

Committee Minutes

Licensing Sub-Committee of the Regulatory Committee

Edinburgh, 14 October 2011

Present:- Councillors Munn (Convener), Cairns, Dundas, Henderson, Kate MacKenzie, Elaine Aitken (substituting for Councillor Mowat), Perry and Snowden.

1 Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982

Details were provided of 12 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982.

Decision

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

(Reference – list of applications, submitted.)

Dissent

Councillor Kate MacKenzie requested that her dissent be recorded in respect of the decision for agenda item 3.4, the application for a Public Entertainment Licence by Pure Gym Ltd at 15 Lauriston Place.

2 House in Multiple Occupation Licence – Monitoring Report – 113 (Flat 1) Bellevue Road

Details were provided of the results of the monitoring of the property at 113 (Flat 1) Bellevue Road which included tenancy management, as requested by the Sub-Committee at its meeting on 28 January 2011

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Decision

To note the report.

(References – Licensing Sub-Committee of the Regulatory Committee 28 January 2011 (Item 1(8)); report by the Director of Services for Communities, submitted)

3 Resolution to Consider in Private

The Sub-Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 3, 12 and 14 of Part 1 of Schedule 7(A) of the Act.

4 Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982

Details were provided of 16 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982.

Decision

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

(Reference – list of applications, submitted.)

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APPENDIX 1

(As referred to in item 1 of the foregoing Minute)

Applications for Miscellaneous Licences

Agenda Item No/Type of Licence Applicant/ Premises	Conditions applied for	Determination Date	Decision
Item 3.1 - Application for Late Hours Catering Licence - 336 Morningside Road - Fabulous Foods Limited (Pizza Hut)	Carry out / delivery only 11pm – 3am	20.10.11	To refuse the application in terms of Paragraph 5(3)(c)(ii) and (iv) of Schedule 1 to the Civic Government (Scotland) Act 1982.
Item 3.2 - Application for Street Trader Licence - West Princes Street Gardens - John Hunter	Hot and cold food and drinks (1 year)	27.12.11	1) To grant the renewal of licence subject to the Council's Standard Conditions for this category of licence and 2) A condition that trading may be suspended on certain days specified by the Director of City Development on due notice being given to the licence holder.
Item 3.3 - Application for Street Trader Licence - Middle Meadow Walk - Katarzyna Kulas	Candy Floss	04.01.12	To indicate that the Licensing Sub-Committee were minded to grant the licence subject to the Council's standard conditions for this category of licence and to authorise the Director of Corporate Governance to issue the licence when all outstanding issues have been cleared by the Director of Services for Communities.

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Agenda Item No/Type of Licence Applicant/ Premises	Conditions applied for	Determination Date	Decision
<p>Item 3.4 - Application for Public Entertainment Licence - 15 Lauriston Place - Pure Gym Ltd</p>	<p>Opening 24 hours until 30 June 2012</p>	<p>30.12.11</p>	<p>1. To grant the renewal of the licence for a period of six months subject to standard licence conditions.</p> <p>2. The applicant to provide all training and first aid qualification certificates to the Director of Services for Communities within 28 days.</p> <p>3. The Director of Services for Communities to undertake monitoring for a period of six months and report to the Sub-Committee at the end of this period.</p> <p>(Councillor Kate MacKenzie requested that her dissent be recorded.)</p>
<p>Item 3.5 - Application for Street Trader Licence - Westside Piazza, Wester Hailes - Elaine Macrae</p>	<p>Hot and cold food and drink</p>	<p>12.03.12</p>	<p>To note the application had been withdrawn.</p>
<p>Item 3.6 - Application for Second Hand Dealers Licence - Exemption 38 Seafield Road - Arnold Clerk Automobiles Ltd</p>	<p>Second hand car dealership</p> <p>Permission to sell goods within 48 hours of acquisition</p>	<p>N/A</p>	<p>To continue to the meeting of 18 November at the applicant's request.</p>

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Agenda Item No/Type of Licence Applicant/ Premises	Conditions applied for	Determination Date	Decision
<p>Item 3.7 - Application for Second Hand Dealers Licence - Variation - 112 Kinaird Park, 33 Gyle Centre, Unit 22 Cameron Toll, Unit 4 Ocean Terminal, 32 St James Centre, 127 Princes Street - Game Group Limited</p>	<p>Variations:</p> <ol style="list-style-type: none"> 1. To maintain computerised records in place of transaction book. 2. To trade with persons under 16 years of age. 	N/A	To continue to the meeting of 18 November at the applicant's request.
<p>Item 3.8 - Application for Second Hand Dealers Licence - Exemption - 112 Kinaird Park, 33 Gyle Centre, Unit 22 Cameron Toll, Unit 4 Ocean Terminal, 32 St James Centre, 127 Princes Street - Game Group Limited</p>	Permission to sell good within 48 hours of acquisition.	N/A	To continue to the meeting of 18 November at the applicant's request.
<p>Item 3.9 - Application for Public Entertainment Licence - 2 Huly Hill Road, Newbridge - Xtreme Carting Ltd</p>	1 year	11.11.11	<ol style="list-style-type: none"> 1. To grant the renewal of the licence until 31 December 2011 subject to standard licence conditions. 2. The Director of Services for Communities to liaise with the National Karting Association through the Health and Safety Executive in regard to the ventilation system.
<p>Item 3.10 - Application for House in Multiple Occupation Licence - 58 (2F2) Findhorn Place - Robin Jonathan Turnbull</p>	3 Occupants	08.07.12	To repel the objections and grant the renewal of licence subject to the Council's Standard Conditions for this category of licence.

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Agenda Item No/Type of Licence Applicant/ Premises	Conditions applied for	Determination Date	Decision
Item 3.11 - Application for House in Multiple Occupation Licence - 113 (Flat 1) Bellevue Road - Nicolas Cook	4 Occupants	12.06.12	To repel the objections and grant the licence subject to the Council's Standard Conditions for this category of licence and also that the licence shall not come into effect until a date agreed by the Council's Joint Inspection Team where there has been full compliance of the Council's Standards for Houses in Multiple Occupation.
Item 3.12 - Application for House in Multiple Occupation Licence - 21 (Flat 7) Arthur Street - Colin Webb	3 Occupants	29.03.12	To repel the objections and grant the licence subject to the Council's Standard Conditions for this category of licence.