

Minutes

Licensing Sub-Committee of the Regulatory Committee

9.30am, Monday 9 September 2024

Present

Councillors Mowat (Convener), Caldwell (except item 5.5), Dixon (except items 5.10, 5.18-5.22), Graham, Mattos Coelho (except items 5.18-5.22), Ross and Work.

1. Minutes

Decision

- 1) To approve the minute of the Licensing Sub-Committee of 12 August 2024 as a correct record.
- 2) To approve the minute of the Licensing Sub-Committee of 13 August 2024 as a correct record.

2. Zoo Licence Renewal – The Royal Zoological Society of Scotland - Edinburgh Zoo

A Zoo Licence Renewal had been received from Royal Zoological Society of Scotland to operate Edinburgh Zoo, 134 Corstorphine Road, Edinburgh ('RZSS'). Under the Zoo Licensing Act 1981 (as amended), The Act required Edinburgh Zoo to be licensed.

Decision

- 1) To note the inspection report at Appendix 2 of the report by the Head of Regulatory Services.
- 2) To grant a Zoo Licence to the Royal Zoological Society of Scotland trading as Edinburgh Zoo for the standard six year period with standard licence conditions and the proposed additional conditions as set out in Appendix 3 of the report.

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

3. Request for Fee Refund – Public Entertainment Licence – Edinburgh Lindy Exchange

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

A temporary Public Entertainment Licence application had been received from a representative of the Edinburgh Lindy Exchange for an event on 14 September 2024. The representative had written to request that the Licensing Sub-Committee considered refunding the fee for the application.

Motion

To consider the event to be a community event and refund the fee paid in full for the Public Entertainment Licence

- moved by Councillor Ross, seconded by Councillor Work

Amendment

To issue a 50% refund of the fee paid for the Public Entertainment Licence

- moved by Councillor Mowatt, seconded by Councillor Dixon

Voting

For the motion - 3 votes

For the amendment - 4 votes

(For the amendment – Councillors, Mattos Coelho, Ross and Work.

For the amendment – Councillors Caldwell, Dixon, Graham and Mowat.)

Decision

To agree to issue a 50% refund of the fee paid for the Public Entertainment Licence

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

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

Details were provided of 22 applications for miscellaneous licences. The applicants and their agents were heard.

Decision

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

(Reference – Appendix 1, submitted.)

APPENDIX 1

Applications for Miscellaneous Licences

House in Multiple Occupation Licence (New)		
5.1	<p>Applicant Mohammed Abdul Aziz</p> <p>Premises 1f2, 45 Roseburn Terrace</p>	<p>1) To agree to hear in the absence to the applicant.</p> <p>2) To accept the late objection.</p> <p>3) To REFUSE the licence in terms of section 130 of the Housing (Scotland) Act 2006 as the applicant was not a fit and proper person to hold a licence.</p>
5.2	<p>Applicant Green Equity Ltd</p> <p>Agent John Davidson – Southside Property Management</p> <p>Premises 2f1, 15 Spottiswoode Street</p>	<p>To repel the public objections and 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>Applicant Mr Neil Goodley & Mrs Jacqueline Goodley</p> <p>Agent Mr William Adams, Sandstone UK Property Management Solutions</p> <p>Premises 3f1, 8 Mulberry Place</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
5.4	<p>Applicant Dr Michael Kelleher</p> <p>Agent Mr John Davidson,</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>

	<p>Southside Property Management</p> <p>Premises 12 Dundonald Street</p>	
5.5	<p>Applicant Dr Rishi Dhir</p> <p>Agent Mr Jordan Jack, Cairn Letting</p> <p>Premises Flat 1, 8 Portland Gardens</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p> <p>Declaration of Interest</p> <p>Councillor Caldwell made a declaration of interest (non-financial) in relation to item 5.5. – Short Term Let Licence (New) - Flat 1, 8 Portland Gardens as he knew an objector. He left the room and took no part in the decision.</p>
Short Term Lets Licence (New)		
5.6	<p>Applicant Mr Sukhvinder Singh</p> <p>Premises 32 Portland Street</p>	<ol style="list-style-type: none"> 1) To agree to hear in the absence of the applicant. 2) To REFUSE the licence in terms of paragraph 5(3)(c) of schedule 1 of the Civic Government (Scotland) Act 1982 as the premises were not suitable for use as a short term let property.
5.7	<p>Applicant Where to Stay Apartments Ltd</p> <p>Manager Ondrej Liska</p> <p>Premises 3f3, 303 Leith Walk</p>	<ol style="list-style-type: none"> 1) To agree to hear in the absence of the applicant. 2) To continue consideration of the application to the Licensing Sub-Committee of 24 September to: <ol style="list-style-type: none"> i) Allow the applicant the opportunity to attend ii) Allow a property Inspection to take place.
5.8	<p>Applicant Sean North</p> <p>Premises 1f3, 1 Lochrin Place</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
5.9	<p>Applicant Mr Zahid Rahman</p>	<p>To REFUSE the licence in terms of paragraph 5(3)(a)(ii) of schedule 1 of the Civic Government</p>

	Premises Flat 1, 7 Forth Street	(Scotland) Act 1982the applicant is not a fit and proper person to hold a licence.
5.10	Applicant Mr Andrew James Sneddon Premises 2f2, 16 Grove Street	<ol style="list-style-type: none"> 1) To accept the late objection. 2) Officers to carry out an inspection of the property. 3) To GRANT the licence for a period of six months subject to the mandatory conditions and to the Council's standard conditions for this category of licence. <p>Declaration of Interest</p> <p>Councillor Dixon made a declaration of interest (non-financial) in relation to item 5.10 – Short Term Let Licence (New) - 2f2, 16 Grove Street as he knew an objector. He left the room and took no part in the decision.</p>
5.11	Applicant Ms Deborah Hair Premises 3 Rintoul Place	To GRANT the licence for a period of three years subject to the mandatory conditions and to the Council's standard conditions for this category of licence.
5.12	Applicant Mr Kevin Baxter Premises 18 Gayfield Place Lane	To CONTINUE consideration of the application to the Licencing Sub-Committee of 7 October 2024 to allow the applicant the opportunity to attend.
5.13	Applicant Miss Kathleen Amanda Slaney Premises 4f2, 42 Sandport Street	To CONTINUE consideration of the application to the Licencing Sub-Committee of 7 October 2024 to allow the applicant the opportunity to attend.
5.14	Applicant Jarec Limited Manager Mrs Monica Miles Premises 12b Danube Street	To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.

<p>5.15</p>	<p>Applicant Mr Jack Christopher Nelson</p> <p>Manager Altido Scotland Ltd</p> <p>Premises 9 Brandon Street</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
<p>5.16</p>	<p>Applicant Mehmet Erkis</p> <p>Premises Flat 9, 17 Springfield Lane</p>	<p>To repel the public objections and GRANT the licence for a period of three years subject to the Council's standard conditions for this category of licence.</p>
<p>Street Trader Licence (New)</p>		
<p>5.17</p>	<p>Applicant Little Fish Tours LTD</p> <p>Manager Daniel Ingram</p> <p>Premises Street Record, 192a High Street</p>	<p>To CONTINUE consideration of the application to the Licencing Sub-Committee of 7 October 2024 to allow the applicant the opportunity to attend.</p>
<p>Sexual Entertainment Venue Licence (New)</p>		
<p>5.18</p>	<p>Applicant Netherview Limited</p> <p>Manager Mark Kerslake</p> <p>Premises 157-159 West Port</p>	<p>To Grant the licence for a period of one year subject to the suspension of condition 40 and an undertaking from the applicant that the work proposed is carried out as soon as possible.</p> <p>(on a division, see note 1 below)</p>
<p>Public Entertainment Licence (Temp)</p>		
<p>5.19</p>	<p>Applicant Watchtower Live Ltd</p> <p>Manager Mr Thomas Ketley</p>	<p>To GRANT the temporary licence subject to the Council's standard conditions for this category of licence and the further conditions as set out by Police Scotland</p>

	<p>Location West Princes Street Gardens, Princes Street, Edinburgh</p>	
Market Operators Licence (Temp)		
5.20	<p>Applicant Watchtower Live Ltd</p> <p>Manager Mr Thomas Ketley</p> <p>Location West Princes Street Gardens, Princes Street, Edinburgh</p>	<p>To DELEGATE authority to The Head of Regulatory Services to grant the licence subject to the standard conditions of licence on completion of the satisfactory inspection of the site.</p>
Public Entertainment Licence (Temp)		
5.21	<p>Applicant Edinburgh Oktoberfest by World Wide Fest UK</p> <p>Manager Mr Carsten Raun</p> <p>Location West Princes Street Gardens, Princes Street, Edinburgh</p>	<p>To DELEGATE authority to The Head of Regulatory Services to grant the licence subject to the standard conditions of licence on the completion of satisfactory inspection of the site.</p>
Cinema Licence (Variation)		
5.22	<p>Applicant Edinburgh Spanish Film Festival CIC</p> <p>Manager Diane Henderson</p> <p>Locations Odeon Cinema, 118 Lothian Road;</p>	<p>To GRANT permission to allow specific uncertificated films, from the list of titles circulated, to be shown on 3rd – 30th October 2024 at the Odeon Cinema 118 Lothian Road, Vue Cinema Omni Centre and the French Institute West Parliament Square</p>

	<p>Vue Cinema, Omni Centre;</p> <p>Omni Centre French Institute, West Parliament Square</p>	
<p>End of Business</p>		

Note 1

Public Entertainment Licence (New) - 157-159 West Port

Motion

To Grant the Licence on the basis the dancers have a private changing area in the downstairs of the property.

- moved by Councillor Graham, seconded by Councillor Caldwell

Amendment

To grant the licence for a period of one year subject to the suspension of condition 40 and an undertaking from the applicant that the work proposed was carried out as soon as possible.

- moved by Councillor Mowat, seconded by Councillor Ross

Voting

For the motion - 2 votes

For the amendment - 3 votes

(For the motion – Councillors Caldwell and Graham.

For the amendment – Councillors Mowat, Ross and Work.)

Decision

To grant the licence for a period of one year subject to the suspension of condition 40 and an undertaking from the applicant that the work proposed is carried out as soon as possible.