

## Licensing Sub-Committee of the Regulatory Committee

9:30am, Tuesday 18 June 2024

### Present

Councillors Mowat (Convener), Caldwell, Dixon, Graham, Pogson (substituting for Councillor Walker), Mattos-Coelho (items 1-6 (except items 5.13 and 5.14, and the additional item in Appendix 1), Ross, Rae (items 6-12) and Work (except the additional item in Appendix 1).

### 1. Order of Business

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An additional report – House in Multiple Occupation Licence Application – 29 Crichton Place, – Report by the Head of Regulatory Services was ruled urgent by the Convener in order for it to be considered as part of the agenda for this meeting.

### 2. Proposed Parades – July 2024

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Details were provided of a proposed parade, “Edinburgh World Naked Bike Ride”, to be held on 7 July 2024. The relevant Council officers, the Event Organisers and Police Scotland were heard.

### Decision

To make an order in respect of the proposed Edinburgh World Naked Bike Ride parade on 7 July 2024 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. Use of Urgency Provision of Standing Orders to Allow Processions – Palestine

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Details were provided of notifications received by the Licensing Service in 2024 for planned processions, and the use of the urgency provision within the scheme of delegation to deal with these notifications.

### Decision

- 1) To note that, following consultation with the Convener, the Executive Director of Place used the delegation to waive the statutory 28 day notice period and attach the Council's standard conditions to the subsequent processions.
  - 2) To note the report by the Head of Regulatory Services.
- (Reference – report by the Head of Regulatory Services, submitted.)

#### **4. Request for Fee Refund – Public Entertainment Licence – Sea Rising Festival (22 June)**

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A temporary Public Entertainment Licence application had been received from the a representative of the Sea Rising Festival for the event on 22 June 2024. The representative had written to request that the Licensing Sub-Committee consider refunding the fee for this application.

##### **Motion**

- 1) To note the terms of the request.
  - 2) To **GRANT** a 50% fee refund.
- moved by Councillor Ross, seconded by Councillor Dixon

##### **Amendment**

- 1) To note the terms of the request.
  - 2) To **GRANT** the request for a fee waiver.
- moved by Councillor Graham, Seconded by Councillor Work

##### **Voting**

For the motion - 4 votes  
For the amendment - 4 votes

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

For the amendment – Councillors Graham, Mattos-Coelho, Pogson and Work.)

In the division, 4 members having voted for the motion and 4 members for the amendment, the Convener gave her casting vote for the motion.

##### **Decision**

- 1) To note the terms of the request.
  - 2) To **GRANT** a 50% fee refund.
- (Reference – report by the Head of Regulatory Services, submitted.)

#### **5. Request for Fee Waivers – Public Entertainment Licences/Market Operator Licences – Edinburgh Festival Fringe Society**

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Temporary Public Entertainment Licence and Market Operator Licence applications had been received from the Edinburgh Festival Fringe Society ('the Society') for August 2024. The Society had written to request that the Licensing Sub-Committee consider waiving the fees for these licences.

### **Motion**

- 1) To note the terms of the request.
- 2) To **REFUSE** the request for a fee waiver.

- moved by Councillor Ross, Seconded by Councillor Dixon

### **Amendment**

- 1) To note the terms of the request.
- 2) To **GRANT** a 50% fee refund.

- moved by Councillor Mattos Coelho, seconded by Councillor Caldwell

### **Voting**

For the motion - 6 votes

For the amendment - 2 votes

(For the motion – Councillors Dixon, Graham, Mowat, Pogson, Ross and Work.

For the amendment – Councillors Caldwell and Mattos-Coelho.)

### **Decision**

- 1) To note the terms of the request.
- 2) To **REFUSE** the request for a fee waiver.#

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

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

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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 1 to this minute.

(Reference – Appendix 1, submitted.)

## **7. Market Operators Licence (Temporary) – Street Record, Hunter Square, Edinburgh**

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### **Motion**

To **DELEGATE** the decision to grant the licence to officers.

- moved by Councillor Mowat, seconded by Councillor Dixon

### **Amendment**

To **REFUSE** the application in terms of Paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.

-moved by Councillor Graham, seconded by Councillor Ross

### **Voting**

For the motion - 4 votes

For the amendment - 5 votes

(For the motion – Councillors Dixon, Mattos-Coelho, Mowat and Work.

For the amendment – Councillors Caldwell, Graham, Pogson, Rae and Ross.)

### Decision

To **REFUSE** the application in terms of Paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.

## 8. Applications to Vary the Conditions of Taxi or Private Hire Car Licences: Exemption to Policy

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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.

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

### Decision

1	<b>24</b> <b>MATSFORM LIMITED</b> <b>Mr Markos Akgun</b>	<b>WITHDRAWN</b> by the applicant
2	<b>429</b> <b>PARK COURT TAXIS LTD</b> <b>Mr Jaswinder Singh</b>	<b>WITHDRAWN</b> by the applicant
3	<b>1100</b> <b>COVENESS LIMITED</b> <b>Mr Robert Young Turnbull</b>	To <b>VARY</b> the licence conditions to allow an exemption to policy until 31 2024.
4	<b>1159</b> <b>Raebill Taxis</b> <b>Mr Niall Wallace</b>	To <b>CONTINUE</b> consideration of the application to a future meeting of the Sub-Committee.

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

## 9. Resolution to Consider in Private

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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 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.

## 10. Police Requests for Suspension or Revocation of Licence

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The Sub-Committee considered a request for suspension of Taxi and Private Hire Driver's Licences. The Head of Regulatory Services, Police Scotland, the licence holders, applicants and agents were heard.

### **Decision**

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

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

## 11. Suspension or Revocation of Licence

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The Sub-Committee considered a request for suspension of Taxi and Private Hire Driver's Licences. The Head of Regulatory Services, Police Scotland, the licence holders, applicants and agents were heard.

### **Decision**

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

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

## 12. Private Hire Vehicle Drivers Licence

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Details were provided of an application to grant or renew a Taxi Driver Licence. The Head of Regulatory Services, Police Scotland, the licence holder, applicant and agent were heard.

### **Decision**

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

## APPENDIX 1

### Applications for Miscellaneous Licences

Short Term Lets and HMO Licences		
<b>5.1</b>	<b>Short Term Lets Licence (New)</b> - Flat 4, 3 Heriot Bridge,	To <b>GRANT</b> the licence for a period of three years subject to the Council's standard conditions for this category of licence.
<b>5.2</b>	<b>House In Multiple Occupation Licence (New)</b> - 3f2, 19 Church Hill Place	To <b>GRANT</b> the licence for a period of one year subject to the mandatory conditions and the Council's standard conditions for this category of licence.
<b>Additional Item</b>	<b>House In Multiple Occupation Licence (New)</b> - 3f2, 19 Church Hill Place	To <b>CONTINUE</b> consideration of the application to a future meeting of the Sub-Committee to allow the applicant to submit neighbour consent letters.
<b>5.3</b>	<b>Street Trader Licence (New)</b> - Street Record, Frederick Street,	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.
<b>5.4</b>	<b>Street Trader Licence (New)</b> - Street Record, Castle Street	To <b>DELEGATE</b> the decision to grant the licence to officers after further investigation.
<b>5.5</b>	<b>Street Trader Licence (Variation)</b> - Street Record, Lauriston Place,	To <b>CONTINUE</b> the case until the July committee to allow applicant the opportunity to attend
<b>5.6</b>	<b>Street Trader Licence (Renewal)</b> - Waverley Bridge	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence and the following additional condition: the maximum number of employees selling tickets at each location at any one time shall be 7.

<b>5.7</b>	<b>Late Hours Catering Licence (New) - 86</b> Nicolson Street	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence.
<b>5.8</b>	<b>Late Hours Catering Licence (New) - 252</b> Gorgie Road,	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence.
<b>5.9</b>	<b>Late Hours Catering Licence (New) - 166</b> Dalry Road,	To <b>CONTINUE</b> the case until the July committee to allow applicant the opportunity to attend.
<b>5.10</b>	<b>Late Hours Catering Licence (New) - 47</b> Great Junction Street	To <b>GRANT</b> the licence subject to the Council's standard conditions for this category of licence.
<b>5.11</b>	<b>Late Hours Catering Licence (Variation) - 3/5, St Andrew Square</b>	<b>WITHDRAWN.</b>
<b>5.12</b>	<b>Market Operators Licence (Temporary) - Hunter Square, Edinburgh</b>	To <b>REFUSE</b> the application in terms of Paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982.  (on a division)
<b>5.13</b>	<b>Public Entertainment Licence (Temporary) - Cramond Island</b>	To <b>DELEGATE</b> the decision to grant the licence to officers after further investigation.
<b>5.14</b>	<b>Public Entertainment Licence (Temporary) – Portobello</b>	To <b>GRANT</b> the licence subject to Police Scotland Public Safety Conditions.

**End of Business**

