

Licensing Sub-Committee of the Regulatory Committee

10.00 am Friday 12 December 2014

Present

Councillor Barrie (Convener), Blacklock (Vice-Convener), Cairns, Gardner, Heslop, Lunn (substituting for Councillor Bill Henderson), Main (substituting for Councillor Burgess) and Redpath.

1. Request for Reduction of Fees – Public Entertainment Licence – Christmas Event 20 and 21 December 2014 – Queensferry Ambition Ltd

Queensferry Ambition Ltd were organising a festive family event in a Business Improvement District to be held on 20 and 21 December 2014, and had applied for a temporary Market Operator and a Public Entertainment Licence for the event. The fees applicable for these licences were £178 and £1390 respectively.

A request for a reduction of the application fee for the Public Entertainment licence had been submitted on the basis that Queensferry Ambition was a non-profit organisation and payment of the full fee would not be economically viable.

Decision

1. To note the terms of the request.
2. To reduce the fee for the Public Entertainment Licence by 50%.
3. To agree a refund of the temporary Market Operator's Licence Fee.

(Reference – report by the Head of Service, Community Safety, submitted)

2. Request for Reduction of Fees – Public Entertainment Licence – Moonwalk Scotland 2015 – 13 and 14 June 2015

Details were provided of a request for a reduction of the application fees for Public Entertainment licences for the MoonWalk Scotland event to be held across the city on 13 and 14 June 2015.

Decision

1. To note the terms of the request.

2. To agree that one application fee of £2,783 for the Public Entertainment Licences should apply

(Reference – report by the Head of Service, Community Safety, submitted)

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

Details were provided of 20 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

Decision

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

(Reference – list of applications, submitted.)

4. Public Entertainment Licence (Temporary) – Market Street – Unique Events

The convener ruled the following item, notice of which had been given at the beginning of the meeting, be considered as a matter of urgency in order that it be considered timeously.

Details were provided of an application for a temporary Public Entertainment Licence for carnival rides in Market Street for the period 27 December 2014 to 1 January 2015

The applicant was heard in support of the application

Decision

To grant the licence subject to the Council's standard conditions for this category of licence and subject also to the following conditions recommended by the Chief Constable

1. The licence holder must ensure that the employee nominated as day-to-day manager or a suitable replacement is present during the event. The employee will have all necessary authority to ensure that the event is properly operated. The licence holder must also, at least 48 hours before the event, provide the police with the name, address, contact telephone number and e-mail address of said employee.
2. Signage will be displayed clearly indicating the closing time of the funfair.
3. If required, in the interests of the public safety, activities will close down at the request of the Hogmanay Management Group.

4. There is appropriate stewarding in place to provide security and control of the licensed area and its patrons and those persons engaged in such duties are registered as door stewards with the Security Industry Authority.
5. All reasonable requests made by the police or other authorised officials to be complied with.
6. Final clearances by the relevant council departments and agencies

(Reference – Application details, submitted)

5. 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.

6. Application for Miscellaneous Licence – Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006

Details were provided of 2 applications for miscellaneous licences under the Civic Government (Scotland) Act 1982 and Housing (Scotland) Act 2006.

Decision

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

(Reference – application details, submitted.)

7. Consideration of Landlord Registration Applications

Details were provided of an applications made by Landlords to be entered onto the City of Edinburgh Council's Register of Landlords.

Representations from the Chief Constable in respect of these applications were provided

One of the applicants was heard.

Decision

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

(Reference – report by the Acting Head of Housing and Regeneration, submitted.)

APPENDIX 1

Applications for Miscellaneous Licences

Item No/Type of Licence/Applicant/Premises	Conditions applied for	Decision
Item No 5.1.1 - Application for House In Multiple Occupation Licence - 1F2 164 Brunton Gardens - Michael Delahuntey	3 Occupants	To note the application had been withdrawn
Item No 5.1.2 - Application for House In Multiple Occupation Licence - 2F1 18 Dundonald Street - Diana M Munro	4 Occupants	<ol style="list-style-type: none"> 1. To accept the additional correspondence from the objector Ms Ivackovic 2. Not to accept the late objection from Mr S Briggs as no reasons for lateness had been provided 3. To repel the objections and grant the licence renewal for a period of six months, subject to the Council's standard conditions for this category of licence. 4. The Acting Director of Services for Communities to facilitate mediation between the applicant and objectors
Item No 5.1.3 - Application for House In Multiple Occupation Licence - 76 Pilrig Street - Javid Iqbal	10 Occupants	<ol style="list-style-type: none"> 1. To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence. 2. To note the application by Aileen Fraser had been withdrawn

<p>Item No 5.1.4 - Application for House In Multiple Occupation Licence - 3F1 28 London Street - Patrick and Nicko Dalton</p>	<p>4 Occupants</p>	<p>To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence.</p>
<p>Item No 5.1.5 - Application for House In Multiple Occupation Licence - 3F2 47 East London Street - Kiltrea Bridge Pottery Limited</p>	<p>4 Occupants</p>	<p>To repel the objections and grant for six months the licence renewal, subject to the Council's standard conditions for this category of licence.</p>
<p>Item No 5.1.6 - Application for House In Multiple Occupation Licence - 2F2 17 Torphichen Street - Margaret H Fraser</p>	<p>4 Occupants</p>	<p>To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence.</p>
<p>Item No 5.1.7 - Application for House In Multiple Occupation Licence - 26 Pilrig Street - Khaja Akbar Mir</p>	<p>16 Occupants</p>	<p>To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence.</p>
<p>Item No 5.1.8 - Application for House In Multiple Occupation Licence - 19 Parkhead Terrace - Santhosh and Deepa Ganachari</p>	<p>5 Occupants</p>	<p>To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence.</p>

Item No 5.1.9 - Application for House In Multiple Occupation Licence - 80 Sighthill loan - Farha Reza Khalid	5 Occupants	To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence.
Item No 5.1.10 - Application for Variation of Market Operator Licence - High Street South Queensferry - Queensferry Ambition Ltd	Standard Conditions	<ol style="list-style-type: none"> 1. To Grant the licence variation in principle 2. The variation not to be issued until a time table for the events had been agreed by the Acting Director of Services for Communities 3. To authorise the Acting Director of Services for Communities to attach any appropriate conditions to the variation 4. Should no agreement be reached the application to be returned to the Sub-Committee for consideration in January 2015
Item No 5.1.11 - Application for Street Trader Licence - Outside Cannonball House Castle Hill - John Scott	Standard Conditions	To repel the objections and renew the licence renewal, subject to the Council's standard conditions for this category of licence.
Item No 5.1.12 - Application for Late Hours Catering Licence - 11 Cowgate Head (Central Superstore) - Jaffar Hussain	Mon – Sun 2300 - 0500	To grant the licence renewal, subject to the Council's standard conditions for this category of licence and a further conditions that the sale of hot food be restricted to the hours of 11pm – 2am Sunday to Thursday and 11pm – 3 am Friday - Saturday.

Item No 5.1.13 - Application for Street Trader Licence - Calton Road - Asa Hanlon	Standard Conditions	To repel the objections and grant the licence, subject to the Council's standard conditions for this category of licence, the licence not to be issued until the applicant has obtained a lease for the site which will be required to be kept in force for the duration of the licence. (On a division) See note below
Item No 5.1.14 - Application for Late Hours Catering Licence - 52 North Bridge - Jaffar Hussain	11pm – 5am Monday - Friday	To grant the licence renewal, subject to the Council's standard conditions for this category of licence and a further conditions that the sale of hot food be restricted to the hours of 11pm – 2am Sunday to Thursday and 11pm – 3 am Friday - Saturday.
Item No 5.1.15 - Application for Late Hours Catering Licence - 27 Grassmarket - Jaffar Hussain	11pm – 5am Monday - Friday	To repel the objections and grant the licence renewal, subject to the Council's standard conditions for this category of licence and a further conditions that the sale of hot food be restricted to the hours of 11pm – 2am Sunday to Thursday and 11pm – 3 am Friday - Saturday.
Item No 5.1.16 - Application for Late Hours Catering Licence - 36 Nicolson Street - MBCC (foods) Ltd	11pm – 2am Sunday to Thursday 11pm – 3 am Friday - Saturday	To repel the objections and renew the licence subject to Councils standard conditions for this category of licence for the hours to Sun – Thurs 2300 – 0100 and Fri – Sat 2300 - 0200
Item No 5.1.17 - Application for Street Trader Licence - Middle Meadow Walk - Jean B Frazer	11 am – 9 pm	To note the application had been withdrawn

<p>Item No 5.1.18 - Application for Second Hand Dealer Licence - 48a Great Junction Street - David Caplan</p>	<p>9.30 am – 5 pm Mon, Tue, Thur, Fri</p> <p>9.30 – 4pm Saturday</p>	<p>To grant the licence, subject to the Council's standard conditions for this category of licence.</p> <ol style="list-style-type: none"> 1. Two forms of identification shall be required from each seller. One form of identification shall be photographic, where this is available, and the other shall show the seller's name and address and be no more than 6 weeks old. 2. The above records must be preserved for two years.
<p>Item No 5.1.19 - Application for Second Hand Dealer Licence - 145 Great Junction Street - Emilla M Plotka</p>	<p>10 am – 6 pm Daily</p>	<ol style="list-style-type: none"> 1. To note the application had been withdrawn 2. To transfer the application fee to any new application
<p>Item No 5.1.20 - Application for Market Operator Licence - Parade Ground at Holyrood Park - Nova International Ltd</p>	<p>8am – 4pm 10 January 2015</p>	<p>To grant the licence subject to the Council's standard conditions for this category of licence for the hours 8am – 4pm on 10 January 2015.</p>

<p>Tabled Item - Temporary public Entertainment Licence – Carnival – Market Street</p>	<p>27 December 2014 – 1 January 2015</p>	<p>To grant the licence subject to the Council's standard conditions for this category of licence and subject also to the following conditions recommended by the Chief Constable</p> <ol style="list-style-type: none"> 1. The licence holder must ensure that the employee nominated as day-to-day manager or a suitable replacement is present during the event. The employee will have all necessary authority to ensure that the event is properly operated. The licence holder must also, at least 48 hours before the event, provide the police with the name, address, contact telephone number and e-mail address of said employee. 2. Signage will be displayed clearly indicating the closing time of the funfair. 3. If required, in the interests of the public safety, activities will close down at the request of the Hogmanay Management Group. 4. There is appropriate stewarding in place to provide security and control of the licensed area and its patrons and those persons engaged in such duties are registered as door stewards with the Security Industry Authority. 5. All reasonable requests made by the police or other authorised officials to be complied with. 6. Final clearances by the relevant council departments and agencies
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NOTE:

Item 5.1.13 – Application for Street Trader Licence – Asa Hanlon – Calton Road, Edinburgh

Motion

To repel the objections and grant the licence, subject to the Council’s standard conditions for this category of licence, the licence not to be issued until the applicant has obtained a lease for the site which will be required to be kept in force for the duration of the licence.

- moved by Councillor Barrie, seconded by Councillor Lunn.

Amendment

To refuse the licence in terms of Paragraph 5(3)(c)(i) of Schedule 1 of the Civic Government (Scotland) Act 1982, as having considered the submissions by Roads Services and Public Safety the location was considered unsuitable for the activity intended to be carried out.

moved by Councillor Blacklock, seconded by Councillor Main.

Voting

- For the motion - 5 votes
- For the amendment - 2 votes

Decision

To repel the objections and grant the licence, subject to the Council’s standard conditions for this category of licence, the licence not to be issued until the applicant has obtained a lease for the site which will be required to be kept in force for the duration of the licence.

(Reference – application details, submitted.)