

Minutes

Licensing Sub-Committee of the Regulatory Committee

9:30am, Monday 15 May 2023

Present

Councillors Mowat (Convener), Booth (substituting for Councillor Rae on items 5.9-5.12) Caldwell (4.1-2.29), Dalgleish (substituting for Councillor Graham), Fullerton (with the exception of items 4(c) and 5.20), Mattos Coelho (Items 1.1-5.19, 5.21, 5.22, 5.24-5.26), Rae (Items 1.1-5.8, 5.13-5.24, 5.27-5.29) and Neil Ross.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 17 April 2023 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 18 April 2023 as a correct record.

2. Parades and Processions

a) Edinburgh Taxi Trade Children's Outing – 13 June 2023

Details were provided of a proposed parade, "Edinburgh Taxi Trade Children's Outing to be held on 13 June 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Edinburgh Taxi Trade Children's Outing on 13 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 standard conditions recommended by the Council's Head of Regulatory Services shall be applied.
- b) **Edinburgh World Naked Bike Ride – 8 July 2023**
- Details were provided of a proposed parade, "Edinburgh World Naked Bike Ride" to be held on 8 July 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Edinburgh World Naked Bike Ride on 8 July 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 standard conditions recommended by the Council's Head of Regulatory Services shall be applied.

c) Edinburgh Festival Carnival – 16 July 2023

Details were provided of a proposed parade, "Edinburgh Festival Carnival" to be held on 16 July 2023. The relevant Council officers and Police Scotland were heard.

Decision

To delegate authority to the Head of Regulatory Services to determine following resolution of any outstanding issues at EPOG.

Declaration of Interest

Councillor Fullerton made a transparency statement in respect of the above item as a Board Member of the Edinburgh International Jazz and Blues Festival Board of Directors, left the room, and took no part in the decision on the item.

d) Edinburgh Rathayatra Festival 2023 – 16 July 2023

Details were provided of a proposed parade, "Edinburgh Rathayatra Festival 2023" to be held on 16 July 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Edinburgh Rathayatra Festival 2023 on 16 July 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 standard conditions recommended by the Council's Head of Regulatory Services shall be applied.

e) 2023 UCI Cycling World Championships – Elite Men's Road Race – 6 August 2023

Details were provided of a proposed parade, "2023 UCI Cycling World Championships – Elite Men's Road Race" to be held on 6 August 2023. The relevant Council officers and Police Scotland were heard.

Decision

To delegate authority to the Head of Regulatory Services to determine following resolution of any outstanding issues at EPOG.

f) Gumball 3000 Ltd

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, “Gumball 3000 Ltd to be held on 10 and 11 June 2023. The relevant Council officers and Police Scotland were heard.

Decision

To make an Order in respect of the proposed Gumball 3000 Ltd to be held on 10 and 11 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 standard conditions recommended by the Council’s Head of Regulatory Services shall be applied.

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

3. Use of Urgency Provision of Standing Orders to Grant Market Operator’s Licence – Edinburgh Seafood Festival

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.

Decision

To note the action taken by the Executive Director of Place, in consultation with the Convener, under urgency provisions to grant a temporary Market Operators Licence for Edinburgh Seafood Festival for the period of 31 March 2023 to 2 April 2023.

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

4. Application for House in Multiple Occupation Licence – Acorn Lodge, 26 Pilrig Street, Edinburgh

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.

Decision

To agree 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 for a period of 3 years.

(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 28 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

House in Multiple Occupation Licence (New)		
5.2	<p>Applicant Laura Christina Compton</p> <p>Agent HMO Scotland Ltd</p> <p>Location 2f2, 137 Warrender Park Road, Edinburgh, EH9 1DS</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)		
5.3	<p>Licence Holder Anna Jane Renton</p> <p>Premises 3f1, 7 Hermand Terrace, Polwarth</p>	<p>To RENEW the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p> <p>Note: To note the undertaking from the agent to repair the main door closer</p>
5.4	<p>Licence Holder Khanna Narravula</p> <p>Premises 2f1, 5 Lauriston Park, Edinburgh</p>	<p>To CONTINUE consideration of the application to the next meeting of the Licensing Sub-Committee on 13 June 2023 to allow the applicant to respond to the inspection notice issued by the Licensing Team.</p>
5.5	<p>Licence Holder Alexander Graham Eaton</p> <p>Premises 1f1, 80 Leamington Terrace, Edinburgh</p>	<p>To RENEW the licence for a period of one year only subject to the standard conditions for this category of licence.</p>

House in Multiple Occupation Licence (Renewal)

5.6	Licence Holder Deeforth Limited Location 3f3, 11 Temple Park Crescent, Edinburgh	To RENEW the licence for a period of 3 years subject to the standard conditions for this category of licence. Note: To note that an inspection of the door closers will be undertaken.
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House in Multiple Occupation Licence (New)

5.7	Applicant Macrae Properties Ltd Agent Barry Kirk Premises 1f1, 1 Easter Road, Albion, Edinburgh	To GRANT the licence for a period of 1 year subject to the Council's standard conditions for this category of licence.
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House in Multiple Occupation Licence (Renewal)

5.8	Licence Holder Kenneth Nicol Agent James Drynan Premises 1f1, 137 Warrender Park Road, Edinburgh	To RENEW the licence for a period of 3 years subject to the standard conditions for this category of licence.
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Short Term Lets Licence (New)

5.9	Applicant Susan McCanny Premises 10 Bell's Brae, Dean, Edinburgh	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.
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<p>5.10</p>	<p>Applicant Adam Jack</p> <p>Premises 1f3, 14 Brunton Place, Broughton, Edinburgh</p>	<p>1) To agree to consider the application in the absence of the applicant.</p> <p>2) To decline to accept the objection which had been submitted outwith the statutory time limits.</p> <p>3) 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>5.11</p>	<p>Applicant Marius Richter</p> <p>Agent Sophie Bridger</p> <p>Premises 1f2, 57 Restalrig Road, Lochend, Edinburgh</p>	<p>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.</p> <p>(on a division)</p> <p>See note 1 below.</p>
<p>5.12</p>	<p>Applicant Tom Aitchison</p> <p>Agent Lucy Aitchison</p> <p>Premises Flat 9, 6 New Mart Gardens, Slateford, 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>5.13</p>	<p>Applicant James Green</p> <p>Premises 12a Cumberland Street, Stockbridge, Edinburgh</p>	<p>To CONTINUE consideration of the application to the next meeting of the Licensing Sub-Committee on 13 June 2023 to allow the applicant to attend.</p>
<p>5.14</p>	<p>Applicants Ailsa Angharad Jane Campbell</p> <p>Premises 1f1, 74 Dublin Street, 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>

Second Hand Dealer Licence (New)

5.15	<p>Applicant Basement Bike Brothers Ltd</p> <p>Manager Adam Urquhart</p> <p>Premises 6 Dick Place, 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 subject to the Council's standard conditions for this category of licence.
5.16	<p>Applicant Florin Cars Ltd</p> <p>Manager Florin Caldarar</p> <p>Premises Flat 1, 18 Bailie Terrace, Edinburgh</p>	<ol style="list-style-type: none"> 1) To agree to consider the application in the absence of the applicant. 2) To REFUSE the application in terms of Paragraph 5(3) (c)(i) and (d) of Schedule 1 of the Civic Government (Scotland) Act 1982.
5.17	<p>Applicant Peter Vardy Limited</p> <p>Manager Derek Lyon</p> <p>Premises 20b Seafield Road East, Edinburgh</p>	To GRANT the licence subject to the standard conditions for this category of licence.
5.18	<p>Applicant Peter Vardy Limited</p> <p>Manager Johnny Kildare</p> <p>Premises 20c Seafield Road East, Edinburgh</p>	To GRANT the licence subject to the standard conditions for this category of licence.
5.19	<p>Applicant Peter Vardy Limited</p> <p>Manager Michael Breen</p>	To GRANT the licence subject to the standard conditions for this category of licence

	Premises 24 Seafield Road East, Edinburgh	
Public Entertainment Licence (Temporary)		
5.20	<p>Applicant Edinburgh Jazz & Blues Festival</p> <p>Manager Fiona Alexander Giles Asis</p> <p>Location West Princes Street Gardens, Princes Street, Edinburgh</p>	<p>To delegate authority to the Head of Regulatory Services to determine the application following resolution of any outstanding issues at EPOG.</p> <p>Declaration of Interest</p> <p>Councillor Fullerton made a transparency statement in respect of the above item as a Board Member of the Edinburgh International Jazz and Blues Festival Board of Directors, left the room, and took no part in the decision on the item.</p>
5.21	<p>Applicant The Royal Edinburgh Military Tattoo</p> <p>Manager Col (Retd) Edward Fenton DSO</p> <p>Location Castle Esplanade, Edinburgh</p>	<p>To GRANT the licence subject to the standard conditions for this category of licence.</p>
5.22	<p>Applicant Regular Music</p> <p>Manager John Stout</p> <p>Location Leith Links Public Park, Leith Links, Edinburgh</p>	<p>To GRANT the licence subject to the standard conditions for this category of licence.</p>
5.23	<p>Applicant Gumball 3000 Entertainment Ltd</p> <p>Manager Ella Clayton</p> <p>Location</p>	<p>To GRANT the temporary public entertainment licence subject to the standard conditions for this category of licence.</p> <p>Note:</p> <p>To note the organisers would provide residents of the area with a phone number they could contact the</p>

	George Street and Hanover Street	organisers with.
Street Trader Licence (New)		
5.24	<p>Licence Holder Marek Swiatek</p> <p>Interpreter Lukasz Pulawski</p> <p>Location Castle Street, Edinburgh</p>	To REFUSE the application in terms of Paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.
5.25	<p>Licence Holder Mariola Kasprzak</p> <p>Location 1 Rutland Street, Edinburgh</p>	To GRANT the licence subject to the standard conditions for this category of licence for a period of 6 months.
Street Trader Licence (Variation)		
5.26	<p>Licence Holder Edinburgh Bus Tours Ltd</p> <p>Manager Craig Andrew McCafferty</p> <p>Location Lawnmarket, Edinburgh</p>	To REFUSE the application in terms of Paragraph 5(3)(c) (i) and Paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.
Late Hours Catering Licence (New)		
5.27	<p>Applicant Yum Yum Food Shop Ltd</p> <p>Manager Musa Doski</p> <p>Agent Alistair Macdonald, Macdonald</p>	To GRANT the licence for the hours Sun-Thurs 11:00-01:00 and Fri-Sat 11:00-02:00 subject to the Council's standard conditions for this category of licence.

	Licensing Premises 63a Cockburn Street, Edinburgh	
5.28	Applicant Amarjit Singh Agent Alistair Macdonald, Macdonald Licensing Premises 25-26 Elm Row, Edinburgh	To GRANT the licence for the hours Sun-Thurs 23:00-05:00 and Fri-Sat 23:00-05:00 subject to the Council's standard conditions for this category of licence. Note: To note the undertaking that hot food would not be served during these hours.
Late Hours Catering Licence (Renewal)		
5.29	Applicant MIHA Ltd Manager Mujahed Abu- Kasem Agent Alistair Macdonald, Macdonald Licensing Premises 14 South Bridge, Edinburgh	To RENEW the licence for the hours Sun-Thurs 23:00-02:00 and Fri-Sat 23:00-03:00 subject to the Council's standard conditions for this category of licence for a period of one year.

Note 1

Short Term Lets Licence (New) – Flat 1F2, 57 Restalrig Road, 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 Mattos Coelho

Amendment

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

- moved by Councillor Fullerton, seconded by Councillor Ross

Voting

For the motion - 4 votes

For the amendment - 3 votes

(For the motion – Councillors Booth, Dalgleish, Mattos Coelho and Mowat.

For the amendment – Councillors Caldwell, Fullerton and Ross.)

Decision

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