

Minutes

Licensing Sub-Committee of the Regulatory Committee

2.00pm, Monday 23 August 2021

Present

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

1. Minutes

Decision

To approve the minute of the Licensing Sub-Committee of 20 July 2021 as a correct record.

2. Cinemas Act 1985 – Variation of Licensing Conditions – Edinburgh Spanish Film Festival 2021

Details were provided of a request for authorisation to screen uncertificated films during the Edinburgh Spanish Film Festival 2021. The Event Organiser and the appropriate Council officers were heard.

Decision

To grant permission to allow specific uncertificated films from the list of titles to be circulated to be shown as part of the Edinburgh Spanish Film Festival in October 2021 at the Filmhouse, 88 Lothian Road and the Odeon, 118 Lothian Road.

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

3. Proposed Parades and Processions August/September 2021

3.1 National Protest by Northern Ireland Veterans Movement

Details were provided of a proposed parade, 'National Protest by Northern Ireland Veterans Movement' to be held on 28 August 2021. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed National Protest by Northern Ireland Veterans Movement on 28 August 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.

3.2 **Royal Scots Dragoon Guards 50th Anniversary Parade**

Details were provided of a proposed parade "Royal Scots Dragoon Guards 50th Anniversary Parade" to be held on 3 September 2021. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Royal Scots Dragoon Guards 50th Anniversary Parade on 3 September 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.

3.3 **Edinburgh World Naked Bike Ride**

Details were provided of a proposed parade "Edinburgh World Naked Bike Ride" to be held on 4 September 2021. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Edinburgh World Naked Bike Ride on 4 September 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)

4. Applications for Temporary Market Operator and Public Entertainment Licences – Fly Events Ltd – Princes Street Gardens

Details were provided of applications received for a Temporary Market Operator's Licence and a Temporary Public Entertainment Licence from Fly Events Ltd for an event to be held in Princes Street Gardens between 17 and 19 September 2021. The relevant Council officers, Police Scotland and the applicants were heard.

Decision

To delegate authority to the Executive Director of Place to grant the Temporary Market Operator's Licence and the Temporary Public Entertainment Licence subject to the outstanding issues being resolved to the satisfaction of all parties involved as part of the EPOG process.

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

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

Details were provided of 9 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)

Declaration of Interest

Councillor Neil Ross declared a non-financial interest in item 5.5 – HMO Licence (New) - 116 (1F1) Gilmore Place as he was known to the objectors, left the meeting and took no part in consideration of the application.

APPENDIX

Applications for Miscellaneous Licences

Street Traders Licence (New)		
5.2	Mr Lucien Arsene 320 Gorgie Road, Edinburgh	1) To agree to consider the matter in the absence of the applicant. 2) To REFUSE the application in terms of Paragraph 3(c) (iv), (v) and 3(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.
5.3	Mr Ewen Hutchison t/a Shrimpwreck Seafield Road East, Edinburgh	1) To agree to consider the matter in the absence of the applicant. 2) To REFUSE the application in terms of Paragraph 3(c) (iv), (v) and 3(d) of Schedule 1 of the Civic Government (Scotland) Act 1982. See note 1
Late Hours Catering Licence (New)		
5.4	Dough Pizzeria Ltd Ms Michele Rubinacci 47 South Clerk Street, Edinburgh	To GRANT the licence for the hours Sun-Thurs 23:00 to 01:00 and Fri-Sat 23:00 to 02:00 subject to the Council's standard conditions for this category of licence. See note 2
House in Multiple Occupation Licence (New)		
5.5	Kamo Holdings Ltd 116 (1F1) Gilmore Place, Edinburgh	To CONTINUE consideration of the application to a future meeting to allow time for the Council's Public Safety Team to revisit the premises and report back to the Sub-Committee.
House in Multiple Occupation Licences (Renewal)		
5.6	Track Twelve Ltd (Trevor Dugan, Director) 31 (Flat 2) Grove Street, Edinburgh	1) To note the public objection. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence.
5.7	Michael & Elizabeth Davidson 27 (3F1) Harden Place, Edinburgh	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence. See note 3

House in Multiple Occupation Licences (Renewal)

5.8	Terri Ann & Stephen James Young 5 (2F2) Merchiston Place, Edinburgh	1)	To note the public objection.
		2)	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
5.9	Franziska Lappin-Smith 3 (3F2) Mertoun Place, Edinburgh	1)	To note the public objection.
		2)	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
5.10	Gillian Stephens 43 (3F1) Polwarth Gardens, Edinburgh	1)	To note the public objection.
		2)	To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.

Note 1

Item 5.3 – Street Trader Licence (New) – Ewen Hutchison t/a Shrimpwreck – Seafield Road East, Edinburgh

Motion

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

- moved by Councillor Fullerton, seconded by Councillor Dixon

Amendment

To continue consideration of the application to the next meeting of the Sub-Committee for further information on the width of the path at the proposed location on Seafield Road East.

- moved by Councillor Mowat, seconded by Councillor Rose

Voting

For the motion - 5 votes

For the amendment - 3 votes

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

For the amendment – Councillors Mitchell, Mowat and Rose.

Decision

To approve the motion by Councillor Fullerton.

Note 2

Item 5.4 – Late Hours Catering Licence (New) – Dough Pizzeria - 47 South Clerk Street, Edinburgh

Motion

To grant the licence for the hours Sun-Thurs 23:00 to 12 midnight and Fri-Sat 23:00 to 01:00 subject to the Council's standard conditions for this category of licence and the additional condition that the premises close at 23:00 for on-street public access and that the business operates on a delivery only basis between 23:00 and 12 midnight Sun-Thurs and between 23:00 and 01:00 Fri-Sat.

- moved by Councillor Neil Ross, seconded by Councillor Arthur

Amendment

To grant the licence for the hours Sun-Thurs 23:00 to 01:00 and Fri-Sat 23:00 to 02:00 subject to the Council's standard conditions for this category of licence.

- moved by Councillor Fullerton, seconded by Councillor Dixon

Voting

For the motion - 4 votes

For the amendment - 4 votes

For the motion – Councillors Arthur, Mowat, Rose and Neil Ross.

(For the amendment – Councillors Dixon, Fullerton, Mitchell and Wilson.

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

Decision

To approve the amendment by Councillor Fullerton.

Note 3

Item 5.7 – HMO Licence (Renewal) – Michael & Elizabeth Davidson – 27 (3F1) Harden Place, Edinburgh

Motion

To grant the licence subject to the Council's standard conditions for this category of licence.

- moved by Councillor Fullerton, seconded by Councillor Wilson

Amendment

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 Neil Ross, seconded by Councillor Rose

Voting

For the motion - 3 votes

For the amendment - 5 votes

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

For the amendment – Councillors Arthur, Mitchell, Mowat, Rose and Neil Ross.)

Decision

To approve the amendment by Councillor Neil Ross.