

Notice of meeting and agenda

Licensing Sub-Committee

9.30am Monday, 22nd April, 2024

Dean of Guild Court Room - City Chambers

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 Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

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1. Order of Business

- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

2. Declaration of Interests

- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Minutes

- | | | |
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| 3.1 | Minute of Licensing Sub-Committee of 4 March 2024 – submitted for approval as a correct record. | 7 - 14 |
| 3.2 | Minute of Licensing Sub-Committee of 5 March 2024 – submitted for approval as a correct record. | 15 - 28 |

4. Reports

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| 4.3 | Application for House in Multiple Occupation Licence (New) - 1f1, 29 Bruntsfield Place – Report by the Head of Regulatory Services | 61 - 72 |

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

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5.16	Late Hours Catering Licence (New) - 202, Dalkeith Road	323 - 350
5.17	Late Hours Catering Licence (New) - 1 South Charlotte Street	351 - 360
5.18	Late Hours Catering Licence (New) - 46 South Clerk Street	361 - 372
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5.20	Market Operators Licence (Temporary) - Calton Hill	379 - 384

Nick Smith

Service Director – Legal and Assurance

Committee Members

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 City Chambers, High Street, Edinburgh 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, Tel , email 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 04 March, 2024

Present

Councillors Mowat (Convener), Caldwell, Dixon, Graham (except item 7, application 12), Mattos-Coelho, Rae (items 5 – 7 (1-10 and 17), and Ross.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 29 January 2024 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 30 January 2024 as a correct record.

2. Parades and Processions March 2024

a) International Women's Day Edinburgh - 8 March 2024

Details were provided of a proposed parade, "International Women's Day" to be held on 8 March 2024. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed International Women's Day parade on 8 March 2024 applying the Council's standard conditions for parades and marches.

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

b) Korrika – Basque community in Scotland – 23 March 2024

Details were provided of a proposed parade, "Korrika – Basque community in Scotland" to be held on 23 March 2024. The relevant Council officers and Police Scotland were heard.

Decision

- 1) To make an Order in respect of the proposed Korrika – Basque community in Scotland parade on 23 March 2024 applying the Council's standard conditions for parades and marches.
- 2) To note that officers would check with consultees regarding the requested delay to the start time by 30 minutes.

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

c) Royal Regiment of Scotland Association – 24 March 2024

Details were provided of a proposed parade, “Royal Regiment of Scotland Association” to be held on 24 March 2024. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Royal Regiment of Scotland Association Parade on 24 March 2024 applying the Council’s standard conditions for parades and marches.

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

3. Application for House in Multiple Occupation Licence (New) – 29(1f1) Bruntsfield Place

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at 29 (1f1) Bruntsfield Place.

Decision

To continue consideration for this application to a future meeting to allow the applicant to attend.

4. Application for House in Multiple Occupation Licence (New) – 14 (pf3) Springwell Place

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at 14 (pf3) Springwell Place.

Decision

To agree the exemption request as set out in section 3 of the report by the Head of Regulatory Services and thereafter grant the licence subject to the Council’s standard conditions for this category of licence for a period of three years.

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

5. Application for House in Multiple Occupation Licence (Renewal) – Flat 1, 15 Kilmaurs Road

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at Flat 1, 15 Kilmaurs Road.

Motion

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

- moved by Councillor Mowat, seconded by Councillor Ross

Amendment

To refuse the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the applicant was not a fit and proper person to hold a licence.

- moved by Councillor Caldwell, seconded by Councillor Dixon

Voting

For the motion - 2 votes

For the amendment - 5 votes

(For the motion – Councillors Mowat and Ross.

For the amendment – Councillors Caldwell, Dixon, Graham, Mattos-Coelho and Rae.)

Decision

To refuse the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the applicant was not a fit and proper person to hold a licence.

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

6. Application for House in Multiple Occupation Licence (Renewal) – Flat 2, 15 Kilmaurs Road

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at Flat 2, 15 Kilmaurs Road.

Motion

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

- moved by Councillor Mowat, seconded by Councillor Ross

Amendment

To refuse the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the applicant was not a fit and proper person to hold a licence.

- moved by Councillor Caldwell, seconded by Councillor Dixon

Voting

For the motion - 2 votes

For the amendment - 5 votes

(For the motion – Councillors Mowat and Ross.

For the amendment – Councillors Caldwell, Dixon, Graham, Mattos-Coelho and Rae.)

Decision

To refuse the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the applicant was not a fit and proper person to hold a licence.

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

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

Details were provided of 17 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 – Appendix 1, submitted.)

APPENDIX 1

Applications for Miscellaneous Licences

House In Multiple Occupation Licence (Renewal)		
1	<p>Applicant Burprop Investments Limited</p> <p>Premises 3f, 11 Howe Street</p> <p>Agent Barry John Kirk - DJ Alexander</p>	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
2	<p>Licence Holder K&S Mir LTD T/A CGHG</p> <p>Premises 9 Queensferry Street Lane</p> <p>Agent Neil Ellis and Kamran Akbar - Cameron Guest House Group</p>	To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.
3	<p>Licence Holder Garo Tashdjian</p> <p>Premises 3f1, 19 Henderson Terrace</p> <p>Agent Mr Stephen Coyle - Cullen Property Limited</p>	<p>1) To accept the late objection for consideration.</p> <p>2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence</p>
4	<p>Licence Holder Alison Margaret Cavers</p> <p>Premises 1f1, 5 Dalkeith Road</p>	1) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.

	<p>Agent Barry Kirk - DJ Alexander</p>	
5	<p>Licence Holder Pauline Houston</p> <p>Premises 2f2, 66 Falcon Avenue</p>	<p>1) To indicate that the Sub-Committee was MINDED TO GRANT the licence subject to the standard conditions for this category of licence.</p> <p>2) To DELEGATE authority to the Head of Regulatory Services to GRANT the licence subject to the standard conditions of the licence once the term of licence applied for and based on the fee paid by the applicant has been clarified.</p>
House In Multiple Occupation Licence (New)		
6	<p>Applicant Jaimie McBain</p> <p>Premises 2f1, 4 Northumberland Place</p> <p>Agent Sam Paulo - Gilson Gray</p>	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
Street Trader Licence (New)		
7	<p>Applicant Thorbjorn Waal Lundsgaard</p> <p>Premises Flat 60, 89 Holyrood Road, Old Town</p>	<p>1) To consider the application in the absence of the applicant.</p> <p>2) To GRANT the licence for a period of three years subject to the mandatory conditions and the Council's standard</p>
8	<p>Applicant Steven Anthony Wardlaw</p> <p>Premises Flat 5, 8 Hawkhill Close</p>	To GRANT the licence for a period of one year subject to the mandatory conditions and the Council's standard conditions for this category of licence.
Late Hours Catering Licence (New)		

9	<p>Applicant Muhammad Zubair Anjum</p> <p>Location 149 Cowgate</p>	<p>1) To accept the late objection for consideration.</p> <p>2) To GRANT the licence for the hours Monday to Sunday 2300 – 0500 subject to the standard conditions for this category of licence.</p>
10	<p>Applicant Ammar Othman</p> <p>Location 21 Forrest Road</p>	<p>1) To consider the application in the absence of the applicant.</p> <p>2) To GRANT the licence for the hours Monday to Sunday 2300-0000 subject to the standard conditions for this category of licence.</p>
11	<p>Applicant Asam Raza</p> <p>Location 46 South Clerk Street</p>	To CONTINUE consideration for this application to a future meeting to allow the applicant to attend and to allow officers to check on hours requested.
12	<p>Applicant Sevgan Sitki</p> <p>Location 48 George IV Bridge</p>	To GRANT the licence for the hours Sunday – Thursday 2300-0200 Friday to Saturday 2300-0300 subject to the standard conditions for this category of licence and a further condition that the applicant will provide the contact details of a nominated person to receive all correspondence and assist with communication to the Council's Licensing Section.
13	<p>Applicant Munshi Edinburgh Limited</p> <p>Manager Umme Saleet Nawaz</p> <p>Location 43 Hanover Street</p>	To GRANT the licence for the hours Monday to Sunday 2300 – 0500 subject to the standard conditions for this category of licence.

Second Hand Dealers Licence (New)

14	<p>Applicant Aim Motors Ltd</p> <p>Manager Zahid Munir</p> <p>Location 8 Bankhead Crossway</p>	<p>1) To consider the application in the absence of the applicant.</p> <p>2) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
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Market Operators Licence (Temporary)

<p>15</p>	<p>Applicant TV Events Ltd</p> <p>Manager Derek Martin</p> <p>Location Royal Highland Centre, Ingliston Road</p>	<p>To GRANT the temporary licence subject to the standard conditions for this category of licence and the additional Police Scotland conditions as notified to the applicant.</p>
<p>Public Entertainment Licence (Temporary)</p>		
<p>16</p>	<p>Applicant Highland Centre Ltd</p> <p>Manager Mark Currie</p> <p>Location Royal Highland Showground</p>	<p>To DELEGATE authority to the Head of Regulatory Services to GRANT the application following completion of the EPOG process and resolution of any outstanding issues identified at EPOG meetings subject to the standard conditions for this type of licence and to the additional conditions requested by Police Scotland as notified to the applicant.</p>
<p>17</p>	<p>Applicant Highland Centre Ltd</p> <p>Manager Mark Currie</p> <p>Location Royal Highland Showground</p>	<p>To DELEGATE authority to the Head of Regulatory Services to GRANT the application following completion of the EPOG process and resolution of any outstanding issues identified at EPOG meetings subject to the standard conditions for this type of licence and to the additional conditions requested by Police Scotland as notified to the applicant.</p>
<p>End of Business</p>		

Minutes

Licensing Sub-Committee of the Regulatory Committee

9:30am, Tuesday 05 March 2024

Present

Councillors Mowat (Convener), Caldwell, Dixon, Graham, Mattos-Coelho (items 1-4) and Ross.

1. Proposed Parking Controls , Allanfield , Allanfield Place, and Dicksonfield

Details were provided of a legal process to add Allanfield, Allanfield Place, and Dicksonfield to the existing N1 Zone of the Controlled Parking Zone (CPZ). Committee considered the objections received during the formal advertising of a Traffic Regulation Order (TRO/22/17), which were mainly themed around resident's title deeds and land adoption within Dicksonfield in particular.

Decision

- 1) To agree to set aside the objections to the Traffic Regulation Order TRO/22/17 as previously advertised and authorised by the Transport and Environment Committee on 21 June 2021.
- 2) To approve the making of the TRO/22/17 as advertised to include Allanfield, Allanfield Place, and Dicksonfield, as part of proposed extension of the N1 Zone of the Controlled Parking Zone.

Dissent

Councillor Caldwell requested that his dissent be recorded in respect of the decision for this item.

(Reference – report by the Executive Director of Place, submitted.)

2. Proposed Parking Controls, Bell's Mills and Dolphin Gardens West

Details were provided of two draft Traffic Regulation Orders (TRO/22/16 and TRO/21/12) for proposed parking controls, including objections relating specifically to two locations – Bell's Mills (West End) and Dolphin Gardens West (Currie). As more than six objections had been received for both TRO/22/16 and TRO/21/12, authority was sought to make the advertised Traffic Regulation Order (TRO) with amendments to proceed to implement the revised Bell's Mills proposals, and to proceed to implement the Dolphin Gardens West proposals.

Decision

In respect of Traffic Regulation Order TRO/22/16:

- 1) To agree to set aside the objections to the Traffic Regulation Order TRO/22/16 as previously advertised and authorised by the Transport and Environment Committee on 31 March 2022.
- 2) To approve the making of TRO/22/16 as advertised to add shared use parking bays within Bell's Mills to the N5 area of the Controlled Parking Zone (CPZ).

In respect of Traffic Regulation Order TRO/21/12:

- 3) To agree to set aside the objections to the Traffic Regulation Order TRO/21/12 as previously advertised and approved by the Head of Network Management and Enforcement under delegated authority in May 2021.
- 4) To approve the making of TRO/21/12 as advertised to introduce waiting restrictions at Dolphin Gardens West.

(Reference – report by the Executive Director of Place, submitted.)

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

Details were provided of 10 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 – Appendix 1, submitted.)

4. Short Term Lets Licence (New) – 3f1, 37 Royal Park Terrance, Edinburgh

Motion

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

- moved by Councillor Mowat, seconded by Councillor Jenkinson

Amendment

To **REFUSE** the application in terms of Paragraph 3(a)(ii) and Paragraph 5(3)(c)(iv) and (v) of Schedule 1 of the Civic Government (Scotland) Act 1982.

- moved by Councillor Graham, seconded by Councillor Dixon

Voting

For the motion - 5 votes

For the amendment - 2 votes

(For the motion – Councillors Caldwell, Jenkinson, Mattos-Coelho, Mowat and Ross.

For the amendment – Councillors Dixon and Graham.)

Decision

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

5. 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 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.

6. Request for Suspension of Taxi Driver's Licence

The Sub-Committee considered a request for suspension of a Private Hire Driver's Licence. The Head of Regulatory Services 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 Head of Regulatory Services, submitted.)

7. Request for Suspension of Private Hire Driver and Private Hire Vehicle Licences

The Sub-Committee considered a request for suspension of a Private Hire Driver Licence. The Head of Regulatory Services, Police Scotland and applicant 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.)

8. Applications to Grant or Renew Private Hire Car Vehicle, Private Hire Driver and Taxi Vehicle Licences

Details were provided of 4 applications to grant or renew Private Hire Vehicle, Private Hire Driver or Taxi Vehicle 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.

9. 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.

9 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.)

APPENDIX 1

Applications for Miscellaneous Licences

Short Term Lets Licence (New)		
4.1	<p>Applicant Mr Roger Brimmer Manager Ms Agnieszka Kabzinska</p> <p>Premises Flat 6, 5 Warriston Road</p>	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
4.2	<p>Applicant Miss Christie Brown</p> <p>Premises 1f3, 14 Meadowbank Crescent</p>	To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.
4.3	<p>Applicant Mrs Caroline May Dasonville Manager Gail Berwick</p> <p>Premises Flat 1, 15 Coltbridge Millside</p>	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
4.4	<p>Applicant Ms Diana Forrester Manager Ms Fiona Forrester</p> <p>Premises Flat 17, 54b Annandale Street</p>	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
4.5	<p>Applicant Mr Athanasios Plevris-Papaioannou</p>	1) To accept the late objection for consideration.

	<p>Manager Ms Bethany Jane Plevris-Papaioannou</p> <p>Premises 14a Hope Street</p>	<p>2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
4.6	<p>Applicant Miss Ashlie Glynis McCauley</p> <p>Premises Flat 1, 50 West Port</p>	<p>1) To accept the late objection for consideration.</p> <p>2) To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p>
4.7	<p>Applicant Mrs Petrea Cooney</p> <p>Premises 3f1, 37 Royal Park Terrace</p>	<p>To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence. (on a division)</p>
4.8	<p>Applicant Mr David Hinds</p> <p>Manager Mr David Hajducki</p> <p>Premises 2f3, 77 Rose Street</p>	<p>1) To accept the late objection for consideration.</p> <p>2) To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p>
4.9	<p>Applicant Ms Emma Gray</p> <p>Manager Mr Barry Burton</p> <p>Premises 92 Hamilton Place</p>	<p>To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p>
4.10	<p>Applicant Ms Monika Kraus</p> <p>Premises Flat 15, 42 Maritime Street</p>	<p>To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p>

End of Business

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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, 22 April 2024

Proposed Parades – May 2024

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 parades which are proposed for May 2024.

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

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Proposed Parades – May 2024

1. Recommendations

- 1.1 It is recommended that the Committee makes an order in respect of the proposed parades, 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 events in the city (further details in Appendix 1):

	Name	Reason for event	Date
a	Beating Retreat	Edinburgh, Leith & District Battalion (Boys' Brigade) – Beating Retreat at Edinburgh Castle	4 May 2024
b	Edinburgh Lothians & Borders May Day Rally	Edinburgh Lothians & Borders May Day Committee - Celebration of May Day	5 May 2024
c	Norwegian Constitution Day Parade	A celebration of the Norwegian Constitution Day	17 May 2024
d	Guard of Honour	Edinburgh, Leith & District Battalion (Boys' Brigade) – Guard of Honour for the Church of Scotland General Assembly Lord High Commissioner	19 May 2024

- 2.3 It is proposed that the parades 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 forms relevant to each parade are 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 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 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 forms

	Name	Reason for event	Date
a	Beating Retreat	Edinburgh, Leith & District Battalion (Boys' Brigade) – Beating Retreat at Edinburgh Castle	4 May 2024
b	Edinburgh Lothians & Borders May Day Rally	Edinburgh Lothians & Borders May Day Committee - Celebration of May Day	5 May 2024
c	Norwegian Constitution Day Parade	A celebration of the Norwegian Constitution Day	17 May 2024
d	Guard of Honour	Edinburgh, Leith & District Battalion (Boys' Brigade) – Guard of Honour for the Church of Scotland General Assembly Lord High Commissioner	19 May 2024

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, 22 April 2024

Use of Urgency Provision of Standing Orders to Grant Temporary Street Trader’s Licence for Clifton Terrace/Grosvenor Street – 24 February 2024

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 delegation to grant a temporary Street Trader’s Licence; 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 Grant Street Trader's Licence for Clifton Terrace/Grosvenor Street – 24 February 2024

2. Executive Summary

- 2.1 To note that an application for a Street Trader's Licence for 24 February 2024 was received by the Licensing Service on 11 January 2024.
- 2.2 Following consultation with the Convener, the relevant Executive Director used the a delegation within the scheme of delegation grant the licence.

3. Background

- 3.1 Under the Civic Government (Scotland) Act 1982, a Street Trader's Licence is required for selling goods or services on the street.

4. Main report

- 4.1 An application for a Street Trader's Licence was received on 11 January 2024 and is attached at Appendix 1.
- 4.2 The Roads and Public Safety teams commented on the application (Appendix 2). The comment would normally require a committee hearing to consider.
- 4.3 As there was no planned committee available before the date for which the licence was applied, officers consulted the Convener about whether it was appropriate to use the specific delegation which allows temporary licences to be granted provided the relevant Convener is consulted. Any such decision is required to be reported thereafter to Committee.
- 4.4 An urgent decision was made to grant the licence 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 – application form

9.2 Appendix 2 – comments from Roads and Public Safety

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Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday, 22 April 2024

Application for House in Multiple Occupation Licence – 29 (1f1) Bruntsfield Place

Executive/routine

Wards

Ward 11 – City centre

Council Commitments

N/A

Executive Summary

An application for a new House in Multiple Occupation ('HMO') Licence has been received for a property at 29 (1f1) Bruntsfield Place, 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 – 29 (1f1) Bruntsfield Place

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 Isadora Yitong Sun. The property at 29 (1f1) Bruntsfield Place has previously been an HMO licensed for three people for several years, however a previous applicant withdrew their application on 10 December 2021 as the property had been sold, 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 width of Bedroom 2 (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 9 January 2024

11.4 Appendix 4 – plans of property

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Agenda Item 5.1

LICENSING REF NO: 519597

ITEM NO

**HMO
NEW**

APPLICANT DETAILS:	NAME	Miss Hannah Matthews
	AGENT	Mr Dietrich Zank, The Flat Company
	LODGING AGENT	The Flat Company
PREMISES ADDRESS		Flat 2, 53 North Castle Street, Edinburgh, EH2 3LJ
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Gustav Neve & Mrs Megan Neve Mr Neil D Mackay
DETERMINATION DATE		18 January 2025
RENEWAL DATE		1 year from date of grant
NOTES: Previous licence for 5 occupants expired 31/5/2017		

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Agenda Item 5.2

LICENSING REF NO: 517904

ITEM NO

**HMO
NEW**

APPLICANT DETAILS:	NAME	Southside DBM Ltd
	AGENT	Mr John Davidson, Southside Property Management
	LODGING AGENT	Southside Property Management
PREMISES ADDRESS		2f1, 3 Bernard Terrace, Edinburgh, EH8 9NU
CONDITIONS APPLIED FOR		Maximum Occupants - 11
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Ms Judith Kay
DETERMINATION DATE		20 December 2024
RENEWAL DATE		1 year from date of grant
<p>NOTES: Late objection, reasons provided New application – increase in the number of occupants and bedrooms</p>		

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Agenda Item 5.3

LICENSING REF NO: 514511

ITEM NO

HMO
NEW

APPLICANT DETAILS:	NAME	Mountwest Newco Ltd
	AGENT	Mr Barry John Kirk, DJ Alexander
	LODGING AGENT	DJ Alexander
PREMISES ADDRESS		13 Dundonald Street, Edinburgh, EH3 6RZ
CONDITIONS APPLIED FOR		Maximum Occupants - 4
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Emily Lekkas
DETERMINATION DATE		26 October 2024
RENEWAL DATE		1 Year from date of grant
NOTES:		

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Agenda Item 5.4

LICENSING REF NO: 517457

ITEM NO

HMO
NEW

APPLICANT DETAILS:	NAME	Mr Jaimie McBain
	AGENT	Mr Sam Paulo, Gilson Gray
	LODGING AGENT	Mr Brian Morgan, HMO Scotland Ltd
PREMISES ADDRESS		2f1, 4 Northumberland Place, Edinburgh, EH3 6LQ
CONDITIONS APPLIED FOR		Maximum Occupants - 3
24 HOUR CONTACT NUMBER		SATISFACTORY
NOTICE OF APPLICATION		SATISFACTORY
REPRESENTATIONS RECEIVED		Mr Desmond P.F. Maxwell Mr Evan Alston
DETERMINATION DATE		14 December 2024
RENEWAL DATE		1 YEAR FROM DATE OF GRANT
NOTES: New application, previous licence expired 26 May 2023		

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LICENSING REF NO: 508329

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Mike Cran
PREMISES ADDRESS	18 Spring Gardens, Abbeyhill, Edinburgh, EH8 8HX	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objections x 3 <ul style="list-style-type: none"> - R. Blades - S. Spanikova & F. Cullen - S. Gow Letters of support received x 6: <ul style="list-style-type: none"> - S. Fisher - P. Glancy - A & S. Kosmicki - R. Rutheford - I. McFarland - A. Sykes 	
REASON FOR BEING CALLED TO COMMITTEE	To consider objections and representations	
DETERMINATION DATE	28/8/24	

NOTES: Existing Host, Secondary Letting, 8 Guests, 4 Bedrooms;
Property inspected – recommended actions undertaken;
Planning Permission granted on appeal

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LICENSING REF NO: 509031

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Miss Anna Maura Beale Mr Edward John Harper
PREMISES ADDRESS	1f2, 74 Montpelier Park, Bruntsfield, Edinburgh, EH10 4NG	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objection x 1 - S. Christie	
REASON FOR BEING CALLED TO COMMITTEE	To consider public objection	
DETERMINATION DATE	18/09/2024	
NOTES: Existing Host, Secondary Letting, 4 Guests, 2 Bedrooms; Property inspected; Planning application awaiting assessment		

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LICENSING REF NO: 509133

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Andrew Russell Barton
PREMISES ADDRESS		2f1, 122 Bruntsfield Place, Bruntsfield, Edinburgh, EH10 4ES
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Public objections x 2 - C. Fraser - A. Crawford & V. Rasmusen
REASON FOR BEING CALLED TO COMMITTEE		To consider public objections
DETERMINATION DATE		21/09/2024
NOTES: Existing Host, Secondary Letting, 8 Guests, 4 Bedrooms; Property inspected; Planning application awaiting assessment.		

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LICENSING REF NO: 509234

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Katharine Clare Whitmore Susan Knight
PREMISES ADDRESS		1f2, 68 Montpelier Park, Bruntsfield, Edinburgh, EH10 4NQ
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Public objection x 1 - S. Christie
REASON FOR BEING CALLED TO COMMITTEE		To consider public objection
DETERMINATION DATE		21.09.24
NOTES: Existing Host, Secondary Letting, 4 Guests, 2 Bedrooms Property Inspected; Planning Permission awaiting assessment		

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LICENSING REF NO: 509346

ITEM NO

SHORT TERM LETS LICENCE

New

<p>APPLICANT DETAILS: MANAGER</p>	<p>NAME</p>	<p>Elder Homes Property Ltd Bogdan Velica</p>
<p>PREMISES ADDRESS</p>		<p>Flat 4, 5 Ramsay Garden, Old Town, Edinburgh, EH1 2NA</p>
<p>CONDITIONS RECOMMENDED</p>		<p>Standard Conditions</p>
<p>REPRESENTATIONS RECEIVED</p>		<p>Public objections x 8</p> <ul style="list-style-type: none"> - R. Ruby Ceron-Carrasco - F. Borgerhoff Mulder – C. Lyon - I. Armstrong - I. Shea - J. Macleod - L. & G. Frost - M. Paszkowska - S. Mohammed
<p>REASON FOR BEING CALLED TO COMMITTEE</p>		<p>To consider public objections</p>
<p>DETERMINATION DATE</p>		<p>19/09/24</p>
<p>NOTES: Existing Host, Secondary Let, 4 Guests, 2 Bedrooms; Property Inspected; Planning Application awaiting assessment.</p>		

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LICENSING REF NO: 509593

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Ms Susan Thomas Mr Eddie Harper
PREMISES ADDRESS		Flat 4, 1 Powderhall Brae, Warriston, Edinburgh, EH7 4GD
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		Public objection x 1 - K. Shewan
REASON FOR BEING CALLED TO COMMITTEE		To consider public objection
DETERMINATION DATE		22.09.24
<p>NOTES: Existing Host, Secondary Let, 5 Guests, 3 Bedrooms; Objection was received late – reasons for lateness provided; Applicant’s response to objection included in the papers. Property inspected; Planning Application awaiting assessment.</p>		

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LICENSING REF NO: 509893

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Adam Stockley Ms Anabel Lyth
PREMISES ADDRESS	16 Regent Place, Abbeyhill, Edinburgh, EH7 5SB	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objections x 2 - S. Leslie - A. Scott	
REASON FOR BEING CALLED TO COMMITTEE	To consider public objections	
DETERMINATION DATE	25.09.2024	
NOTES: Existing Host, Secondary Let, 4 Guests, 2 Bedrooms; Property inspected; Planning Application awaiting assessment.		

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LICENSING REF NO: 509974

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Dr Barbara Hauser Ms Monika Sommerrey
PREMISES ADDRESS	2f1, 5 Savile Place, Blackford, Edinburgh, EH9 3EB	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objection x 1 - Mr Charles Leeson-Payne	
REASON FOR BEING CALLED TO COMMITTEE	To consider public objection	
DETERMINATION DATE	26.09.24	
NOTES: Existing Host, Home letting and home sharing, 4 Guests, 2 Bedrooms		

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LICENSING REF NO: 505835

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Ameya and Mili Savekar Altido Scotland Ltd
PREMISES ADDRESS	2f2, 1 Abbey Mount, Abbeyhill, Edinburgh, EH8 8EJ	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objections x 2 - Ms Zoë Leiper - Mr Joseph Hancock	
REASON FOR BEING CALLED TO COMMITTEE	To consider public objections	
DETERMINATION DATE	07/05/2024	
<p>NOTES: New Host, Home Letting, 4 Guests, 2 Bedrooms; Applicant's resides abroad; Agent confirmed property is Applicant's primary residence</p>		

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LICENSING REF NO: 517361

ITEM NO

SHORT TERM LETS LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Dr Alberto Nania
PREMISES ADDRESS	63 Tweedsmuir Drive, Moredun, Edinburgh, EH16 4XU	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Public objections x 4 - K & Y Wei - M. Dickson - M. Wahdan - G. Baxter	
REASON FOR BEING CALLED TO COMMITTEE	To consider public objections	
DETERMINATION DATE	12.09.2024	
NOTES: New Host, Home letting and home sharing, 10 Guests, 5 Bedrooms		

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LICENSING REF NO: 518123

ITEM NO

**LATE HOURS CATERING
LICENCE**

New

APPLICANT DETAILS: MANAGER	NAME	Han Pizza Limited Mr Nazim Vadiwala
PREMISES ADDRESS	77-79a Leith Walk, Edinburgh, EH6 8LX	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	<ul style="list-style-type: none"> - Police Scotland - Licensing Enforcement 	
REASON FOR BEING CALLED TO COMMITTEE	To consider representations from Consultees	
DETERMINATION DATE	08/11/24	
<p>NOTES: letters from neighbours requested - not provided</p>		

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LICENSING REF NO: 519128

ITEM NO

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Giali Shop Ltd Mr Raibar Pirmus
PREMISES ADDRESS	202 Dalkeith Road, Prestonfield, Edinburgh, EH16 5DT	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Police Scotland Licensing Enforcement	
REASON FOR BEING CALLED TO COMMITTEE	To consider representations from Consultees	
DETERMINATION DATE	12.10.24	
NOTES: letters from neighbours provided and included in papers		

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LICENSING REF NO: 516698

ITEM NO

**LATE HOURS CATERING
LICENCE**

New

APPLICANT DETAILS: MANAGER	NAME	Scotco Restaurants Limited
PREMISES ADDRESS	1 South Charlotte Street, Edinburgh, EH2 4AN	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Licensing Enforcement	
REASON FOR BEING CALLED TO COMMITTEE	To consider representation from Licensing Enforcement	
DETERMINATION DATE	05.09.24	
NOTES: Neighbours letters requested		

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LICENSING REF NO: 505938

ITEM NO

LATE HOURS CATERING LICENCE

New

APPLICANT DETAILS: MANAGER	NAME	Mr Asam Raza Mr Asam Raza
PREMISES ADDRESS	46 South Clerk Street, Edinburgh, EH8 9PS	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED	Licensing Enforcement Police Scotland Environmental Protection	
REASON FOR BEING CALLED TO COMMITTEE	Outwith policy To consider representations	
DETERMINATION DATE	10/05/2024	
NOTES: applicant was asked for neighbours' consent – not provided Hours applied for: Monday-Thursday & Saturday 11pm-1am Sunday & Friday 11pm-2am		

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LICENSING REF NO: 523845

ITEM NO

**PUBLIC ENTERTAINMENT
LICENCE**

Temporary

APPLICANT DETAILS: MANAGER	NAME	The Beltane Fire Society Ltd Mr Tom Watton
PREMISES ADDRESS		Calton Hill, Edinburgh
CONDITIONS RECOMMENDED		Standard Conditions
REPRESENTATIONS RECEIVED		
REASON FOR BEING CALLED TO COMMITTEE		Large City Centre Event
DETERMINATION DATE		30 April 2024
NOTES: No objections received from Police Scotland.		

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LICENSING REF NO: 523862

ITEM NO

MARKET OPERATORS LICENCE

Temporary

APPLICANT DETAILS: MANAGER	NAME	The Beltane Fire Society Ltd Mr Tom Watton
PREMISES ADDRESS	Calton Hill, Edinburgh	
CONDITIONS RECOMMENDED	Standard Conditions	
REPRESENTATIONS RECEIVED		
REASON FOR BEING CALLED TO COMMITTEE	Hours outwith policy	
DETERMINATION DATE	30 April 2024	
NOTES: No objections received from Police Scotland.		

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