered when determining this application.

Andrew Mitchell

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

Application for House in Multiple Occupation Licence – 34 (3f1) Marchmont Crescent

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the contents of this report; and
 - 1.1.2 determines the application and the request for exemption, and, if granted, attaches standard conditions to the licence.

2. Background

- 2.1 The requirement to hold a House in Multiple Occupation ('HMO') Licence is set out in the Housing (Scotland) Act 2006 ('the Act'). The procedures for processing such applications and considering objections etc. are set out in the Act.
- 2.2 The Housing (Scotland) Act 1987 introduced the concept of the 'tolerable standard', which all homes must meet in order to be considered fit for habitation. Subsequent Acts incorporated and made amendments the requirements.
- 2.3 The Committee can add reasonable conditions as it sees fit, if it is minded to grant the licence.

3. Main report

- 3.1 An application (Appendix 1) for the grant of an HMO Licence for a property for three persons has been received from Mike Grindy and Richard Grindy. The property at 34 (3f1) Marchmont Crescent has previously been an HMO licensed for four people for several years, but the licence was allowed to lapse and thus this is a new application.
- 3.2 The applicant requests an exemption from policy (Appendix 2) with respect to the 'tolerable standard' requirements for four person occupancy noted at 3.3 below and points noted in the attached Appendix 3. The property was previously licensed as an HMO for four people, having been assessed against the standard that applied at the date of initial licensing. Policy allows this to continue to be the relevant standard for any continuation of the licence, and it is only when there is any break in the

licensing of the property that the current assessment criteria ('Tolerable standard') become the legally required standard.

- 3.3 'Tolerable standard' criteria specify the minimum requirements for a HMO property for four persons. As a result of this application the property has been inspected by Council officers regarding its suitability for use as an HMO for four persons. The 'Tolerable standard' requirements are not met with respect to the dimensions of one of the bedrooms (Appendix 3).
- 3.4 It is recommended that the Committee considers this application and the request for exemption. The Committee may wish to consider whether it would be appropriate to agree exemption from policy and grant a licence for a four person HMO which does not fully comply with Tolerable Standard requirements.
- 3.5 After hearing from the Executive Director of Place or his representative regarding this report, it is recommended that members of the Committee then hear from the applicant. The applicant or their representative have been invited to address the Committee.

4 Measures of success

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

5 Financial impact

- 5.1 All associated costs are contained within the existing Licensing budget.

6 Risk, policy, compliance and governance impact

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

7 Equalities impact

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

8 Sustainability impact

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

9 Consultation and engagement

9.1 None.

10 Background reading/external references

10.1

11 Appendices

11.1 Appendix 1 – application form

11.2 Appendix 2 – email from applicant requesting exemption from policy

11.3 Appendix 3 - report on inspection carried out on 21 April 2023

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, Friday, 13 October 2023

Application for House in Multiple Occupation Licence – 59 (Pf2) Marchmont Road

Executive/routine

Wards

Ward 10 – Morningside

Council Commitments

N/A

Executive Summary

An application for a new House in Multiple Occupation ('HMO') Licence has been received for a property at 59 (Pf2) Marchmont Road, Edinburgh.

The applicant requests an exemption from policy. The report sets out relevant sections of the policy background which should be considered when determining this application.

Andrew Mitchell

Head of Regulatory Services

Contact: Andrew Mitchell, Head of Regulatory Services

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

Application for House in Multiple Occupation Licence – 59 (Pf2) Marchmont Road

1. Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the contents of this report; and
 - 1.1.2 determines the application and the request for exemption, and, if granted, attaches standard conditions to the licence.

2. Background

- 2.1 The requirement to hold a House in Multiple Occupation ('HMO') Licence is set out in the Housing (Scotland) Act 2006 ('the Act'). The procedures for processing such applications and considering objections etc. are set out in the Act.
- 2.2 The Housing (Scotland) Act 1987 introduced the concept of the 'tolerable standard', which all homes must meet in order to be considered fit for habitation. Subsequent Acts incorporated and made amendments the requirements.
- 2.3 The Committee can add reasonable conditions as it sees fit, if it is minded to grant the licence.

3. Main report

- 3.1 An application (Appendix 1) for the grant of an HMO Licence for a property for three persons has been received from Kate James. The property at 59 (Pf2) Marchmont Road has previously been an HMO licensed for three people for several years, but the licence was allowed to lapse and thus this is a new application.
- 3.2 The applicant requests an exemption from policy (Appendix 2) with respect to the 'tolerable standard' requirements for three person occupancy noted at 3.3 below and points noted in the attached Appendix 3. The property was previously licensed as an HMO for three people, having been assessed against the standard that applied at the date of initial licensing. Policy allows this to continue to be the relevant standard for any continuation of the licence, and it is only when there is any break in the licensing of the property that the current assessment criteria ('Tolerable standard') become the legally required standard.

- 3.3 'Tolerable standard' criteria specify the minimum requirements for a HMO property for three persons. As a result of this application the property has been inspected by Council officers regarding its suitability for use as an HMO for three persons. The 'Tolerable standard' requirements are not met with respect to the dimensions of Bedroom 3 (Appendix 3).
- 3.4 It is recommended that the Committee considers this application and the request for exemption. The Committee may wish to consider whether it would be appropriate to agree exemption from policy and grant a licence for a three person HMO which does not fully comply with Tolerable Standard requirements.
- 3.5 After hearing from the Executive Director of Place or his representative regarding this report, it is recommended that members of the Committee then hear from the applicant. The applicant or their representative have been invited to address the Committee.

4 Measures of success

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

5 Financial impact

- 5.1 All associated costs are contained within the existing Licensing budget.

6 Risk, policy, compliance and governance impact

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

7 Equalities impact

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

8 Sustainability impact

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

9 Consultation and engagement

- 9.1 None.

10 Background reading/external references

10.1

11 Appendices

11.1 Appendix 1 – application form

11.2 Appendix 2 –email from applicant requesting exemption from policy

11.3 Appendix 3 - report on inspection carried out on 21 April 2023

11.4 Appendix 4 – plans of property

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Agenda Item 6.1

LICENSING REF NO: 502116

ITEM NO

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Sabir Hussain
PREMISES ADDRESS		52 North Bridge, Edinburgh, EH1 1QN
CONDITIONS RECOMMENDED		Standard Conditions Noise - All amplified music and vocals to be controlled to the satisfaction of the Director of Place.
REPRESENTATIONS RECEIVED		Police Scotland Licensing Enforcement Public Objection x 1
REASON FOR BEING CALLED TO COMMITTEE		Police Scotland Representation Licensing Enforcement Representation Public Objection x 1
DETERMINATION DATE		15/3/24
NOTES:		

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LICENSING REF NO: 496652

ITEM NO

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Cafer Dogan
PREMISES ADDRESS	21 Great Junction Street, Edinburgh, EH6 5HX	
CONDITIONS RECOMMENDED	Standard Conditions Noise - All amplified music and vocals to be so controlled as to be inaudible within the nearest noise-sensitive premises.	
REPRESENTATIONS RECEIVED	Police Scotland	
REASON FOR BEING CALLED TO COMMITTEE	Police Scotland Representation	
DETERMINATION DATE	30/12/23	
NOTES: continued from previous committee		

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Agenda Item 6.3

LICENSING REF NO: 503988

ITEM NO

PUBLIC ENTERTAINMENT LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Murrayfield Ice Arena Limited Ms Elizabeth Jayne Neil
PREMISES ADDRESS		13 Riversdale Crescent, Edinburgh, EH12 5XN
CONDITIONS RECOMMENDED		Standard Conditions Noise - All amplified music and vocals to be controlled to the satisfaction of the Director of Place.
REPRESENTATIONS RECEIVED		Public Objection - Murrayfield Community Council
REASON FOR BEING CALLED TO COMMITTEE		Public Objection
DETERMINATION DATE		11 April 2024
NOTES:		

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Agenda Item 6.4

LICENSING REF NO: 493460

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Ms Vidhi Misra
	AGENT	DRM Residential
	LODGING AGENT	DRM Residential
PREMISES ADDRESS		2f2, 70 Thirlestane Road, Edinburgh, EH9 1AR
CONDITIONS APPLIED FOR		Maximum Occupants - 5
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Public Objections x 2 Pauline & Ian Jack Mike Sweatman & Ute Beck
DETERMINATION DATE		8 February 2024
RENEWAL DATE		23 February 2023
NOTES: continued from previous committee - the agent has confirmed that the works identified at inspection have been completed.		

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Agenda Item 6.5

LICENSING REF NO: 493618

ITEM NO

**HMO
RENEWAL**

APPLICANT DETAILS:	NAME	Razor Bridge Estates Ltd
	AGENT	Mrs Anna Jane Renton
	LODGING AGENT	Sandstone UK Property Management Solutions Ltd
PREMISES ADDRESS		1f2, 5 Savile Place, Blackford, Edinburgh, EH9 3EB
CONDITIONS APPLIED FOR		Maximum Occupants - 5
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Public Objection x 2 Linda Murison Stewart Barclay
DETERMINATION DATE		12 February 2024
RENEWAL DATE		24 February 2023
NOTES:		

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Agenda Item 6.6

LICENSING REF NO: 500482

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Miss Maya Artemis Maxwell Miss Maya Artemis Maxwell
PREMISES ADDRESS		3f3, 56 Lochrin Buildings, Tollcross, Edinburgh, EH3 9ND
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Public Objections x 3 Margaret Farquharson Louise Donoghue Jane Sommerville
REASON FOR BEING CALLED TO COMMITTEE		Public objections
DETERMINATION DATE		24 February 2024
NOTES: Existing Host - Home sharing - 2 guests in 1 Bedroom		

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LICENSING REF NO: 503536

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Jonathan Pagett Mr Jonathan Pagett
PREMISES ADDRESS	20 Bonaly Drive, Colinton, Edinburgh, EH13 0EU	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objection x 14	
REASON FOR BEING CALLED TO COMMITTEE	Public objection x 14	
DETERMINATION DATE	05/07/2024	
NOTES: Existing host – home letting – 6 guests in 4 bedrooms		

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Agenda Item 6.8

LICENSING REF NO: 507574

ITEM NO

SHORT TERM LETS LICENCE

New (Existing Operator)

APPLICANT DETAILS: MANAGER	NAME	Mr Alastair Lees Mr Alastair Lees
PREMISES ADDRESS		Flat 3, 14 Old Tolbooth Wynd, Old Town, Edinburgh, EH8 8EQ
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Public Objection - Duncan Gilliard
REASON FOR BEING CALLED TO COMMITTEE		Public Objection
DETERMINATION DATE		11 August 2024
NOTES: Existing host - home letting and home sharing - 6 guests in 3 bedrooms		

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LICENSING REF NO: 499425

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Sandor Plosz Mr Sandor Plosz
PREMISES ADDRESS	21 Broomhouse Crescent, Broomhouse, Edinburgh, EH11 3TE	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objection	
REASON FOR BEING CALLED TO COMMITTEE	Public objection x 1	
DETERMINATION DATE	11/02/2024	
NOTES: not existing host – home sharing – 2 guests – 1 bedroom		

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LICENSING REF NO: 505056

ITEM NO

MARKET OPERATORS LICENCE

New/Renewal

<p>APPLICANT DETAILS: MANAGER</p>	<p>NAME</p>	<p>Ms Victoria Mortimer Ms Victoria Mortimer</p>
<p>PREMISES ADDRESS</p>		<p>Street Record, Manse Road, Edinburgh</p>
<p>CONDITIONS RECOMMENDED</p>		<p>Standard Conditions</p>
<p>REPRESENTATIONS RECEIVED</p>		<p>Public Objection Noise All amplified music and vocals to be controlled to the satisfaction of the Director of Place.</p> <p>Public safety Noting potential risk of pedestrian crossing to the MO location between vehicles parked on Manse Road. Advise that all event related vehicles use the parking facility at the primary school and that facility is advertised to customers. This all also aid in reducing congestion and net positive effect to the community.</p> <p>Health and Safety Any food and drink provision meets the required national and local minimum standards, email sent to operator with standards attached.</p> <p>Roads The Network Management and Enforcement Team has no objections to the granting of a new licence.</p>

	<p>We attended a site meeting with the applicant and discussed the following:</p> <ul style="list-style-type: none"> - To lower the kerb at the entrance to the site - To put protections on the footway and a ramp. - From January 2024 onwards the market operator will be required to have in place a dropped kerb. <p>They should apply for this permit in good time and have in place prior to the first market in 2023.</p> <p>The applicant is reminded not to unreasonably obstruct road or footway users, affect their safety or obstruct access to public seating or waste bins.</p>
<p>REASON FOR BEING CALLED TO COMMITTEE</p>	<p>Public objection</p>
<p>DETERMINATION DATE</p>	<p>26/04/2024</p>
<p>NOTES:</p>	

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