

Minutes

Licensing Sub-Committee of the Regulatory Committee

1:00pm, Monday 6 February 2023

Present

Councillors Mowat (Convener), Caldwell, Dalglish, Dixon (excluding Item 3), Fullerton, Mattos Coelho, Rae (excluding Item 3), and Neil Ross.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 9 January 2023 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 10 January 2023 as a correct record.

2. Parades and Processions: March 2023

a) International Women's Day

Details were provided of a proposed parade, 'International Women's Day' to be held on 8 March 2023. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed International Women's Day on 8 March 2023 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.

b) Royal Regiment of Scotland Rally

Details were provided of a proposed parade, 'Royal Regiment of Scotland Rally' to be held on 26 March 2023. The appropriate Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Royal Regiment of Scotland Rally on 26 March 2023 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 Head of Regulatory Services, submitted)

3. Application for House in Multiple Occupation Licence (New) – Flat 2F2, 52 Polwarth Gardens, Edinburgh

The Sub-Committee considered an application for a House in Multiple Occupation Licence for Flat 2F2, 52 Polwarth Gardens, Edinburgh. The property had been licensed previously, however due to an administrative error the licence had been allowed to lapse. The application was therefore for a new licence and the applicant had also requested an exemption from policy in order to allow the accommodation to continue to operate.

Decision

To agree to the exemption request as set out in section 3 of the report by the Head of Regulatory Services and thereafter grant the licence for 4 occupants subject to:

- 1) The agent undertaking the following alterations:
 - Relocate the tall fridge freezer from the kitchen to the utility space and subsequently extend the kitchen worktop to give another 66cm of workspace.
 - Knocking through the wall between bedrooms 4 and 5 to create one larger bedroom.
- 2) The Council's standard conditions for this category of licence.

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

4. Applications for House in Multiple Occupation Licences – 145 (3f2) and 193 (1f2) Bruntsfield Place, Edinburgh

The Sub-Committee considered applications for House in Multiple Occupation Licences for properties at 145 (3F2) and 193 (1F2) Bruntsfield Place, Edinburgh.

Motion

To refuse the applications in terms of section 130 of the Housing (Scotland) Act 2006.

- moved by Councillor Fullerton, seconded by Councillor Mattos Coelho

Amendment

To grant the applications, subject to the licence holder committing to complying with the statutory guidance regarding the testing of the portable fire extinguishers by a qualified competent person for the annual service.

- moved by Councillor Ross, seconded by Councillor Caldwell

Voting

For the motion - 6 votes

For the amendment - 2 votes

(For the Motion – Councillors Dalgleish, Dixon, Fullerton, Mattos Coelho, Mowat and Rae.
For the Amendment – Councillors Ross and Caldwell).

Decision

To refuse the applications in terms of section 130 of the Housing (Scotland) Act 2006.

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

5. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – Applications for Miscellaneous Licences

Details were provided of 15 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 Trader Licence (Renewal)		
6.2	<p>Applicant Sheila Gunderson</p> <p>Location Turnhouse Road, Edinburgh</p>	<p>1) To RENEW the licence subject to the Council's standard conditions for this category of licence.</p> <p>2) To VARY the licence to reflect that the current trading location on Turnhouse Road would be the permanent location attached to the licence as set out in the letter dated 3 February 2023 from the Transport Manager, Network Management and Enforcement Team.</p>
Street Trader Licence (Variation)		
6.3	<p>Applicant Paul Donnison</p> <p>Premises Mobile Trader</p>	<p>1) To agree to consider the application in the absence of the licence holder.</p> <p>2) To GRANT A VARIATION to add a further two trading zones to the licence, such additional zones to be confirmed by the Executive Director of Place following consultation with the applicant as to his preferred trading zones.</p>
House in Multiple Occupation Licence (New)		
6.4	<p>Applicant Mohamed Shoaira</p> <p>Agent QB Wood Architects</p> <p>Premises Flat 13, 8 Albion Gardens, Edinburgh</p>	<p>To CONTINUE consideration of the application to the next meeting of the Licensing Sub-Committee on 6 March 2023 at the request of the applicant.</p>
6.5	<p>Applicant Cameron & Saoirse Turner</p> <p>Premises 2f2, 5 Tarvit Street, Edinburgh</p>	<p>To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.</p>

House in Multiple Occupation Licence (Renewal)

6.6	Applicant Carr Gomm Agent Keith Milligan Premises 15 Craiglea Place, Edinburgh	To CONTINUE consideration of the application to the meeting of the Licensing Sub-Committee on 6 March 2023 to allow the licence holder to attend.
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Short Term Lets Licence (New)

6.7	Applicant Nigel & Christine Bennett Manager Vanessa Carmichael, Rettie Short Term Lets Premises 35 Lixmount Avenue, Edinburgh	To GRANT the licence for a period of one year subject to the mandatory conditions and the Council's standard conditions for this category of licence.
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Late Hours Catering Licence (New)

6.8	Applicant Azzeddine Zeghad Premises 68 St Mary's Street, Edinburgh	<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-Sun 23:00 to 00:00 subject to the standard conditions for this category of licence.
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Public Entertainment Licence (New)

6.9	Applicant Pure Gym Ltd Manager Mark Trimmer Premises 3 Waterfront Broadway, Edinburgh	To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained. Note: Councillor Fullerton requested that her dissent be recorded to this decision.
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Public Entertainment Licence (New)

<p>6.10</p>	<p>Applicant Pure Gym Ltd</p> <p>Manager Mark Trimmer</p> <p>Premises 15 Lauriston Place, Edinburgh</p>	<p>To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained.</p> <p>Note: Councillor Fullerton requested that her dissent be recorded to this decision.</p>
<p>6.11</p>	<p>Applicant Pure Gym Ltd</p> <p>Manager Mark Trimmer</p> <p>Premises 600 Gorgie Road, Edinburgh</p>	<p>To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained.</p> <p>Note: Councillor Fullerton requested that her dissent be recorded to this decision.</p>
<p>6.12</p>	<p>Applicant Pure Gym Ltd</p> <p>Manager Mark Trimmer</p> <p>Premises Craigleith Retail Park, South Groathill Avenue, Edinburgh</p>	<p>To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained.</p> <p>Note: Councillor Fullerton requested that her dissent be recorded to this decision.</p>
<p>6.13</p>	<p>Applicant Pure Gym Ltd</p> <p>Manager Mark Trimmer</p> <p>Premises Sb-3f1, 1-7 Conference Square, Edinburgh</p>	<p>To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained.</p> <p>Note: Councillor Fullerton requested that her dissent be recorded to this decision.</p>

Public Entertainment Licence (New)

6.14	Applicant Pure Gym Ltd Manager Mark Trimmer Premises Unit 1, Ocean Terminal, 98 Ocean Drive, Edinburgh	To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained. Note: Councillor Fullerton requested that her dissent be recorded to this decision.
6.15	Applicant Pure Gym Ltd Manager Mark Trimmer Premises Unit 7 Fort Kinnaird, Newcraighall Road, Edinburgh	To GRANT the licence subject to the standard conditions of this category of licence and subject also to an additional condition that the single person on-site in the premises between the hours of 10pm to 6am must be emergency first aid trained. Note: Councillor Fullerton requested that her dissent be recorded to this decision.

Public Entertainment Licence (Variation)

6.16	Applicant Tanz Limited Agent Lorraine Magunnigal Premises 49-51 Drum Street, Edinburgh	To VARY the licence for the hours requested.
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