

## Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday 7 November 2022

### Present

Councillors Mowat (Convener), Caldwell (with the exception of item 5.18), Dalgleish (with the exception of item 5.18), Dixon (with the exception of item 5.19), Fullerton, Mattos Coelho, Rae and Neil Ross.

### 1. Minutes

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#### Decision

- 1) To approve the minute of the Licensing Sub-Committee of 3 October 2022 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 4 October 2022 as a correct record.

### 2. Application for House in Multiple Occupation Licence – 122 Ferry Road

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The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at 122 Ferry Road, Edinburgh. The property had previously been licensed by the licence had lapsed in May 2022. The application was therefore for a new licence and the applicant had requested an exemption from policy in order to allow the accommodation to continue to operate.

#### Decision

To agree to the exemption request detailed at Appendix Three of the report by the Head of Regulatory Services and thereafter grant the licence subject to the Council's standard conditions for this category of licence.

(Reference – report by the Head of Regulatory Services, submitted)

### 3. Cinemas Act 1985 – Variation of Licensing Conditions – Everyman Edinburgh

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The Sub-Committee considered a request from UK Jewish Film to vary conditions of its licence under the Cinemas Act 1985 for authorisation to screen uncertificated films on the following specific dates and times in November 2022:

- Sunday 13 November 2022 at 5pm
- Wednesday 16 November 2022 at 8pm

### **Decision**

- 1) To agree to consider the matter in the absence of the applicant.
- 2) To grant the application for variation of the standard conditions of the licence.

(Reference – report by the Head of Regulatory Services, submitted)

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

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Details were provided of 21 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 Interests**

Councillors Caldwell and Dalgleish declared a non-financial interest in item 5.18 – Street Trader Licence (New) – Artisan Van Ltd – Pilrig Park as members of Leith Community Council, left the room and took no part in consideration of the item.

### **Declaration of Interest**

Councillor Dixon declared a non-financial interest in item 5.19 - Happy Valley Coffee Co Ltd - 177-191 Colinton Road as a board member of Edinburgh Leisure, left the meeting and took no part in consideration of the item.

## APPENDIX

### Applications for Miscellaneous Licences

Market Operator Licence (Temporary)		
<b>5.2</b>	<p><b>Applicant</b> Local Motive Markets</p> <p><b>Manager</b> Tania Pramschufer</p> <p><b>Location</b> Castle Street, Edinburgh, EH1 2EW</p> <p><b>Date of Event</b> 26.11.22 to 23.12.22</p> <p><b>Requested Hours of Operation</b> 10:00-19:00</p>	<p>To grant the licence subject to the Council's standard conditions for this category of licence.</p>
<b>5.3</b>	<p><b>Applicant</b> EUSACO Premises Limited</p> <p><b>Manager</b> Sarah Thompson</p> <p><b>Location</b> 5 Bristo Square, Edinburgh, EH8 9AL</p> <p><b>Date of Event</b> 11.11.22</p> <p><b>Requested Hours of Operation</b> 16:00-01:00</p>	<p>To note the application was amended to state a terminal hour of 10pm and thereafter grant the licence for the hours 16:00 to 22:00 subject to the Council's standard conditions for this category of licence.</p>

<p><b>5.4</b></p>	<p><b>Applicant</b> Keasim Edinburgh Ltd</p> <p><b>Manager</b> Simon Paul Keane</p> <p><b>Agent</b> Niall Hazzard, TLT Solicitors</p> <p><b>Location</b> 3 Waverley Bridge, Edinburgh</p> <p><b>Applications Dates</b> 1. 22.11.2022 - 19.12.2022  2. 20.12.2022 - 16.01.2023</p> <p><b>Requested Hours of Operation</b> 1. 09:30-22:00  2. 11:00-22:00</p>	<p>To grant the two licences for the hours requested subject to the Council's standard conditions for this category of licence.</p>
<p><b>Public Entertainment Licence (Temporary)</b></p>		
<p><b>5.5</b></p>	<p><b>Applicant</b> Keasim Edinburgh Ltd</p> <p><b>Manager</b> Simon Paul Keane</p> <p><b>Agent</b> Niall Hazzard</p> <p><b>Location</b> 3 Waverley Bridge, Edinburgh</p> <p><b>Application Dates</b> 1. 22.11.2022 -</p>	<p>To grant the two licences subject to the Council's standard conditions for this category of licence.</p>

	<p>19.12.2022</p> <p>2. 20.12.2022 - 16.01.2023</p> <p><b>Requested Hours of Operation</b></p> <p>1. 09:30-22:00</p> <p>1. 09:30-00:00</p> <p>1. 11:00-00:00</p> <p>2. 11:00-00:00</p> <p>2. 11:00-01:00</p> <p>2. 11:00-22:00</p>	
5.6	<p><b>Applicant</b> Highland Centre Limited</p> <p><b>Manager</b> Mark Currie</p> <p><b>Location</b> Royal Highland Centre, Ingliston, Edinburgh</p> <p><b>Event Date</b> 03.12.2022</p> <p><b>Requested Hours of Operation</b> 15:00-00:00</p>	<p>To continue consideration of the application to an additional meeting of the Licensing Sub-Committee to be held on 14 November 2022 to allow consultees sufficient time to review the application documentation.</p>
<b>Market Operator Licence (Temporary)</b>		
<b>Additional Item</b>	<p><b>Applicant</b> Julie McEwan</p> <p><b>Location</b> Royal Highland Centre, Ingliston</p> <p><b>Event Date</b> 03.12.22</p> <p><b>Requested Hours</b> 12:00 to 00:00</p>	<p>To continue consideration of the application to an additional meeting of the Licensing Sub-Committee to be held on 14 November 2022 to allow consultees sufficient time to review the application documentation.</p> <p><b>Note:</b> The Convener ruled this item urgent to allow it to be considered at this meeting.</p>

<p><b>5.7</b></p>	<p><b>Applicant</b> Bitter Twisted Ltd</p> <p><b>Manager</b> Benjamin Leslie</p> <p><b>Location</b> St James Square, Quarter, Edinburgh</p> <p><b>Application Dates</b> 09.11.22 to 06.12.22</p> <p>07.12.22 - 03.12.22</p> <p><b>Requested Hours of Operation</b> 11:00-22:00</p>	<p>To grant the two licences as amended by the applicant subject to the Council's standard conditions for this category of licence.</p>
<p><b>Public Entertainment Licence (Temporary)</b></p>		
<p><b>5.8</b></p>	<p><b>Applicant</b> Historic Environment Scotland Enterprises Limited</p> <p><b>Manager</b> Emma Elizabeth Bowie</p> <p><b>Location</b> Edinburgh Castle, 362 Castlehill, Edinburgh, EH1 2NG</p> <p><b>Applications Dates</b> 1. 11.12.22 to 14.12.22</p> <p>2. 16.12.22 to 30.12.22</p>	<p>To indicate that the Sub-Committee was minded to grant the licences and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.</p>

	<p><b>Requested Hours of Operation</b> 16:30-21:00</p>	
5.9	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> West Princes Street Gardens, Edinburgh</p> <p><b>Requested Dates</b> 25.11.22 to 22.12.22</p> <p><b>Requested Hours of Operation</b> 10:00-22:00</p>	<p>To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.</p>
5.10	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> West Princes Street Gardens, Edinburgh</p> <p><b>Requested Dates</b> 25.11.22 to 22.12.22</p> <p><b>Requested Hours of Operation</b> 10:00-22:00</p>	<p>To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.</p>

<p><b>5.11</b></p>	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> George Street, Edinburgh</p> <p><b>Requested Dates</b> 26.11.22 to 23.12.22</p> <p><b>Requested Hours of Operation</b> 10:00-23:00</p>	<p>To continue consideration of the application to an additional meeting of the Licensing Sub-Committee to be held on 14 November 2022 to allow consultees sufficient time to review the application documentation.</p>
<p><b>5.12</b></p>	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> George Street, Edinburgh</p> <p><b>Requested Dates</b> 26.11.2022 - 23.12.2022</p> <p><b>Requested Hours of Operation</b> 10:00-23:00</p>	<p>To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.</p>
<p><b>5.13</b></p>	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p>	<p>To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.</p>



	<p><b>Location</b> East Princes Street Gardens, Edinburgh</p> <p><b>Requested Dates</b> 25.11.22 - 22.12.22</p> <p><b>Requested Hours of Operation</b> 10:00-22:00</p>	
5.14	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> East Princes Street Gardens, Edinburgh</p> <p><b>Requested Dates</b> 25.11.22 - 22.12.22</p> <p><b>Requested Hours of Operation</b> 10:00-22:00</p>	To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.
<b>Market Operator Licence (Temporary)</b>		
5.15	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> George Street, Edinburgh</p>	To continue consideration of the application to an additional meeting of the Licensing Sub-Committee to be held on 14 November 2022 to allow consultees sufficient time to review the application documentation.

	<p><b>Requested Dates</b> 26.11.22 - 23.12.22</p> <p><b>Requested Hours</b> 10:00 to 22:00</p>	
5.16	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> West Princes Street Gardens, Edinburgh</p> <p><b>Requested Dates</b> 26.11.22 - 23.12.22</p> <p><b>Requested Hours</b> 10:00 to 22:00</p>	To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.
5.17	<p><b>Applicant</b> Unique Assembly Ltd</p> <p><b>Manager</b> Nicholas James Whybrew</p> <p><b>Location</b> East Princes Street Gardens, Edinburgh</p> <p><b>Requested Dates</b> 25.11.22 - 22.12.22</p> <p><b>Requested Hours</b> 10:00 to 22:00</p>	To indicate that the Sub-Committee was minded to grant the licence and accordingly to delegate authority to the Head of Regulatory Services to grant the application subject to receipt of all necessary documentation and acceptance of all conditions by the applicant.

### Street Trader Licence (New)

<b>5.18</b>	<b>Applicant</b> The Artisan Van Ltd <b>Manager</b> Panaions Ilias <b>Location</b> Pilrig Park, Edinburgh <b>Requested Hours of Operation</b> 08:00-20:00	To continue consideration of the application to the Licensing Sub- Committee meeting on 5 December 2022 to allow the applicant to attend.
<b>5.19</b>	<b>Applicant</b> Happy Valley Coffee Co Ltd <b>Manager</b> Greg Robertson <b>Location</b> 177-191 Colinton Road, Edinburgh <b>Requested Hours</b> Mon-Fri 07:00-13:30 & 16:00-17:30	To grant the licence subject to the exemption requested and the Council's standard conditions for this category of licence.

### House in Multiple Occupation Licence (Renewal)

<b>5.20</b>	<b>Licence Holder</b> Morton Fraser LLP <b>Agent</b> Kornelia Niedzieska <b>Lodging Agent</b> Ben Property Management <b>Premises</b> 1f2, 10 Drumsheugh	To grant the licence subject to the Council's standard conditions for this category of licence.
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	Place, Edinburgh, EH3 7PT	
<b>5.21</b>	<p><b>Licence Holder</b> Morton Fraser LLP</p> <p><b>Agent</b> Kornelia Niedzieska</p> <p><b>Lodging Agent</b> Ben Property Management</p> <p><b>Premises</b> 2f2, 10 Drumsheugh Place, Edinburgh, EH3 7PT</p>	To grant the licence subject to the Council's standard conditions for this category of licence.
<b>5.22</b>	<p><b>Licence Holder</b> Morton Fraser LLP</p> <p><b>Agent</b> Kornelia Niedzieska</p> <p><b>Loading Agent</b> Ben Property Management</p> <p><b>Premises</b> 3f2, 10 Drumsheugh Place, Edinburgh, EH3 7PT</p>	To grant the licence subject to the Council's standard conditions for this category of licence.