

Minutes

Licensing Sub-Committee of the Regulatory Committee

9:30am, Monday 6 March 2023

Present

Councillors Mowat (Convener), Caldwell, Dalgleish, Dixon, Fullerton, Mattos Coelho, Rae (with the exception of item 7.13) and Neil Ross (with the exception of item 7.7).

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 6 February 2023 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 10 February 2023 as a correct record.

2. Parades and Processions

a) Yes2Indee It is Time

Details were provided of a proposed parade, ‘Yes2Indee It is Time’ to be held on 1 April 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Yes2Indee It Is Time on 1 April 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 Notice 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) **John Knox Orange and Purple District LOL Annual Demonstration**
- Details were provided of a proposed parade, ‘John Knox Orange and Purple District LOL Annual Demonstration to be held on 24 June 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed John Knox Orange and Purple District LOL Annual Demonstration on 24 June 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 Notice 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. Use of Urgency Provision of Standing Orders – Scotland's Voice for Ukraine Parade – 25 February 2023

On 8 February 2023, the Council received notification of the intention to hold a procession "Scotland's Voice for Ukraine" on 25 February 2023. Under urgency provision of Standing Orders and following consultation with the Convener, the Executive Director of Place issued an Order attaching standing conditions to allow the procession to take place.

Decision

To note the action taken by the Executive Director of Place in consultation with the Convener to issue an Order for the "Scotland's Voice for Ukraine" procession on 25 February 2023.

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

4. Application for House in Multiple Occupation Licence (New) – 227(2F2) Dalkeith Road, Edinburgh

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at 227(2F2) Dalkeith Road, Edinburgh.

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

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

5. Application for House in Multiple Occupation Licence (New) – 51 Gilmore Place, Edinburgh

The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Sub-Committee to give early consideration to the application.

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at 51 Gilmore Place, Edinburgh.

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

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

6. Application for House in Multiple Occupation Licence (New) – 10 East Hermitage Place, Edinburgh

The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Sub-Committee to give early consideration to the application.

The Sub-Committee considered an application for a House in Multiple Occupation Licence for property at 10 East Hermitage Place, Edinburgh.

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

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

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

Details were provided of 13 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

Item 7.7 – Councillor Ross declared a non-financial interest as the applicant was known to him and took no part in the consideration of this application.

Item 7.12 – Councillor Mattos Coelho made a transparency statement as she had been contacted by a person about the Terminal V event but had not responded or engaged with the person about the event.

APPENDIX

Applications for Miscellaneous Licences

House in Multiple Occupation Licence (New)		
7.2	<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 17 April 2023 at the request of the applicant.</p>
7.3	<p>Applicant David Haywood</p> <p>Premises 3F1, 33 Lauderdale 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)		
7.4	<p>Applicant Carr Gomm</p> <p>Agent Keith Milligan</p> <p>Premises 15 Craiglea Place, Edinburgh</p>	<p>To RENEW the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.</p> <p>Note: To note the agent's commitment to work with Council officers regarding the improved placement of an external enclosed smoking shelter.</p>
7.5	<p>Applicant Olivia Carolyn Romsey Dobson</p> <p>Agent Dunpark Property Agents</p> <p>Premises 1F, 1 St Vincent Street, Edinburgh</p>	<p>To RENEW the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.</p>

House in Multiple Occupation Licence (New)

7.6	<p>Applicant Simon Julius Rackham</p> <p>Agent Umega Lettings</p> <p>Premises 19 Temple Park Crescent, Edinburgh</p>	<p>To RENEW the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.</p>
7.7	<p>Applicant Kenneth Frew</p> <p>Agent Umega Lettings</p> <p>Premises 2F, 23 Gilmore Place, Edinburgh</p>	<p>To RENEW the licence for a period of 6 months only subject to the Council's standard conditions for this category of licence.</p> <p>Note: To note that the Committee requested the applicant's agent to consider future sensitive letting of the property.</p> <p>Declaration of Interest</p> <p>Councillor Neil Ross declared a non-financial interest in respect of this item as the applicant was known to him, left the meeting and took no part in the consideration of this application.</p>
7.8	<p>Applicant Duddington Scott Ltd</p> <p>Agent Neil Mackay</p> <p>Premises 53 St John's Road, Edinburgh</p>	<p>To RENEW the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.</p>

House in Multiple Occupation Licence (New)

<p>7.9</p>	<p>Applicant Karen Chandra Nelligan & Mark Nelligan</p> <p>Agent Grant Property Solutions</p> <p>Premises Flat 3, 1 Merchiston Bank Avenue, Edinburgh</p>	<p>To RENEW the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.</p> <p>(on a division)</p> <p>See Note 1 below</p>
<p>7.10</p>	<p>Applicant Southside DBM Ltd</p> <p>Agent John Davidson</p> <p>Premises Flat 3, 1 Hunter Square, Edinburgh</p>	<p>To RENEW the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.</p>

Short Term Lets Licence (New)

<p>7.11</p>	<p>Applicant Jan Kourimsky</p> <p>Premises Flat 3, 4 Hawthornden Place, Edinburgh</p>	<p>To GRANT the licence for a period of three years subject to the mandatory conditions and the Council's standard conditions for this category of licence.</p> <p>(on a division)</p> <p>Note: Councillor Fullerton requested that her dissent be recorded to this decision.</p> <p>See Note 2 below</p>
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Public Entertainment Licence (Temporary)		
7.12	<p>Applicant Highland Centre Limited</p> <p>Manager Mark Currie</p> <p>Premises Royal Highland Centre, Ingliston Road, Edinburgh</p> <p>Event Dates 08.04.23 & 09.04.23</p>	<p>1) To GRANT the licence subject to the conditions appended to the letter dated 16 February 2023 from the Council's Public Safety Team.</p> <p>2) To delegate authority to the Executive Director of Place to co-ordinate and agree the remaining finalised conditions with the applicant for the event.</p> <p>Declaration of Interest</p> <p>Councillor Mattos Coelho made a transparency statement as she had been contacted by a person about the Terminal V event but had not responded or engaged with the person about the event.</p>
Market Operator Licence (Temporary)		
7.13	<p>Applicant TV Events Ltd</p> <p>Manager Katherine Rebecca Lingard</p> <p>Premises Royal Highland Centre, Ingliston Road, Edinburgh</p> <p>Event Dates 08.04.23 & 09.04.23</p>	<p>To GRANT the licence subject to the standard conditions for this category of licence.</p>

Note 1

Item 7.9 - House in Multiple Occupation Licence (New) – Flat 3, 1 Merchiston Bank Avenue, Edinburgh

Motion

To **RENEW** the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.

- moved by Councillor Ross, seconded by Councillor Mowat

Amendment

To **RENEW** the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.

- moved by Councillor Fullerton, seconded by Councillor Dixon

Voting

For the motion - 5 votes

For the amendment - 3 votes

(For the motion – Councillors Caldwell, Dalgleish, Mowat, Rae and Neil Ross.

For the amendment – Councillors Dixon, Fullerton and Mattos Coelho.)

Decision

To **RENEW** the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.

Note 2

Item 7.11 – Short Term Lets Licence (New) – Flat 3, 4 Hawthornden Place, Edinburgh

Motion

To **GRANT** the licence for a period of three years subject to the mandatory conditions and the Council's standard conditions for this category of licence.

- moved by Councillor Mowat, seconded by Councillor Caldwell

Amendment

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.

- moved by Councillor Mattos Coelho, seconded by Councillor Neil Ross

Voting

For the motion - 4 votes

For the amendment - 2 votes

(For the motion – Councillors Caldwell, Dixon, Mowat and Rae.

For the amendment – Councillors Mattos Coelho and Neil Ross.

Abstention – Councillor Fullerton.

Decision

To **GRANT** the licence for a period of three years subject to the mandatory conditions and the Council's standard conditions for this category of licence.

Note: Councillor Fullerton requested that her dissent be recorded to this decision.