

Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday 9 December 2024

Present

Councillors Mowat (Convener), Caldwell, Cameron (substituting for Walker items 1.1 – 5.2) Dixon, Graham, Mattos Coelho (item 1.1- additional item 5), Miller (substituting for Councillor Rae items 1.1 - additional item 4), Ross (except item 5.1), Work (from item 5.1) and Walker (from item 5.3)

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 11 November 2024 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 12 November 2024 as a correct record.

2. Proposed Parades December 2024

The Convener ruled the following items of business, notice of which had been given at the start of the meeting, urgent to allow the Sub-Committee to give early consideration to the matter.

Details were provided of a proposed parade, “Human Rights Day March” to be held on 10 December 2024. The applicant and relevant Council officers and were heard.

Decision

To make an order in respect of the proposed Human Rights Day March on 10 December November 2024 imposing conditions that:

- 1) The parade shall proceed in accordance with the route and times specified in the Notices of Proposal.
- 2) The organiser will adhere to the recommendations of the Events Planning and Operation Group.

- 3) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

(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 25 applications for miscellaneous licences. The applicants and their agents were heard.

The Convener ruled in terms of Standing Order 4.5 that the following items, notice of which had been given prior to the start of the meeting and which reports had been issued, be considered as a matter of urgency.

Decision

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

(Reference – Appendix 1, submitted.)

4. Application to Vary the Conditions of Taxi or Private Hire Car Licences – Exemption to Policy

The Convener ruled in terms of Standing Order 4.5 that the following items, notice of which had been given prior to the start of the meeting and which reports had been issued, be considered as a matter of urgency.

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.

3 requests were received for an exemption to this policy. The applicants, agent and relevant Council officers were heard.

Decision

To determine the applications as detailed in Appendix 2 of this minute.

(References – Regulatory Committee 16 March 2018 (item 1); report by the Head of Regulatory Services, Appendix 2, submitted)

5. Request for Suspension of Taxi Driver's Licence – Azadur Rahman

To note that the report had been withdrawn.

6. Police Request for Suspension of Short Term Lets Licence – Abelrazig Abdella

To note that the report by the Head of Regulatory Services had been withdrawn.

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

7. Application for Private Hire Driver’s Licence – Dariusz Wachulak

To note that the report by the Head of Regulatory Services had been withdrawn.

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

8. Private Hire Vehicle Licence (New) Bashir Ahmad

To note that the report by the Head of Regulatory Services had been withdrawn.

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

9. Private Hire Drivers Licence (Renewal) Zaeem Hadayat Ullah

To note that the report by the Head of Regulatory Services had been withdrawn.

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

APPENDIX 1

Applications for Miscellaneous Licences

Short Term Lets Licence (New)		
5.1	Applicant Kathleen Edwards Premises 7 The Limes Edinburgh EH10 5DL	To repel the public objections and GRANT the licence for a period of three years subject to the Council’s standard conditions for this category of licence. <i>(on a division, see note 1 below)</i> Declaration of Interest Councillor Ross declared a non-financial interest for this item as he has been involved in discussions with an objector, he left the room during the item and took no part in the decision.

<p>5.2</p>	<p>Applicant Xiochun Yao</p> <p>Premises 1f3, 22 Lochrin Buildings Edinburgh EH3 9NB</p>	<p>1) To agree to consider in the absence of the applicant.</p> <p>2) To REFUSE the licence in terms of Schedule 1 paragraph 5(3)(a)(ii) of the Civic Government (Scotland) Act 1982 as the applicant is not a fit and proper person to hold a licence.</p>
<p>5.3</p>	<p>Applicant Rachel McCoubrey</p> <p>Premises 3f4, 16 Springvalley Terrace, Edinburgh EH10 4PY</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
<p>5.4</p>	<p>Applicant Angelika Malwina Czepiel-Grochala</p> <p>Premises Flat 1, 5 Dalgety Road, Edinburgh EH7 5FP</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
<p>5.5</p>	<p>Applicant Tristan Elliott</p> <p>Premises 2 Leamington Terrace Edinburgh EH10 4JN</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
<p>Late Hours Catering Licence (New)</p>		
<p>5.6</p>	<p>Applicant Shandwick Place Limited</p> <p>Premises 45-47 Shandwick Place Limited</p>	<p>To note the application was withdrawn from the agenda.</p>
<p>Street Trader Licence (New)</p>		

5.7	<p>Applicant Lynsey Stuart</p> <p>Location Leith Links Public Park, Leith Links</p>	To GRANT the licence subject to the standard conditions for this category of licence.
5.8	<p>Applicant Danielle Mills</p> <p>Location Mobile Street Trader</p>	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 17 December 2024 to allow the applicant to attend.
Street Trader Licence (Renewal)		
5.9	<p>Applicant Jonathan Clarkin</p> <p>Location Dean Path Edinburgh</p>	To GRANT the licence subject to the standard conditions for this category of licence.
Market Operators Licence (Temporary)		
5.10	<p>Applicant Unique Assembly Ltd</p> <p>Location The Meadows Edinburgh</p>	To note the application was withdrawn from the agenda.
Public Entertainment Licence (Temporary)		
5.11	<p>Applicant Unique Assembly Ltd</p> <p>Location The Meadows Edinburgh</p>	To note the application was withdrawn from the agenda.
Market Operators Licence (Temporary)		
5.12	<p>Applicant Unique Assembly Ltd</p>	To note the application was withdrawn from the agenda.

	<p>Location West Princess Street Gardens, Princes Street Edinburgh</p>	
Public Entertainment Licence (Temporary)		
5.13	<p>Applicant Unique Assembly Ltd</p> <p>Location West Princess Street Gardens, Princes Street Edinburgh</p>	To note the application was withdrawn from the agenda.
Market Operators Licence (Renewal)		
5.14	<p>Applicant Pitt Events Ltd</p> <p>Manager Harry Prescott</p> <p>Premises 20 West Shore Road Edinburgh EH5 1QD</p>	To GRANT the licence subject to the standard conditions for this category of licence.
Market Operators Licence (Variation)		
5.15	<p>Applicant Granton Pitt CIC</p> <p>Manager Harry Prescott</p> <p>Premises 20 West Shore Road Edinburgh EH5 1QD</p>	<ol style="list-style-type: none"> 1) To indicate that the Sub-Committee was MINDED TO GRANT the application. 2) To agree to DELEGATE AUTHORITY to the Head of Regulatory Services to determine upon completion of a satisfactory inspection. 3) To note if the variation is approved it will be recorded in the Company name of the licence holder "Pitt Events Ltd"
Public Entertainment Licence (New)		

<p>5.16</p>	<p>Applicant Granton Pitt CIC</p> <p>Manager Navida Galbraith</p> <p>Premises 20 West Shore Road Edinburgh EH5 1QD</p>	<p>1) To agree to DELEGATE AUTHORITY to the Head of Regulatory Services to determine the application subject to issues being resolved at EPOG on 12 December 2024.</p>
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House in Multiple Occupation Licence (New)

<p>Additional item 1</p>	<p>Applicant K & S Mir Ltd T/A Cameron Guest House Group</p> <p>Agent Neil Ellis Kamran Akbar</p> <p>Premises Beechmount House, 102 Corstorphine Road, Edinburgh, EH12 6TZ</p>	<p>1) To repel the public objections and GRANT the licence for 37 bedrooms allowing 58 occupants, subject to the Council's standard conditions for this category of licence.</p> <p>2) To note bedrooms 108 and 109 have not to be used.</p>
<p>Additional item 2</p>	<p>Applicant Amir Sabri Tabrizi</p> <p>Agent Shumaila Rafiq</p> <p>Premises 20 Leopold Place Edinburgh EH7 5LB</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note an undertaking by officers that a physical inspection would be conducted within 4-8 weeks to assess if compliance issues noted in the report had been addressed, and a further two inspections would take place within the licence period.</p>
<p>Additional item 3</p>	<p>Applicant Yousaf Raza</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>

	<p>Husain</p> <p>Agent</p> <p>Shumaila Rafiq</p> <p>Premises</p> <p>18 Jane Street Edinburgh EH6 5HD</p>	<p>2) To note an undertaking by officers that a physical inspection would be conducted within 4-8 weeks to assess if compliance issues noted in the report had been addressed, and a further two inspections would take place within the licence period.</p>
Additional item 4	<p>Applicant</p> <p>Iftikhar Ahmed and Mrs Shaista Bano</p> <p>Agent</p> <p>Shumaila Rafiq</p> <p>Premises</p> <p>7 Mayfield Gardens Edinburgh EH9 2AX</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note an undertaking by officers that a physical inspection would be conducted within 3 months to assess if compliance issues noted in the report had been addressed.</p>
Additional item 5	<p>Applicant</p> <p>K & S Mir Ltd – T/A Cameron Guest House Group</p> <p>Agent</p> <p>Neil Ellis & Mr Kamran Akbar</p> <p>Premises</p> <p>Anchor Close, 20- 30 Cockburn Street</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note an undertaking by officers that a physical inspection would be conducted within 12 weeks to assess if compliance issues noted in the report had been addressed.</p>
Additional item 6	<p>Applicant</p> <p>Louis Baigan</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note an undertaking by officers that a</p>

	<p>Premises</p> <p>19 Old Dalkeith Road Edinburgh EH16 4TE</p>	<p>physical inspection would be conducted within 4-8 weeks to assess if compliance issues noted in the report had been addressed.</p>
<p>Additional item 7</p>	<p>Applicant</p> <p>Edward Baigan</p> <p>Premises</p> <p>17 Old Dalkeith Road Edinburgh EH16 4TE</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note that the application capacity was incorrect as it included a separate premises; capacity amended to 6 occupants in 6 rooms</p>
<p>Additional item 8</p>	<p>Applicant</p> <p>A&D Leisure Limited</p> <p>Premises</p> <p>221 Ferry Road Edinburgh EH6 4NN</p>	<p>1) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To note an undertaking by officers that a physical inspection would be conducted within 4-8 weeks to assess if compliance issues noted in the report had been addressed.</p>
<p>Additional item 9</p>	<p>Applicant</p> <p>M S Properties (Edinburgh) Ltd</p> <p>Premises</p> <p>26-27 East Hermitage Place Edinburgh EH6 8AD</p>	<p>1) To GRANT the licence for 11 bedrooms subject to the Council's standard conditions for this category of licence.</p> <p>2) To note the three bedrooms which require fire safety measures to be addressed cannot be occupied until a physical inspection has been passed, officers undertook to carry out an inspection within 4-8 weeks to assess if compliance issues noted in the report had been addressed.</p>
<p>End of Business</p>		

Note 1

Short Term Lets Licence (New) – 7 The Limes Edinburgh EH10 5DL

Motion

To repel the public objections and **GRANT** the licence for a period of three years subject to the Council's standard conditions for this category of licence.

- Moved by Councillor Mowat, seconded by Councillor Dixon

Amendment

To **REFUSE** the application in terms of Paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982 as the applicant is not a fit and proper person to hold a licence.

- Moved by Councillor Graham, seconded by Councillor Cameron

Voting

For the motion - 4 votes

For the amendment - 4 votes

(For the motion – Councillors Dixon, Matos-Coelho, Mowat and Work.

For the amendment – Councillors Caldwell, Cameron, Graham, and Miller.)

In the division, 4 members having voted for the motion and 4 members for the amendment the Convener gave her casting vote for the motion.

Decision

To repel the public objections and **GRANT** the licence for a period of three years subject to the Council's standard conditions for this category of licence.

APPENDIX 2

Application to Vary the Conditions of Taxi or Private Hire Car Licences – Exemption to Policy

<p>6.1 (a)</p>	<p>Applicant Mr Tarek El Fergani</p> <p>Plate PH2803</p>	<p>1) To consider the exemption request in the absence of the applicant.</p> <p>2) To REFUSE the request for exemption to the policy.</p>
<p>6.1 (b)</p>	<p>Applicant Mr Mohammad Jahan</p> <p>Davidson Taxi Services</p> <p>Plate 83</p>	<p>To VARY the licence conditions to allow an exemption to policy for a period of 1 year on 10.12.25</p>
<p>6.1 – (c) 72</p>	<p>Applicant William Anderson Robertson</p> <p>Honeysuckle Taxis</p> <p>Plate 72</p>	<p>1) To VARY the licence conditions to allow an exemption to policy to 31.1.25.</p> <p>2) To record an official warning relating to a breach of conditions against the applicant's licence.</p> <p style="color: red;">(on a division, see note 2 below)</p>

Note 2

Application to Vary the Conditions of Taxi or Private Hire Car Licences – Plate 72

Motion

- 1) To **VARY** the licence conditions to allow an exemption to policy to 31.1.25.

- 2) To record an official warning relating to a breach of conditions against the applicant's licence.

- Moved by Councillor Caldwell, seconded by Councillor Mowat

Amendment

To **REFUSE** the request for exemption to the policy.

- Moved by Councillor Miller, seconded by Councillor Graham

Voting

For the motion - 7 votes

For the amendment - 2 votes

(For the motion – Councillors Caldwell, Dixon, Matos-Coelho, Mowat, Ross, Walker and Work.

For the amendment – Councillors Graham, and Miller.)

Decision

- 1) To **VARY** the licence conditions to allow an exemption to policy to 31.1.25.
- 2) To record an official warning relating to a breach of conditions against the applicant's licence.