

Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Tuesday 28 June 2022

Present

Councillors Mowat (Convener), Caldwell, Dixon, Mattos Coelho 1.1-8.3.3), Rae (1.1-6.11) and Neil Ross.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 14 March 2022 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 15 March 2022 as a correct record.
- 3) To approve the minute of the Licensing Sub-Committee of 21 April 2022 as a correct record.

2. Cinemas Act 1985 – Variation of Licensing Conditions – Edinburgh International Film Festival 2022

Details were provided of a request for authorisation to screen uncertified films during the Edinburgh International Film Festival 2022. The Event Organiser and the appropriate Council officers were heard.

Decision

To grant permission to allow specific uncertified films from the list of titles to be circulated to be shown as part of the Edinburgh International Film Festival in August 2022 at the following locations:

- Filmhouse 88, Lothian Road
- Vue Omni, Omni Leisure Building, 61/11 Greenside Pl, Leith Street
- Everyman (St James Quarter), 502 Edinburgh St James, St James Quarter
- Cameo, 38 Home Street
- St Andrew Square

(Reference – report by the Regulatory Services Manager)

3. Proposed Parades and Processions June 2022

Details were provided of a parade 'End of War in Ukraine – 100th Day Parade' held on 5 June 2022.

Decision

To note the action taken by the Executive Director of Place in consultation with the Convener under urgency provisions to waive the 28 days' notice requirement and approve the Order in respect of the proposed End of War in Ukraine – 100th Day Parade on 5 June 2022.

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

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

Details were provided of 15 applications for miscellaneous licenses. The applicants and their agents were heard.

Decision

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

(Reference – list of applications, submitted)

5. Resolution to Consider in Private

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.

6. Request for Recall a Suspension of a Taxi Driver's Licence

The Sub-Committee considered a request by the licensing team to recall a suspension of a Taxi Driver's Licence. Police Scotland, the Regulatory Services Manager, the Licence Holder and their Agent 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)

7. Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request by the licensing team to suspend or revoke a Private Hire Driver Licence. Police Scotland, the Regulatory Services Manager, the Licence Holder and their Agent 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)

8. Police Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request by Police Scotland to suspend or revoke a Private Hire Driver 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)

9. Police Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request by Police Scotland to suspend or revoke a Private Hire Driver Licence. Police Scotland, the Regulatory Services Manager, the Licence Holder and their Agent 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)

10. Police Request for Suspension or Revocation of Private Hire Driver Licence

The Sub-Committee considered a request by Police Scotland to suspend or revoke a Private Hire Driver Licence. Police Scotland, the Regulatory Services Manager, the Licence Holder and their Agent 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)

APPENDIX 1

Applications for Miscellaneous Licences

Public Entertainment Licence (Temporary)		
6.2	<p>Applicant The Neighbourhood Market Limited Over the Bridge Live Music Event</p> <p>Manager Ambika Okhandiar</p> <p>Premises Portgower Place, Edinburgh</p>	<p>To note that this event had been cancelled by the organiser and therefore the application was WITHDRAWN from the agenda.</p>
Market Operator Licence (Temporary)		
6.3	<p>Applicant The Neighbourhood Market Limited Over the Bridge Live Music Event</p> <p>Manager Ambika Okhandiar</p> <p>Premises Portgower Place, Edinburgh</p>	<p>To note that this event had been cancelled by the organiser and therefore the application was WITHDRAWN from the agenda.</p>
6.4	<p>Applicant Local Motive Markets</p> <p>Manager Ms Tania Pramschufer</p> <p>Premises Castle Street, Edinburgh</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>

6.5	<p>Applicant Taylor and Scott Ltd</p> <p>Manager Mr William Keith Taylor</p> <p>Premises Hunter Square, Adjacent to Tron Kirk, Edinburgh</p> <p>Event Dates 21.07.22 to 04.08.22 05.08.22 to 29.08.22</p> <p>Hours of Operation 10:00 to 20:00</p>	<ol style="list-style-type: none"> 1) To GRANT the licence subject to the Council's standard conditions for this category of licence. 2) To note that a Late Hours Catering Licence would be required to allow the applicants to operate to 2am (Sun-Thurs) and 3am (Fri & Sat) and to DELEGATE AUTHORITY to the Head of Regulatory Services to determine the application for late hours catering licence once it had been submitted by the applicants. 3) To agree that any significant issues or changes would be reported back to the Sub-Committee.
6.6	<p>Applicant Taylor and Scott Ltd</p> <p>Manager Mr William Keith Taylor</p> <p>Premises Hunter Square, West Side of Tron Kirk, Edinburgh (Units 11 & 12)</p>	To note that this application had been WITHDRAWN by the applicants.
Late Hours Catering Licence (New)		
6.7	<p>Applicant Zara Fast Foods</p> <p>Manager Mr Ozgur Yilmaz</p> <p>Premises 236 Cowgate, Edinburgh</p>	<p>To CONTINUE consideration of the application to the next Licensing Sub-Committee meeting on 18 July 2022 to allow the applicant to obtain the necessary neighbour consents.</p> <p>Note: Licensing Team to clarify with Licensing Enforcement if the applicant has been trading outwith current permitted hours without a late hours catering licence.</p>
6.8	<p>Applicant Mobashar Firma Ltd</p> <p>Manager Mobashar Ali</p> <p>Premises 119 Nicolson Street, Edinburgh</p>	<ol style="list-style-type: none"> 1) To AGREE to consider the application in the absence of the applicant. 2) To GRANT the licence for the hours Mon-Thurs 23:00 – 00:00 and Fri, Sat and Sun 23:00 – 02:00 subject to the Council's standard conditions for this category of licence.

6.9	<p>Applicant FATEH2020 LTD</p> <p>Manager Mr Parvinder Singh</p> <p>Agent Alistair Macdonald, Macdonald Licensing</p> <p>Premises 29 Roseburn Terrace, Edinburgh</p>	To GRANT the licence for the hours Sun-Thurs 23:00-01:00 and Fri-Sat 23:00-02:00 subject to the Council's standard conditions for this category of licence.
Street Trader Licence (Variation)		
6.10	<p>Applicant On the Roll</p> <p>Manager Mr Lennart Bruggemann</p> <p>Premises George Square Lane, Edinburgh</p>	<p>1) To VARY the licence to remove conditions 17 and 18 of the Council's standard conditions for this category of licence for the duration of the Edinburgh Fringe festival.</p> <p>2) To DELEGATE AUTHORITY to the Head of Regulatory Services to determine future variation applications from this applicant seeking to remove standard conditions 17 and 18.</p>
Street Trader Licence (New)		
6.11	<p>Applicant Mr Fraser Hamilton McCowan</p> <p>Premises 129 Duddingston Road West, Edinburgh</p>	<p>1) To agree to consider the application in the absence of the applicant.</p> <p>2) To REFUSE the application in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982.</p>
House in Multiple Occupation Licence (Renewal)		
6.12	<p>Applicant Mr Li Yin Ooh</p> <p>Agent Mr John Davidson, Southside Property Management</p> <p>Premises Flat 7, 98 Orchard Brae Avenue, Edinburgh</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of one year.

<p>6.13</p>	<p>Applicant Mr John Ness and Mrs Patricia Ann Ness</p> <p>Agent Mr John Davidson, Southside Property Management</p> <p>Premises Flat 1, Floor 1, 28 Madeira Street, Edinburgh</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of three years and subject also to the condition that satisfactory continuous certification is provided to the Head of Regulatory Services.</p>
<p>6.14</p>	<p>Applicant Mr John Ness and Mrs Patricia Ann Ness</p> <p>Agent Mr John Davidson, Southside Property Management</p> <p>Premises Flat 2, Floor 1, 28 Madeira Street, Edinburgh</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of three years.</p>
<p>6.15</p>	<p>Applicant Mr John Ness and Mrs Patricia Ann Ness</p> <p>Agent Mr John Davidson, Southside Property Management</p> <p>Premises Flat 1, Floor 2, 28 Madeira Street, Edinburgh</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of three years.</p>
<p>6.16</p>	<p>Applicant Mr John Ness and Mrs Patricia Ann Ness</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence for a period of three years.</p>

	Agent Mr John Davidson, Southside Property Management Premises Flat 2, Floor 2, 28 Madeira Street, Edinburgh	
Booking Office Licence (Temporary)		
Add. Item	Applicant Intercity Management Managers Kevin Woodburn Stephen Rose Premises New Street Car Park - Level -2 Hours of Operation Mon-Sun 06:00 to 01:00	To GRANT the licence subject to the Council's standard conditions for this category of licence.