

## Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday 27 October 2020

### Present

Dixon (acting as Convener), Arthur, Doran (substituting for Councillor Wilson), Mitchell, Mowat, Rose and Neil Ross.

### 1. Minutes

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#### Decision

To approve the minute of the Licensing Sub-Committee of 28 September 2020 as a correct record.

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

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Details were provided of five 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)

### 3. Resolution to Consider in Private

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The Sub-Committee agreed under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting for the following items of business on the grounds that they would involve the disclosure of exempt information as defined in Paragraphs 3, 6, 12 and 14 of Part 1 of Schedule 7A of the Act.

### 4. Suspension or Revocation of Private Hire Driver's Licence

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The Sub-Committee considered a request by Police Scotland to suspend or revoke a Private Hire Driver's Licence. Police Scotland, the Regulatory Services Manager and the licence holder 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 Regulatory Services Manager, submitted)

## 5. Police Requests for Suspension or Revocation of Licences

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The Sub-Committee considered two requests by Police Scotland to suspend or revoke a Private Hire Driver and a Taxi Driver Licence.

### Decision

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

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

## 6. Suspension or Revocation of Licence

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### Decision

To note that the request for suspension had been **WITHDRAWN** by the Executive Director of Place.

## 7. Suspension or Revocation of Licence

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### Decision

To note that the request for suspension had been **WITHDRAWN** by the Executive Director of Place.

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

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Details were provided of one application for miscellaneous licence.

### Decision

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

(Reference – list of applications, submitted)

## APPENDIX

### Applications for Miscellaneous Licences

Street Trader Licence (Temporary)		
<b>4.2</b>	The Business Incentives Group  Mr Alan Adie	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence.
Street Trader Licence (Renewal & Variation)		
<b>4.3</b>	Mrs Amanda French	<ol style="list-style-type: none"> <li>1) To <b>RENEW</b> the licence subject to the Council's standard conditions for this category of licence.</li> <li>2) To <b>VARY</b> the licence to exempt the licence holder from the standard condition requiring the van to be removed at night.  (On a division)</li> </ol> <p style="color: red; margin-top: 10px;"><b>See note 1.</b></p>
House in Multiple Occupation Licence (Renewal)		
<b>4.4</b>	4f2, 51 Salisbury Road, Edinburgh  Mr Carlo Perrotta  Lodging Agent: Ms Rachel Whale, ESPC Lettings	<ol style="list-style-type: none"> <li>1) To <b>AGREE</b> to consider the late objections.</li> <li>2) To <b>CONTINUE</b> consideration of the application to the meeting of the Licensing Sub-Committee on 24.11.20 to allow photographs tabled by the objector Mr McGrath and his proposed submission in this respect to be circulated to the Committee members and to the applicant and their agent.</li> </ol>
House in Multiple Occupation Licence (Renewal)		
<b>4.5</b>	2f2, 51 Salisbury Road, Edinburgh  Mr Nicholas Edward O'Neill & Mrs Mary Jane O'Neill  Lodging Agent: Ms Gemma Gilmour, The University of Edinburgh Mr Kevin Michael O'Neill	<ol style="list-style-type: none"> <li>1) To <b>AGREE</b> to consider the late objection.</li> <li>2) To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence.</li> </ol>

<p><b>4.6</b></p>	<p>Flat 2, 1 Esdaile Park, Edinburgh</p> <p>Ms Briony Isobel Chitty</p> <p>Lodging Agent: Mr Brian Morgan, HMO Scotland</p>	<p>1) To <b>AGREE</b> to consider the late objection.</p> <p>2) To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence.</p> <p><b><u>Declaration of Interests</u></b></p> <p>Councillor Neil Ross declared a non-financial interest in this item as he was a friend to one of the objectors and took no part in the consideration of the item.</p>
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**Note 1**

**Item 4.3 – Street Trader Licence (Renewal & Variation) – Ms Amanda French**

**Motion**

To **REFUSE** to **VARY** the licence to exempt the licence holder from the standard condition requiring the van to be removed at night.

- moved by Councillor Dixon, seconded by Councillor Doran

**Amendment**

To **VARY** the licence to exempt the licence holder from the standard condition requiring the van to be removed at night.

- moved by Councillor Neil Ross, seconded by Councillor Rose

**Voting**

- For the motion - 3 votes
- For the amendment - 4 votes

(For the motion – Councillors Arthur, Dixon, and Doran.  
For the amendment – Councillors Mitchell, Mowat, Rose and Neil Ross.)

**Decision**

To **VARY** the licence to exempt the licence holder from the standard condition requiring the van to be removed at night.