

## Licensing Sub-Committee of the Regulatory Committee

9:30am, Monday 17 April 2023

### Present

Councillors Mowat (Convener), Caldwell (items 3.3 to 3.11 and items 3.13 and 3.14), Dalglish, Fullerton, Mattos Coelho, Osler (items 1 to 3.8 and 3.11 to 3.15), Rae (items 2 to 6) and Neil Ross (items 3.9, 3.10 and 3.16 to 6).

### 1. Minutes

---

#### Decision

- 1) To approve the minute of the Licensing Sub-Committee of 6 March 2023 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 13 March 2023 as a correct record.

### 2. Parades and Processions

---

#### a) Pedal on Parliament

Details were provided of a proposed parade, "Pedal on Parliament" to be held on 22 April 2023. The relevant Council officers and Police Scotland were heard.

#### Decision

To make an Order in respect of the proposed Pedal on Parliament on 22 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) **Edinburgh and Lothians May Day Parade**

Details were provided of a proposed parade, "Edinburgh and Lothians May Day Parade" to be held on 6 May 2023. The relevant Council officers and Police Scotland were heard.

## **Decision**

To make an Order in respect of the proposed Edinburgh and Lothians May Day Parade on 6 May 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.

### **c) Edinburgh Covenanters 13<sup>th</sup> Anniversary Parade**

Details were provided of a proposed parade, "Edinburgh Covenanters 13<sup>th</sup> Anniversary Parade" to be held on 13 May 2023. The relevant Council officers and Police Scotland were heard.

## **Decision**

To make an Order in respect of the proposed Edinburgh Covenanters 13<sup>th</sup> Anniversary Parade on 13 May 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.

### **d) Beating Retreat**

Details were provided of a proposed parade, "Beating Retreat" to be held on 13 May 2023. The relevant Council officers and Police Scotland were heard.

## **Decision**

To make an Order in respect of the proposed Beating Retreat Parade on 13 May 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.

**e) Norwegian Constitution Day**

Details were provided of a proposed parade, “Norwegian Constitution Day” to be held on 17 May 2023. The relevant Council officers and Police Scotland were heard.

**Decision**

To make an Order in respect of the proposed Norwegian Constitution Day Parade on 17 May 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.

**f) The Distinguished Gentlemen’s Ride (Edinburgh Triumph)**

Details were provided of a proposed parade, “The Distinguished Gentlemen’s Ride (Edinburgh Triumph)” to be held on 21 May 2023. The relevant Council officers and Police Scotland were heard.

**Decision**

To make an Order in respect of the proposed The Distinguished Gentlemen’s Ride (Edinburgh Triumph) Parade on 21 May 2023 within the designated route and times imposing conditions that:

- 1) The parade shall proceed in accordance with the revised route (excluding Arthur’s Seat) 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.

**g) Apprentice Boys of Derry Street Procession**

Details were provided of a proposed parade, “Apprentice Boys of Derry Street Procession” to be held on 3 June 2023. The relevant Council officers and Police Scotland were heard.

**Decision**

To make an Order in respect of the proposed Apprentice Boys of Derry Street Procession on 3 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.

**h) Pride Edinburgh 2023**

Details were provided of a proposed parade, "Pride Edinburgh 2023" 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 Pride Edinburgh Parade 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.

**i) Boys Brigade**

The Convener ruled the following item of business, notice of which had been given at the start of the meeting, urgent to allow the Sub-Committee to give early consideration to the matter.

Details were provided of a proposed parade, "Boys Brigade" to be held on 21 May 2023. The relevant Council officers and Police Scotland were heard.

**Decision**

To make an Order in respect of the proposed Boys Brigade Parade on 21 May 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. Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006 – Applications for Miscellaneous Licences**

---

Details were provided of 23 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.)

#### **4. 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.

#### **5. Police Request for Suspension of Late Hours Catering Licence**

---

The Sub-Committee considered a request by the Police Scotland to suspend or revoke a Late Hours Catering Licence. The Head of Regulatory Services, Police Scotland, the licence holder and 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 Head of Regulatory Services, submitted)

#### **6. Application for Window Cleaner Licence (New)**

---

The Sub-Committee considered an application for a new Window Cleaner Licence. The Head of Regulatory Services, Police Scotland and the applicant's representatives were heard.

##### **Decision**

To determine the application as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

## APPENDIX

### Applications for Miscellaneous Licences

House in Multiple Occupation Licence (New)		
<b>3.2</b>	<p><b>Applicant</b> Mohamed Shoaira</p> <p><b>Agent</b> QB Wood Architects</p> <p><b>Premises</b> Flat 13, 8 Albion Gardens, Edinburgh</p>	<p>1) To agree to consider the application in the absence of the applicant.</p> <p>2) To <b>REFUSE</b> the application in terms of Section 1301(b) of the Housing Scotland Act 2006.</p>
<b>3.3</b>	<p><b>Applicant</b> Mrs Margaret Carter</p> <p><b>Premises</b> 63 St John's Road, Edinburgh</p>	<p>To <b>GRANT</b> 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)		
<b>3.4</b>	<p><b>Licence Holder</b> R J Butler Properties Ltd</p> <p><b>Agent</b> Scott Brown &amp; Chris Ritchie</p> <p><b>Premises</b> Flat 3F3, 1 Appin Terrace, Edinburgh</p>	<p>1) To <b>GRANT</b> the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.</p> <p>2) To note the undertaking from the agent to provide the objector with the contractor reports relating to the structure of the flooring.</p>
<b>3.5</b>	<p><b>Licence Holder</b> James and Jane Marsh</p> <p><b>Agent</b> Steven McGibbon, Clyde Property</p> <p><b>Premises</b> Flat 3F2, 19 Church Hill Place, Edinburgh</p>	<p>To <b>GRANT</b> the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.</p> <p style="color: red;"><b>See note 1 below</b></p>

### House in Multiple Occupation Licence (Renewal)

<p><b>3.6</b></p>	<p><b>Licence Holder</b> Khanna Narravula</p> <p><b>Premises</b> Flat 2F1, 5 Lauriston Park, Edinburgh</p>	<p>To <b>CONTINUE</b> consideration of the application to the next meeting of the Licensing Sub-Committee on 15 May 2023 to allow the Head of Regulatory Services to review and report back on all the additional documentation submitted by the Licence Holder.</p>
<p><b>3.7</b></p>	<p><b>Licence Holder</b> Alan Neil Buchanan</p> <p><b>Agent</b> Alan W Nash</p> <p><b>Premises</b> Flat 3F3, 52 Marchmont Crescent, Edinburgh</p>	<p>1) To note that the objector had withdrawn his objection.</p> <p>2) To <b>GRANT</b> the licence for a period of 3 years subject to the Council's standard conditions for this category of licence.</p>
<p><b>3.8</b></p>	<p><b>Licence Holder</b> Charles Joseph Cave</p> <p><b>Agent</b> Barry Kirk, D J Alexander</p> <p><b>Premises</b> Flat 4F2, 15 Warrender Park Terrace, Edinburgh</p>	<p>To <b>GRANT</b> the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.</p>

### Second Hand Dealer Licence (New)

<p><b>3.9</b></p>	<p><b>Applicant</b> Basement Bike Brothers Ltd</p> <p><b>Manager</b> Adam Urquhart</p> <p><b>Premises</b> 6 Dick Place, Edinburgh</p>	<p>To <b>CONTINUE</b> consideration of the application to the next meeting of the Licensing Sub-Committee on 15 May 2023 to allow the applicant to attend.</p>
-------------------	---	--

### Second Hand Dealer Licence (New)

<b>3.10</b>	<b>Applicant</b> Florin Cars Ltd <b>Manager</b> Florin Caldarar <b>Premises</b> Flat 1, 18 Bailie Terrace, Edinburgh	To <b>CONTINUE</b> consideration of the application to the next meeting of the Licensing Sub-Committee on 15 May 2023 to allow the applicant to attend.
-------------	--	---

### Caravan Site Licence (New)

<b>3.11</b>	<b>Applicant</b> Social Bite Fund <b>Manager</b> Jamie Boyd <b>Premises</b> 20 West Shore Road, Edinburgh	To <b>GRANT</b> the licence subject to the standard conditions for this category of licence.
-------------	---	--

### Public Entertainment Licence (Temporary)

<b>3.12</b>	<b>Applicant</b> Beltane Fire Society Ltd <b>Manager</b> Tom Watton <b>Location</b> Calton Hill, Edinburgh <b>Event Dates</b> 30.04.23 to 01.05.23 <b>Requested Hours</b> 15:00 on 30.04.23 to 02:00 on 01.05.23	To <b>GRANT</b> the licence subject to the standard conditions for this category of licence.
-------------	--	--



### Market Operator Licence (Temporary)

<b>3.13</b>	<p><b>Applicant</b> Beltane Fire Society Ltd</p> <p><b>Manager</b> Tom Watton</p> <p><b>Location</b> Calton Hill, Edinburgh</p> <p><b>Event Dates</b> 30.04.23 to 01.05.23</p> <p><b>Requested Hours</b> 17:00 on 30.04.23 to 02:00 on 01.05.23</p>	<p>To <b>GRANT</b> the licence subject to the standard conditions for this category of licence.</p>
-------------	---	---

### Street Trader Licence (Renewal)

<b>3.14</b>	<p><b>Licence Holder</b> Edinburgh Bus Tours Ltd</p> <p><b>Manager</b> Craig McCafferty</p> <p><b>Location</b> Waverley Bridge, St Andrew's Square, Edinburgh</p>	<p>To <b>RENEW</b> the licence with the variation to include South Waterloo Place subject to the standard conditions for this category of licence.</p>
-------------	---	--

### Street Trader Licence (Variation)

<b>3.15</b>	<p><b>Licence Holder</b> Edinburgh Bus Tours Ltd</p> <p><b>Manager</b> Craig McCafferty</p> <p><b>Location</b> Waverley Bridge, St Andrew's Square, Edinburgh</p> <p><b>Requested Variation</b></p>	<p>To <b>VARY</b> the licence to include South Waterloo Place subject to the standard conditions for this category of licence.</p> <p><b>Note:</b> To note that Transport and Licensing Enforcement officers would continue to monitor the locations and report back any issues to the Sub-Committee.</p>
-------------	---	---

	To include South Waterloo Place	
<b>Late Hours Catering Licence (New)</b>		
<b>3.16</b>	<p><b>Applicant</b> Mrs Zozan Sultan</p> <p><b>Agent</b> Alistair Macdonald</p> <p><b>Premises</b> 9 Bread Street, Edinburgh</p> <p><b>Requested Hours</b> Sun-Thu 23:00 to 02:00 Fri-Sat 23:00 to 03:00</p>	To <b>GRANT</b> the licence for the hours Sun-Thu 23:00 to 02:00 and Fri-Sat 23:00 to 03:00 subject to the standard conditions for this category of licence.
<b>3.17</b>	<p><b>Applicant</b> Raj Islam</p> <p><b>Agent</b> Alistair Macdonald</p> <p><b>Premises</b> 16 Elm Row, Edinburgh</p> <p><b>Requested Hours</b> Sun-Thu 23:00 to 01:00 Fri-Sat 23:00 to 02:00</p>	To <b>GRANT</b> the licence for the hours Sun-Thu 23:00 to 01:00 and Fri-Sat 23:00 to 02:00 subject to the standard conditions for this category of licence.
<b>3.18</b>	<p><b>Applicant</b> Bar Napoli Ltd</p> <p><b>Agent</b> Alistair Macdonald</p> <p><b>Premises</b> 106 Rose Street, Edinburgh</p>	To note that the application had been <b>WITHDRAWN</b> at the request of the applicant's agent.

## Short Term Lets Licence (New)

<p><b>3.19</b></p>	<p><b>Applicant</b> Susan McCanny</p> <p><b>Premises</b> 10 Bell's Brae, Dean Village, Edinburgh</p>	<p>To <b>CONTINUE</b> consideration of the application to the next meeting of the Licensing Sub-Committee on 15 May 2023 at the request of the applicant's agent.</p>
<p><b>3.20</b></p>	<p><b>Applicant</b> Adam Jack</p> <p><b>Premises</b> Flat 1F3, 14 Brunton Place, Edinburgh</p>	<p>To <b>CONTINUE</b> consideration of the application to the next meeting of the Licensing Sub-Committee on 15 May 2023 to allow the applicant to attend.</p>
<p><b>3.21</b></p>	<p><b>Applicant</b> Noel Dumortier</p> <p><b>Premises</b> 29 Carlyle Place, Edinburgh</p>	<p>To <b>GRANT</b> 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><b>3.22</b></p>	<p><b>Applicant</b> Iona &amp; Antony Pollok</p> <p><b>Premises</b> Flat 8, 47 Marchmont Crescent, Edinburgh</p>	<p>To <b>GRANT</b> 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><b>3.23</b></p>	<p><b>Applicant</b> Rosanne Erskine</p> <p><b>Premises</b> 37 Regent Street, Edinburgh</p>	<ol style="list-style-type: none"> <li>1) To agree to consider the application in the absence of the applicant.</li> <li>2) To accept the objection which had been submitted outwith the statutory time limit.</li> <li>3) To <b>GRANT</b> the licence for a period of three years subject to the mandatory conditions and the Council's standard conditions for this category of licence.</li> </ol>

## Short Term Lets Licence (New)

<b>3.24</b>	<b>Applicant</b> Ewan McFarlane  <b>Premises</b> 9 Shrubhill, Edinburgh	1) To agree to consider the application in the absence of the applicant.  2) To <b>GRANT</b> 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 1

#### House in Multiple Occupation Licence (Renewal) – Flat 3F2, 19 Church Hill Place, Edinburgh

##### Motion

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

- moved by Councillor Mowat, seconded by Councillor Fullerton

##### Amendment

To **REFUSE** the licence in terms of Section 1301(b) of the Housing (Scotland) Act 2006.

- moved by Councillor Caldwell, seconded by Councillor Dalgleish

##### Voting

For the motion - 5 votes

For the amendment - 2 votes

(For the motion – Councillors Fullerton, Mattos Coelho, Mowat, Osler and Rae.

For the amendment – Councillors Caldwell and Dalgleish.)

##### Decision

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