

Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday 15 January 2024

Present

Councillors Mowat (Convener), Caldwell (except items 4.26-4.28 and 4.38), Dixon (except items 4.5-4.7), Graham (except item 4.9, 4.28 and 4.38), Mattos Coelho (items 1- 4.22) Ross, Work (from item 4.2-4.38) and Walker (from item 4.23)

1. Minutes

Decision

To approve the minute of the Licensing Sub-Committee of 11 December 2023 as a correct record.

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

Details were provided of 38 applications for miscellaneous licences. The applicants and their agents were heard.

Decision

To determine the applications as detailed in the Appendix 1 to this minute.

(Reference – Appendix 1, submitted.)

Declarations of Interests

Councillor Graham declared a non-financial interest in item 4.9 – Late Hours Catering Licence (New) – 48 George IV Bridge – as she was an objector to the application. She left the room and took no part in the decision.

Councillor Graham declared a non-financial interest in items 4.28 and 4.38 – Short Term Lets Licence (New) – Flat 8, 7 Simpson Loan and Flat 52, 10 Simpson Loan – Late Hours Catering Licence (New) – 48 George IV Bridge – as she had been in email conversations with a resident and had expressed a view prior to the recent judgement from the judicial review. She left the room and took no part in the decision.

3. 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 (Item 4) 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 7(A) of the Act.

4. Applications to Vary conditions of Taxi and Private Hire Car Licences - Exemption to Policy

The Regulatory Committee had agreed to amend its policy and licensing conditions regarding the age and emissions standards of licenced vehicles in Edinburgh's Taxi and Private Hire Car fleet at its meeting on 16 March 2018.

5 requests had been received for exemptions to this policy. The licence holders, agents and relevant Council officers were heard.

Decision

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

(Reference – Regulatory Committee 16 March 2018 (item 1); report by the Head of Regulatory Services, submitted)

APPENDIX 1

Applications for Miscellaneous Licences

House In Multiple Occupation Licence (New)		
4.1	<p>Applicant Dheeraj Kumar / Nasir Ghafoor</p> <p>Premises Flat 8, 182 Greendykes Road</p>	<p>To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence and the following further conditions.</p> <ul style="list-style-type: none"> i) The applicant will provide the neighbours within the stairwell with a 24-hour contact number. ii) Officers will carry out an inspection at the property to understand the nature of the rear door complaint
House In Multiple Occupation Licence (Renewal)		
4.2	<p>Licence Holder Bonnie Thistle Ltd</p> <p>Premises 1f1, 7 Coates Place</p> <p>Agent Emma Naylor - Umega Lettings</p>	<ul style="list-style-type: none"> 1) To AGREE to consider the late objection. 2) To GRANT the licence for a period of one year subject to the Council's standard conditions for this category of licence.
4.3	<p>Licence Holder Bonnie Thistle Ltd</p> <p>Premises 1f2, 7 Coates Place</p> <p>Agent Katrin O'Neill - Umega Lettings</p>	<ul style="list-style-type: none"> 1) To AGREE to consider the late objection. 2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.
4.4	<p>Licence Holder Bonnie Thistle Ltd</p> <p>Premises 2f1, 7 Coates Place</p>	<ul style="list-style-type: none"> 1) To AGREE to consider the late objection. 2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.

	Agent Katrín O'Neill - Umega Lettings	
4.5	Licence Holder Bonnie Thistle Ltd Premises 2f2, 7 Coates Place Agent Katrín O'Neill - Umega Lettings	1) To AGREE to consider the late objection. 2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.
4.6	Licence Holder Bonnie Thistle Ltd Premises 3F1, 7 Coates Place Agent Katrín O'Neill - Umega Lettings	1) To AGREE to consider the late objection. 2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.
4.7	Licence Holder Bonnie Thistle Ltd Premises 3F2, 7 Coates Place Agent Katrín O'Neill - Umega Lettings	1) To AGREE to consider the late objection. 2) To GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.
Street Trader Licence (Renewal)		
4.8	Applicant Mariola Kasprzak Location STREET RECORD 1 Rutland Street	To GRANT the licence subject to the standard conditions for this category of licence.
Late Hours Catering Licence (New)		
4.9	Applicant Sevgan Sitki	To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 30 January 2024 at the request of the agent.

	<p>Location 48 George Iv Bridge</p>	<p>Declaration of Interest</p> <p>Councillor Graham declared an interest (non-financial) on Item 4.9 – Late Hours Catering Licence (New) – 48 George IV Bridge - as she was an objector to the application. She left the room and took no part in the decision.</p>
4.10	<p>Applicant S & W Edin Ltd</p> <p>Manager Muhammad Umar Maqsood</p> <p>Location 9-11 Frederick Street</p>	<p>To GRANT the licence for the hours Monday – Sunday 2300–0500 subject to the standard conditions for this category of licence</p>
4.11	<p>Applicant Rose Street Chippery Limited</p> <p>Manager Raheel Ali Munawar</p> <p>Location 106 Rose Street</p>	<p>To GRANT the licence for the hours Sunday – Thursday 2300-0200 Friday - Saturday 2300 – 0300 subject to the standard conditions for this category of licence.</p>
4.12	<p>Applicant Ammar Othman</p> <p>Location 21 Forest Road</p>	<p>To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 29 January 2024 at the request of the agent.</p>
Late Hours Catering Licence (Renewal)		
4.13	<p>Applicant Qaiser Ali</p> <p>Location 27 Grassmarket</p>	<p>To GRANT the licence for the hours Monday to Sunday 2300-0200 subject to the standard conditions for this category of licence.</p>

Late Hours Catering Licence (Variation)

4.14	<p>Applicant Kaiser Ali</p> <p>Location 27 Grassmarket</p>	To GRANT the licence for the hours Monday to Sunday 2300-0500 subject to the standard conditions for this category of licence and a further condition that no hot food is to be sold after 0100 Sunday to Thursday and after 0200 on a Friday and Saturday.
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Second Hand Dealer Licence (New)

4.15	<p>Applicant Lomond Motors (East) Limited</p> <p>Location 4 Bankhead Drive Edinburgh</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence.
4.16	<p>Applicant MIRIY Ltd</p> <p>Manager Yazan Miri</p> <p>Location 3 Fernieflat Neuk</p>	To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 29 January 2024 to allow the applicant to attend.
4.17	<p>Applicant Evans Halshaw Ltd</p> <p>Manager Thomas McNally</p> <p>Location 2 Cultins Road</p>	To GRANT the licence subject to the Council's standard conditions for this category of licence.
4.18	<p>Applicant Motorchoice (Scotland) Ltd</p> <p>Manager James Alexander Henderson</p> <p>Location 107 Glasgow Road</p>	To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 29 January 2024 to allow the applicant to attend.

4.19	Applicant Jason Singh	To GRANT the licence subject to the Council's standard conditions for this category of licence.
4.20	Applicant Alistair Mackinnon Location Unit 4, 2 Clockmill Lane	To GRANT the licence subject to the Council's standard conditions for this category of licence.
Short Term Lets Licence (New)		
4.21	Applicant Sean Greenhorn Premises Flat 2, 3 Newhaven Place	To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 29 January 2024 to allow the applicant to attend. PART HEARD
4.22	Applicant Abbey Dougall Premises Flat 59, 89 Holyrood Road	To GRANT the licence subject to the Council's standard conditions for this category of licence.
4.23	Applicant Calum Bryson Thomson Premises 1f2, 12 Hart Street	To GRANT the licence subject to the Council's standard conditions for this category of licence.
4.24	Applicant Natalie Roberta Frendo-Cumbo Premises PF1, 19 Dean Bank Lane	To GRANT the licence for a period of six months subject to the Council's standard conditions for this category of licence.
4.25	Applicant Patricia Watson Premises 10 Nether Craigwell	To GRANT the licence subject to the Council's standard conditions for this category of licence.

<p>4.26</p>	<p>Applicant Sarah Vivien Fleming Premises 4 Avondale Place</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
<p>4.27</p>	<p>Applicant Clare Curle Lamont Premises 26 Collins Place</p>	<p>1) To AGREE to consider the late objection. 2) To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
<p>4.28</p>	<p>Applicant David Beare Premises Flat 8, 7 Simpson Loan</p>	<p>To GRANT the licence for a period of six months subject to the Council's standard conditions for this category of licence. (on a division) See note 1 below Declaration of Interest Councillor Graham declared an interest (non-financial) in respect of the above item - as a councillor who has been in discussion with residents regarding the application. She left the room and took no part in the decision.</p>
<p>4.29</p>	<p>Applicant John Whybrow Premises 75 Carrick Knowe Avenue</p>	<p>To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 29 January 2024 to allow the applicant to attend.</p>
<p>4.30</p>	<p>Applicant Grant McGowan Premises 3f1, 35 Salamander Place</p>	<p>To GRANT the licence for a period of six months subject to the Council's standard conditions for this category of licence.</p>
<p>4.31</p>	<p>Applicant Cedric Pastorelli Premises Flat 3, 3 Carmichael Place</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>

<p>4.32</p>	<p>Applicant Antonis Demetriou</p> <p>Manager Alexander Limpert</p> <p>Premises Flat 14, 6 Hatters Lane</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
<p>4.33</p>	<p>Applicant Rupert Pitt</p> <p>Premises 18 York Road</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
<p>4.34</p>	<p>Applicant Elton Jose Gomes Dos Santos</p> <p>Premises Flat 1, 3 Gentle's Entry</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
<p>4.35</p>	<p>Applicant Gabriele Caracciolo</p> <p>Premises Flat 1, 8 Hawkhill Close</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p>
<p>4.36</p>	<p>Applicant Thorbjorn Waal Lundsgaard</p> <p>Premises Flat 60, 89 Holyrood Road</p>	<p>To CONTINUE consideration of this application to the next meeting of the Licensing Sub-Committee on 29 January 2024 to allow the applicant to attend.</p>
<p>4.37</p>	<p>Applicant Brian Ramsay Thomson</p> <p>Premises Flat 2, 5 Western Harbour Way</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence</p>

4.38	<p>Applicant Carina Krage Sevnsen</p> <p>Premises Flat 52, 10 Simpson Loan</p>	<p>To GRANT the licence subject to the Council's standard conditions for this category of licence.</p> <p>Declaration of Interest</p> <p>Councillor Graham declared an interest (non-financial) in respect of the above item - as a councillor who has been in discussion with residents regarding the application. She left the room and took no part in the decision.</p>
End of Business		

Note 1

Short Term Lets Licence (New) – Flat 8, 7 Simpson Loan

Motion

To grant the licence for a period of six months subject to the Council's standard conditions for this category of licence.

- moved by Councillor Mowat, seconded by Councillor Walker

Amendment

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 Ross, seconded by Councillor Work

Voting

For the motion - 3 votes

For the amendment - 2 votes

(For the motion – Councillors Dixon, Mowat and Walker

For the amendment – Councillors Ross and Work

Decision

To **GRANT** the licence for a period of 6 months subject to the Council's standard conditions for this category of licence.