

Minutes

Licensing Sub-Committee of the Regulatory Committee

1.30pm, Monday 9 March 2020

Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur, Howie, Mitchell, Rae, Neil Ross and Rose.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 3 February 2020 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee 4 February 2020 as a correct record.

2. Proposed Parade/Procession: 3 April 2020 – School Strike for Climate

Details were provided of a notification received for a proposed march School Strike for Climate to be held on 3 April 2020. The Event Organiser and the appropriate Council officers were heard.

Decision

- 1) To To make an Order in respect of the proposed School Strike for Climate parade on 3 April 2020 within the designated route and times agreed at the Events Planning and Operations Group meeting held on 13 February 2020 as follows:
Step off at 11am:
 - Meadows
 - Teviot Place
 - Bristo Place
 - George IV Bridge
 - Lawnmarket
 - High Street
 - Canongate
 - Horse Wynd
 - Holyrood Park

Rally within Holyrood Park with speeches from stage until 3pm tidy up and clear of park by 5pm.

- 2) To note that if agreement was not obtained from Historic Environment Scotland for the use of Holyrood Park, the event organisers had agreed to potentially carrying out the parade route in reverse.
- 3) To note that the event organisers had agreed to adhere to the recommendations of the Events Planning and Operations Group.
- 4) To agree that the proposed conditions recommended by the Council's Regulatory Services Manager shall be applied and adhered to by the event organisers.

(Reference – Notification, submitted)

3. Proposed Parade/Procession: 8 May 2020 - Red Cross Royal Mile

Decision

To note that the application had been **WITHDRAWN** by the applicant.

(Reference – Notification, submitted)

4. Proposed Parade/Procession: 30 May 2020 - My Peak Challenge 2020

Details were provided of a notification received for a proposed march My Peak Challenge to be held on 30 May 2020.

Decision

- 1) To note that an Events Planning and Operations Group meeting with the event organisers had not yet taken place.
- 2) To **CONTINUE** consideration of the item to the meeting of the Sub-Committee on 20 April 2020.

(Reference – Notification, submitted)

5. Application for Street Trader's Licence - Bright Bus Tours

On 3 February 2020 the Licensing Sub-Committee agreed to continue consideration of a Street Trader's Licence from Bright Bus Tours to allow a risk assessment and for the applicant to provide a method statement.

The application was for a Street Trader's Licence from Bright Bus Tours to allow the street team to retail tickets from handheld devices in a number of locations throughout the city.

As the application was part-heard at the meeting of the Licensing Sub-Committee on 3 February 2020, only Councillors Dixon, Howie, Mitchell, Rae, Rose and Neil Ross were able to participate in the continued consideration of the application.

Motion

To **GRANT** the licence subject to the Council's standard conditions for this category of licence and an additional condition to limit the area in which tickets can be sold to Waverley Bridge only; and to limit the number of employees authorised to sell tickets on Waverley Bridge to a maximum of 7 at any one time.

- moved by Councillor Dixon, seconded by Councillor Mitchell

Amendment 1

To **GRANT** the licence subject to the Council's standard conditions for this category of licence and an additional condition to limit the area in which tickets can be sold to Waverley Bridge only; and to limit the number of employees authorised to sell tickets on Waverley Bridge to a maximum of 3 at any one time.

- moved by Councillor Rose, seconded by Councillor Neil Ross

Amendment 2

1) To **REFUSE** the application

- moved by Councillor Howie, seconded by Councillor Rae

Voting

First Vote

The voting was as follows:

For the Motion	-	2 votes
For Amendment 1	-	2 votes
For Amendment 2	-	2 votes

(For the Motion: Councillors Dixon and Mitchell.

For Amendment 1: Councillors Rose and Neil Ross.

For Amendment 2: Councillors Howie and Rae.)

There being no overall majority in the division, the Vice-Convener gave his casting vote and Amendment 2 was dropped.

Second Vote

The voting was as follows:

For the Motion	-	2 votes
For Amendment 1	-	2 votes

(For the Motion: Councillors Dixon and Mitchell.

For Amendment 1: Councillors Rose and Neil Ross.

Abstentions: Councillors Howie and Rae)

In the division, 2 members having voted for the motion and 2 members for the amendment the Vice-Convener gave his casting vote for the Motion.

Decision

To approve the motion by Councillor Dixon.

(References – Licensing Sub-Committee on 3 February 2020 (item 3); report by the Regulatory Services Manager, submitted.)

6. Request for Refusal of Renewal of an HMO Licence

A renewal application for a House in Multiple Occupation Licence had been submitted for the property at 7 Lady Road Edinburgh. The Regulatory Services Manager recommended the renewal application be refused.

Decision

- 1) To **AGREE** to consider the matter in the absence of the applicant.
- 2) 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 Regulatory Services Manager, submitted.)

7. Application for Grant of Private Hire Licence – LPG Conversion - Tomasz Skarzynski

A new application had been received for the grant of a Private Hire Car Licence for a vehicle converted to LPG. The current policy allowed applications to be granted for vehicles which were currently within the existing fleet. As this vehicle was not currently within the fleet the application was referred to the Sub-Committee for determination.

Decision

To **GRANT** the licence subject to the standard conditions for this category of licence.

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

8. Application for Grant of Private Hire Licence – LPG Conversion - Henderson, Gibb & Gibb Partnership

A new application had been received for the grant of a Private Hire Car Licence for a vehicle converted to LPG. The current policy allowed applications to be granted for vehicles which were currently within the existing fleet. As this vehicle was not currently within the fleet the application was referred to the Sub-Committee for determination.

Decision

To **GRANT** the licence subject to the standard conditions for this category of licence.

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

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

Details were provided of six applications for miscellaneous licences. The applicants and their agents were heard.

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – list of applications, submitted)

APPENDIX

Applications for Miscellaneous Licences

Street Trader Licence (New)		
5.2	Mohamed Abdrabo Lauriston Place, Edinburgh	To GRANT the licence subject to the Council's standard conditions for this category of licence.
Street Trader Licence (Renewal)		
5.3	Turnhouse Road, Edinburgh Sheila Gunderson	To RENEW the licence subject to the Council's standard conditions for this category of licence for 3 months.
House in Multiple Occupation Licence (New)		
5.4	26 Hazeldean Terrace, Edinburgh Scott Duncan	To GRANT the licence subject to the Council's standard conditions for this category of licence.
House in Multiple Occupation Licence (Renewal)		
5.5	163 Craiglea Drive, Edinburgh Carr Gomm Agent: Keith Milligan	To GRANT the licence subject to the Council's standard conditions for this category of licence for 1 year.
5.6	16 (1F2) Grove Street, Edinburgh Eric Gardiner Agent: David Rowand, Cairn Letting Lodging Agent: Carolanne Waters, Cairn Letting	<p>To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 20 April 2020 to allow the applicant to attend.</p> <p><u>DECLARATION OF INTERESTS</u></p> <p>Councillor Dixon declared a non-financial interest in the above item as he knew the objector and left the meeting during the Committee's consideration of the above item.</p>
5.7	151 Morningside Drive, Edinburgh Carr Gomm	To GRANT the licence subject to the Council's standard conditions for this category of licence for 6 months.

	Agent: Keith Milligan	
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