

Licensing Sub-Committee of the Regulatory Committee

10.00 am Friday 14 August 2015

Present

Councillor Barrie (Convener), Aitken, Burgess, Cairns, Gardner, Heslop, Lunn and Redpath.

1. Minutes

Decision

To approve the minute of the Licensing Sub-Committee of 22 July 2015, as a correct record.

2. Request for Fee Waiver – Public Entertainment Licence - Edinburgh Jazz and Blues Festival 2015

Details were provided of a request for a reduction of the application fee for a temporary public entertainment licence to cover the Mardi Gras and Edinburgh Festival Carnival events in the Grassmarket which took place on 18 and 19 July as part of the Edinburgh Jazz and Blues Festival 2015.

Fiona Alexander, Event Organiser was heard.

Decision

1. To note the terms of the request and to agree an application fee reduction to £1,000.
2. To note that the applicant had been requested to plan a budget for next year which would include payment of the full licence fee.

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

3. Request for Partial Fee Refund – Market Operator Licence - Edinburgh Vegan Festival 2015

Details were provided of a request for a refund of part of the fee for a market operator licence for the Edinburgh Vegan Festival 2015 held on 8 August 2015.

Mark Pinchen a representative of the organiser was heard.

Decision

1. To note the terms of the request and to agree an application fee reduction to £1,000.
2. To note that the applicant had been requested to plan a budget for next year which would include payment of the full licence fee.

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

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

Details were provided of 15 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.)

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. Civic Government (Scotland) Act 1982 - Application for Second Hand Dealer Licence

Details were provided of an application for a second hand dealer licence.

Decision

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

(Reference – details, circulated.)

7. Police Objection to Grant of Licence and Request for Suspension of Licences

The Sub-Committee at its meeting on 22 July 2015 had continued consideration of an objection from the Chief Constable to an application for a street trader licence together with a request for the suspension of street trader licences issued to the same licence holder, to allow the licence holder to attend.

The Chief Constable and the licence holder were heard in regard to the requests.

Decision

That the requests be determined as detailed in the Confidential Schedule signed by the Convener with reference to this minute.

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

8. Consideration of Landlord Registration Applications

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

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 6.1.1 HMO New Peter and Julie Wood 106 Thirlestane Road	5 occupants	<ol style="list-style-type: none"> 1. To repel the objections and grant the licence for 5 occupants, subject to the Council's standard conditions for this category of licence. 2. To note that the applicant is required to update his Landlord Registration details to include this property.
Item 6.1.2 HMO New Louise and Kate Downie 30 Luton Place	5 Occupants	<ol style="list-style-type: none"> 1. To accept the late objection as reasons had been provided. 2. To repel the objections and grant the licence for 5 occupants, subject to the Council's standard conditions for this category of licence. 3.
Item 6.1.3 HMO New Justin Shields 7 Dicksonfield	4 Occupants	<ol style="list-style-type: none"> 1. To repel the objections and grant the licence for 4 occupants, subject to the Council's standard conditions for this category of licence. 2. PRST to clarify the management arrangements for the property.
Item 6.1.4 HMO New Pauline Houston 18 Lonsdale Terrace	5 Occupants	<ol style="list-style-type: none"> 1. To accept the late objection as reasons had been provided. 2. To repel the objections and grant the licence for 5 occupants, subject to the Council's standard conditions for this category of licence.
Item 6.1.5 HMO Renewal Mark Hannay 24 Montgomery Street	3 Occupants	To repel the objection and grant the licence renewal for 3 occupants subject to the Council's standard conditions for this category of licence.
Item 6.1.6 HMO Renewal Colin Carter Campbell 30 Howe Street	3 Occupants	To repel the objection and grant the licence renewal for 3 occupants subject to the Council's standard conditions for this category of licence.

Item 6.1.7 LHC Renewal Sami Sultan 18-20 West Port Street	23.00 – 02.00 Sun – Thurs 23.00 – 0.300 Fri - Sat	<ol style="list-style-type: none"> 1. To refuse the request by the applicant's legal representative to continue consideration of the matter to allow him to attend as this matter had been continued at a previous meeting and the applicant, and objector were in attendance. 2. To continue the matter to the meeting of the Licensing Sub Committee of 9 October 2015 to allow the applicant to undertake the required work to mitigate the noise issue raised by the objector and the Noise Team.
Item 6.1.8 LHC Variation Sami Sultan 18 - 20 West Port	23.00 – 04.00 Sun – Sat For the Festival Period	To continue the matter to the meeting of the Licensing Sub Committee of 9 October 2015 to allow the applicant to undertake the identified work required to mitigate the noise issues as raised by the objector and the Noise Team
Item 6.1.9 Street Trader New Goddodin Tours Hunter Square	Standard Conditions (Walking Tour)	To continue consideration of the matter to the meeting of the Licensing Sub Committee of 11 September 2015 to allow the applicant to attend.
Item 6.1.10 Street Trader Renewal On The Roll South Bridge	Standard Conditions	<ol style="list-style-type: none"> 1. To grant the licence renewal subject to the Council's standard conditions for this category of licence and the following condition, 2. Trading is restricted to the month of August only and any other period of trade to be applied for by an application for variation
Item 6.1.11 Street Trader Renewal On The Roll George Square	Standard Conditions	To repel the objection and grant the licence renewal, subject to the Council's standard conditions for this category of licence.
Item 6.1.12 Second Hand Dealer New Escape Computers 5 London Road	Standard Conditions	To repel the objection and grant the licence, subject to the Council's standard conditions for this category of licence.

Item 6.1.13 Second Hand Dealer Exemption CEX Ltd Cameron Toll	Standard Conditions	To refuse to make an order in terms of Section 25 (1) of the Civic Government (Scotland) Act 1982 for the condition requiring goods to be kept for 48 hours after being acquired.
Item 6.1.14 LHC New McDonald's Restaurant 74 Telford Road	Mon – Sun 23.00 – 01.00	To note that the application was withdrawn.
Item 6.1.15 Late Hours Catering Temp Cemal Sahin 106 Rose Street	Sun – Thur 23.00 – 03.00 Fri – St 23.00 – 04.00	1. To grant the temporary late hours catering licence subject to the Council's standard conditions for this category of licence. 2. To note that the Police Scotland objection had been withdrawn.