

# Minutes

## Licensing Sub-Committee of the Regulatory Committee

**2.00pm, Monday 14 June 2021**

### Present

Councillors Fullerton (Convener), Dixon (Vice-Convener), Arthur (item 3 (agenda item 5.7) onwards), Mitchell, Mowat, Osler (substituting for Councillor Neil Ross), Rae (item 3 (agenda item 5.7) onwards), Rose and Wilson.

### 1. Minutes

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#### Decision

- 1) To approve the minute of the Licensing Sub-Committee of 17 May 2021 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 25 May 2021 as a correct record.

### 2. Proposed Parades and Processions

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Details were provided of a proposed parade, 'Split the Difference – Walking Scotland for Men and Boys,' to be held on 19 June 2021. The Event Organisers and the appropriate Council officers were heard.

#### Decision

To make an order in respect of the proposed Split the Difference parade on 19 June 2021 within the designated route and times 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 Operations Group.
- 3) The proposed conditions recommended by the Council's Regulatory Services Manager shall be applied.

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

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

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Details were provided of 16 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 Traders Licence (New)		
5.2	Mr Darren McGlynn Ingliston Park and Ride	To note that the application had been withdrawn by the applicant.
Market Operators Licence (Temporary)		
5.3	Taylor and Scott Ltd Manager: Mr William Keith Taylor Tron Kirk, High Street	To refuse the application in terms of Paragraph 5(3)(c)(i) and (v) of Schedule 1 of the Civic Government (Scotland) Act 1982.  <b>See note 1</b>
5.4	Taylor and Scott Ltd Manager: Mr William Keith Taylor Tron Kirk, High Street	To refuse the application in terms of Paragraph 5(3)(c)(i) and (v) of Schedule 1 of the Civic Government (Scotland) Act 1982.  <b>See note 2</b>
5.5	Taylor and Scott Ltd Manager: Mr William Keith Taylor Hunter Square	To grant the licence subject to the Council's standard conditions for this category of licence and the additional conditions requested by Noise Team, Health and Safety, Licensing Enforcement and Public Safety.
5.6	Taylor and Scott Ltd Manager: Mr William Keith Taylor Hunter Square	To grant the licence subject to the Council's standard conditions for this category of licence and the additional conditions requested by Noise Team, Health and Safety, Licensing Enforcement and Public Safety.
Late Hours Catering Exemptions (Temporary)		
<b>Additional item</b>	Taylor and Scott Ltd Manager: Mr William Keith Taylor Hunter Square	The Convener ruled the item urgent in order that it could be considered at the meeting.  To grant the exemption for the hours Sun-Thurs 11:00-01:00 and Fri-Sat 11:00-02:00, subject to the Council's standard conditions.

<b>Additio nal item</b>	Taylor and Scott Ltd Manager: Mr William Keith Taylor Tron Kirk, High Street	The Convener ruled the item urgent in order that it could be considered at the meeting.  To note the application had been withdrawn by the applicant.
<b>Market Operators Licence (Temporary)</b>		
<b>5.7</b>	Mr Franck Phillippe Denis Bruyere  St James Quarter, St James Square	1) To grant the licence subject to the Council's standard conditions for this category of licence and the additional conditions requested by Police Scotland, Health and Safety, Licensing Enforcement, Transportation and Public Safety.  2) To note the applicant would attend an EPOG prior to the event.  3) To note the revised hours of operation to be 10am to 8pm.  4) To note the Sub-Committee's support of the St James' Quarter launch event.
<b>Public Entertainment Licence (Temporary)</b>		
<b>5.8</b>	Mr Franck Phillippe Denis Bruyere  St James Quarter, St James Square	1) To grant the licence subject to the Council's standard conditions for this category of licence and the additional conditions requested by Police Scotland, Health and Safety, Licensing Enforcement, Transportation and Public Safety.  2) To note the applicant would attend an EPOG prior to the event.  3) To note the revised hours of operation to be 9am to 6pm.  4) To note the Sub-Committee's support of the St James' Quarter launch event.
<b>Late Hours Catering Licence (New)</b>		
<b>5.9</b>	Taco-Time (SC) Limited (Taco Bell)  Manager: Mark Friel  27-31 Shandwick Place	To note Police Scotland and Licensing Enforcement had withdrawn their objections as the applicant has reduced their hours to within policy.

### Late Hours Catering Licence (Renewal)

<b>5.10</b>	Pomegranate Express Manager: Jamal Ali Ahmed 12 Nicolson Street	To continue consideration of the application to the meeting of the Sub-Committee on 22 June 2021 in order for the applicant provide copies of the neighbour consent letters received.
<b>5.11</b>	Istanbul Kebab House Manager: Mehmet Kina 156 Saughton Road North	To note Environmental Protection and Licensing Enforcement had withdrawn their objections/representations.

### House in Multiple Occupation Licence (Renewal)

<b>5.12</b>	Mrs Dorothy Anne Still Flat 6, 46 North Meggetland, Edinburgh	To repel the public objection and grant the licence subject to the Council's standard conditions for this category of licence.
<b>5.13</b>	Mr Peter Christopher Grant 71 Newington Road, Edinburgh	<ol style="list-style-type: none"> <li>1) To agree to consider the late objection.</li> <li>2) To note the public objection and grant the licence subject to the Council's standard conditions for this category of licence for a period of 1 year.</li> <li>3) To note the agent's undertaking to provide contact details to the objector, remove the rubbish outside the property and operate it as a sensitive let with immediate effect.</li> </ol>
<b>5.14</b>	Mr Mohammed Ather Bashir Flat 4, 27 Mortonhall Road	To note the application had been withdrawn by the applicant.

### House in Multiple Occupation Licence (New)

<b>5.15</b>	Mr Niall Wilson & Ms Victoria Wilson 1F1, 6 Mardale Crescent, Edinburgh	To note the public objections and grant the licence subject to the Council's standard conditions for this category of licence for a period of 6 months with an exemption for the gas cooker in the property.
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## **Note 1**

### **Item 5.3 – Market Operators Licence (Temporary) – Taylor and Scott Ltd – Tron Kirk, High Street**

#### **Motion**

To grant the licence subject to the Council's standard conditions for this category of licence and the additional conditions requested by Noise Team, Health and Safety, Licensing Enforcement and Public Safety.

- moved by Councillor Fullerton, seconded by Councillor Dixon

#### **Amendment**

To refuse the application in terms of Paragraph 5(3)(c)(i) and (v) of Schedule 1 of the Civic Government (Scotland) Act 1982.

- moved by Councillor Rose, seconded by Councillor Mowat

#### **Voting**

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

(For the motion – Councillors Dixon, Fullerton and Wilson.

For the amendment – Councillors Mitchell, Mowat, Osler and Rose.

#### **Decision**

To approve the amendment by Councillor Rose.

## **Note 2**

### **Item 5.4 – Market Operators Licence (Temporary) – Taylor and Scott Ltd – Tron Kirk, High Street**

#### **Motion**

To grant the licence subject to the Council's standard conditions for this category of licence and the additional conditions requested by Noise Team, Health and Safety, Licensing Enforcement and Public Safety.

- moved by Councillor Fullerton, seconded by Councillor Dixon

#### **Amendment**

To refuse the application in terms of Paragraph 5(3)(c)(i) and (v) of Schedule 1 of the Civic Government (Scotland) Act 1982.

- moved by Councillor Mowat, seconded by Councillor Osler

#### **Voting**

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

(For the motion – Councillors Dixon, Fullerton and Wilson.

For the amendment – Councillors Mitchell, Mowat, Osler and Rose.

**Decision**

To approve the amendment by Councillor Mowat.