

Public Document Pack



To: Councillor Al-Samarai, Convener; Councillor Delaney, Vice-Convener; and Councillors Clark, Graham, Henrickson, Lawrence, MacGregor, McLeod and van Sweeden.

Town House,
ABERDEEN 16 April 2024

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in **Committee Room 2 - Town House on WEDNESDAY, 24 APRIL 2024 at 10.00 am**. This is a hybrid meeting and Members may also attend remotely.

The meeting will be webcast and a live stream can be viewed on the Council's website. <https://aberdeen.public-i.tv/core/portal/home>

JENNI LAWSON
CHIEF OFFICER – GOVERNANCE

BUSINESS

NOTIFICATION OF URGENT BUSINESS

1.1. Urgent Business

DETERMINATION OF EXEMPT BUSINESS

2.1. Exempt Business

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

3.1. Declarations of Interest and Transparency Statements

DEPUTATIONS

4.1. Deputations

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- 5.1. Minute of Previous Meeting of 21 February 2024, for Approval (Pages 5 - 20)
- 5.2. Minutes of Meetings of the Licensing Sub Committee of 28 February and 19 March 2024, for Approval (Pages 21 - 30)
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- 7.1. Referrals from Council, Committees or Sub Committees

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APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

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- 9.3. House in Multiple Occupation (Renewal) - 6 Tanfield Avenue (Pages 55 - 56)
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- 9.5. Short Term Let (New Operator) - 22 Mayfield Gardens (Pages 59 - 66)

- 9.6. Exemption From Policy - Street Knowledge Test - Sami Benmouhoub
(Pages 67 - 68)
- 9.7. Complaint - Taxi Driver and Vehicle Licence - Andrew Carle (Pages 69 - 72)
- 9.8. Complaint - Taxi Driver and Vehicle Licence - Mohamad Elbehaderie
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- 9.9. Second Hand Dealer Licence - Variation - CeX Ltd - 46 Union Street (Pages 79 - 84)
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(Pages 85 - 86)
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CONFIDENTIAL INFORMATION - APPLICATIONS, INCLUDING LIST OF APPLICATIONS, TO BE HEARD IN PRIVATE

Applications to be heard in private and treated as confidential information in terms of Section 50(A)(3)(b) of the Local Government (Scotland) Act 1973.

- 9.12. Taxi Driver Licence (Renewal) (Pages 91 - 94)
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- 9.14. Taxi Driver Licence (Renewal) (Pages 99 - 102)
- 9.15. Taxi Vehicle Licence (Renewal) (Pages 103 - 106)
- 9.16. Street Trader Licence (Grant) (Pages 107 - 110)
- 9.17. Exemption from Policy - Wheelchair Accessible Vehicle (Pages 111 - 114)
- 9.18. Exemption from Policy - Wheelchair Accessible Vehicle (Pages 115 - 120)
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Integrated Impact Assessments related to reports on this agenda can be viewed [here](#)

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LICENSING COMMITTEE

ABERDEEN, 21 February 2024. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Delaney, Vice-Convenor; and Councillors Clark, Copland (as substitute for Councillor Al-Samarai), Graham (up to article 21), Henrickson, Lawrence, MacGregor, Radley (as substitute for Councillor Clark from articles 20 to 30) and van Sweeden.

The agenda and reports associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

EXEMPT BUSINESS

1. The Convener proposed that the Committee consider item 10.3 (Request for Suspension (Paragraph 11 and 12) – Taxi Driver Licence); item 10.4 (Taxi Driver Licence – Renewal); item 10.5 (Street Trader Licence – Grant); item 10.6 (Taxi Driver Licence – Renewal); item 10.7 (Temporary Taxi Driver Licence – Grant); and item 10.8 (Second Hand Dealer Licence – Grant) with the press and public excluded from the meeting.

The Committee resolved:-

- (i) to note that item 10.1 (Short Term Let (Existing Operator) – 26 Whinhill Gate) was not exempt as previously indicated and would now be considered within the public section of the agenda; and
- (ii) in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the above items so as to avoid disclosure of information of the classes described in paragraph 14 of Schedule 7(A) to the Act.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

2. There were no declarations of interest or transparency statements intimated.

MINUTE OF PREVIOUS MEETING OF 12 DECEMBER 2023

3. The Committee had before it the minute of its previous meeting of 12 December 2023, for approval.

The Committee resolved:-

to approve the minute.

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MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 11 JANUARY 2024

4. The Committee had before it the minute of meeting of the Licensing Sub Committee of 11 January 2024, for approval.

The Committee resolved:-

to approve the minute.

MINUTE OF MEETING OF THE LICENSING SUB COMMITTEE OF 26 JANUARY 2024

5. The Committee had before it the minute of meeting of the Licensing Sub Committee of 26 January 2024, for approval.

The Committee resolved:-

to approve the minute.

MINUTES OF MEETINGS OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP OF 6 DECEMBER 2023 AND 6 FEBRUARY 2024

6. The Committee had before it the minutes of meetings of the Taxi and Private Hire Car Consultation Group of 6 December 2023 and 6 February 2024, for information.

The Committee resolved:-

to note the minutes.

COMMITTEE BUSINESS PLANNER

7. The Committee had before it the Committee Business Planner as prepared by the Interim Chief Officer – Governance.

The Committee resolved:-

- (i) to note the reason for deferral outlined within the planner in relation to item 5 (Taxi Driver Training); and
- (ii) to otherwise note the business planner.

MEMBERSHIP AND REMIT OF THE TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP - REFERRAL FROM TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP OF 6 DECEMBER 2023

8. The Committee had before it by way of referral, a minute extract from the Taxi and Private Hire Car Consultation Group of 6 December 2023, which provided details on

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a request from Russell McLeod for an additional taxi trade member representative on the group.

The Committee resolved:-

to instruct the Chief Officer – Governance to submit a report to the Licensing Committee at their meeting in April 2024 on the request for an additional representative from the taxi trade as the Taxi Trade’s Disability Liaison member.

EXECUTIVE HIRE TRANSPORT IN THE CITY - REFERRAL FROM TAXI AND PRIVATE HIRE CAR CONSULTATION GROUP OF 6 DECEMBER 2023

9. The Committee had before it by way of referral, a minute extract from the Taxi and Private Hire Car Consultation Group of 6 December 2023, which provided details on a request that the Licensing Committee consider whether it would be appropriate to write to the Scottish Government in relation to an un-licensed Executive Hire loophole.

The Committee resolved:-

to instruct the interim Chief Officer – Governance (Legal) to write to the Scottish Government requesting that the recently passed legislation be expedited as soon as possible in order for Local Authorities to address the number of complaints being received regarding the un-licensed Executive Hire loophole.

LATE HOURS CATERING POLICY - COM/24/057

10. The Committee had before it a report by the Director of Commissioning which provided information on the position in relation to Late Hours Catering licences and sought to determine whether a formal review process was required.

The report recommended:-

that the Committee consider the current policy in relation to Late Hours Catering licences and determine whether a formal review process was required.

The Committee resolved:-

to agree that no formal review process was required for Late Hours Catering licences at this time.

BACK WYND TAXI RANK HOURS OF OPERATION - COM/24/056

11. The Committee had before it a report by the Director of Commissioning which sought approval to undertake a consultation exercise on the prospect of increasing the hours of operation of the Back Wynd taxi rank whilst the night time rank on Union Street was inaccessible.

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The report recommended:-

that the Committee –

- (a) authorise the Chief Officer - Governance to undertake a consultation exercise on increasing the hours of operation of the Back Wynd taxi rank to 24 hours a day; and
- (b) instruct the Chief Officer - Governance to report the results of the consultation exercise to the Committee at the meeting on 24 April 2024.

The Committee resolved:-

to approve the recommendations.

HOUSE IN MULTIPLE OCCUPATION - RENEWAL - 61 RAEDEN CRESCENT

12. The Committee were advised that the licence had been granted under delegated powers.

HOUSE IN MULTIPLE OCCUPATION - RENEWAL - 168 MORRISON DRIVE

13. The Committee were advised that the application had been withdrawn.

HOUSE IN MULTIPLE OCCUPATION - RENEWAL - THIRD FLOOR FLAT, 21 JUSTICE STREET

14. The Committee were advised that the application had been withdrawn.

HOUSE IN MULTIPLE OCCUPATION - NEW - 406 UNION STREET

15. The Committee were advised that the licence had been granted under delegated powers.

SHORT TERM LET (EXISTING OPERATOR) - FLAT 34 FRASER HOUSE, 9 MARKET STREET

16. The Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that three letters of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation from the applicant Ms Mercy Brown.

As a preliminary matter, Mrs Jocelyn Janssen, Private Sector Housing Manager advised that further correspondence had been received from Lewis McArthur, one of the

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objectors, therefore the Committee required to consider whether it be accepted into the proceedings.

The Committee resolved:-

to accept the late correspondence into the proceedings.

Mrs Janssen advised that the necessary upgrading works had been completed.

Ms Mercy Brown, the applicant was in attendance, spoke in support of the application and responded to questions from members.

Mr Aik Shieng Ting and Mr Graham Barclay were in attendance, spoke in support of their letters of objection and responded to questions from members.

All parties were given the opportunity to sum up.

The Committee resolved:-

to grant the licence.

SHORT TERM LET (NEW OPERATOR) - 74 CRAIGIEBUCKLER AVENUE

17. The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that two letters of objection, appended to the report were submitted to the Private Sector Housing Team.

Mrs Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

The applicant Mr Gylan Manson and Mrs Amy Manson were in attendance, spoke in support of the application and responded to questions from members.

Ms Shona Beattie was in attendance, spoke in support of her letter of objection and responded to questions from members.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - 79 ASHGROVE AVENUE

18. The Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one

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letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Kenneth and Alison Watt.

Mrs Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

Mr and Mrs Watt and their son were in attendance, spoke in support of the application and responded to questions from members.

The objectors, Ross Gibb and Jodi Gemmell were not in attendance, nor represented.

The Committee resolved:-

to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - 170 OCEAN APARTMENTS, 52-54 PARK ROAD

19. The Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation from Mycosy Apartments Limited.

Mrs Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works and certification had still to be completed.

Mr Gordon Duncan, representing the applicant was in attendance, spoke in support of the application and responded to questions from members.

The objector, Ms Paula Roberts, Trinity Factors was not in attendance, nor represented.

The Committee resolved:-

to defer consideration of the application until the necessary upgrading works are completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

TAXI DRIVER COMPLAINT - MAME LEYE MBAYE

20. The Committee had before it an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the Licensing Team had received two complaints relating to the licence holder.

The licence holder and his representative Mr Tommy Campbell (Unite) were in attendance, provided a response to the complaints and responded to questions from members.

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The Committee resolved:-**Complaint 1**

- (i) to issue a warning to the licence holder that any similar conduct in this regard may result in the suspension or revocation of the licence; and
- (ii) to agree to take no further action; and

Complaint 2

- (iii) to defer this complaint until the next meeting of the Committee.

TAXI DRIVER COMPLAINT - ADEFEMI (TONY) ADU

21. The Committee had before it an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the Licensing Team had received two complaints relating to the licence holder.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to defer this item until the next meeting of the Committee.

TAXI DRIVER COMPLAINT - NIKOLAY MALINOV

22. The Committee had before it an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the Licensing Team had received a complaint relating to the licence holder.

The licence holder was in attendance.

The Committee resolved:-

to defer this item until the next meeting of the Committee.

TAXI DRIVER COMPLAINT - WILLIAM MCKENZIE

23. The Committee had before it an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the Licensing Team had received four complaints relating to the licence holder.

The licence holder and his representative Mr Tommy Campbell (Unite) were in attendance, provided a response to the complaints and responded to questions from members.

The Committee resolved:-

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- (i) to issue a warning to the licence holder that any similar conduct in this regard may result in the suspension or revocation of the licence; and
- (ii) to agree to take no further action.

REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY - STEVE WILSON

24. The Committee had before it (1) an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption to the Wheelchair Accessible Vehicle policy; (2) correspondence from the licence holder outlining the request.

The licence holder was in attendance, spoke in support of the request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION - STREET KNOWLEDGE TEST - NEIL MURISON

25. The Committee had before it (1) an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from sitting the Street Knowledge Test; (2) correspondence from the applicant outlining the request.

The applicant was in attendance and spoke in support of the request.

The Committee resolved:-

to approve the request for exemption from sitting the Street Knowledge Test.

TAXI DRIVER COMPLAINT - WILLIAM CAMERON

26. With reference to article 15 of the minute of the previous meeting of 12 December 2023, the Committee had before it an information note prepared by the interim Chief Officer – Governance (Legal), which advised that a letter of complaint had been received by the Licensing Team in relation to the licence holder.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to revoke the licence on the grounds that he is no longer a fit and proper person to hold the licence.

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SHORT TERM LET (EXISTING OPERATOR) - 26 WHINHILL GATE

27. The Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation from Thistle Apartments Limited.

As a preliminary matter, Mrs Jocelyn Janssen, Private Sector Housing Manager advised that further correspondence had been received from Mrs Margaret Paterson, on behalf of the objector, therefore the Committee required to consider whether it be accepted into the proceedings.

The Committee resolved:-

to accept the late correspondence into the proceedings.

Mrs Janssen advised that the necessary upgrading works had been completed.

Mr Lucas Zych, representing Thistle Apartments Limited was in attendance, spoke in support of the application and responded to questions from members.

The Committee resolved:-

to grant the licence.

EXEMPT AND CONFIDENTIAL INFORMATION

In accordance with the decision taken at Article 1 of this minute, and in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973, the press and public were excluded from the meeting for consideration of the following items which contained exempt and confidential information.

SHORT TERM LET (EXISTING OPERATOR) - 166 BON ACCORD STREET (AGENDA ITEM 10.2)

28. The Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection was received from the Chief Superintendent, Police Scotland, c/o North East Division, dated 5 January 2024, from Police Scotland, North East Division, appended to the report.

Mrs Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works and certification had still to be completed.

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The applicant was in attendance, spoke in support of the application and responded to questions from members.

Sergeant Neil Grant was in attendance and spoke in support of the letter of objection.

Both Parties were given the opportunity to sum up.

The Committee resolved:-

to defer consideration of the application until the necessary upgrading works are completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

REQUEST FOR SUSPENSION (PARAGRAPHS 11 & 12) - TAXI DRIVER LICENCE (AGENDA ITEM 10.3)

29. The Committee had before it (1) an information sheet prepared by the Interim Chief Officer – Governance, which advised that a request had been received under Paragraph 11, Schedule 1 of the Civic Government (Scotland) Act 1982 for the suspension or revocation of a Taxi Driver's licence; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division dated 26 January 2024.

Sergeant Neil Grant, spoke in support of Police Scotland's letter and responded to questions from members.

The licence holder was in attendance and responded to questions from members of the Committee.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to suspend the licence with immediate effect for the unexpired portion of the licence on the grounds of public safety.

TAXI OPERATOR LICENCE - RENEWAL (AGENDA ITEM 10.4)

30. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 23 October 2024; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 26 January 2024.

The licence holder was in attendance and spoke in support of his application and responded to questions from members.

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Sergeant Neil Grant was in attendance and advised that he had nothing further to add to the letter of objection.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to grant the renewal of the licence.

STREET TRADER LICENCE - GRANT (AGENDA ITEM 10.5)

31. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 25 February 2024; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 25 October 2023.

The licence holder was in attendance and spoke in support of her application and responded to questions from members.

Sergeant Neil Grant was in attendance and spoke in support of Police Scotland's letter of representation.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to grant the licence.

TAXI DRIVER LICENCE - RENEWAL (AGENDA ITEM 10.6)

32. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 18 July 2024; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 8 November 2023.

The licence holder was in attendance and spoke in support of his application and responded to questions from members.

Sergeant Neil Grant was in attendance and spoke in support of Police Scotland's letter of representation.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to grant the renewal of the licence.

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TEMPORARY TAXI DRIVER LICENCE - GRANT (AGENDA ITEM 10.7)

33. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 26 August 2024; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 29 November 2023.

As a preliminary matter, Mr Sandy Munro, Legal Adviser advised that additional correspondence dated 5 February 2024 had been submitted by the applicant, therefore the Committee required to consider whether it be accepted into the proceedings.

The Committee resolved:-

to accept the late correspondence into the proceedings.

The licence holder was in attendance and spoke in support of his application and responded to questions from members.

Sergeant Neil Grant was in attendance and spoke in support of Police Scotland's letter of objection and responded to questions from members.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to grant the temporary licence.

SECOND HAND DEALER LICENCE - GRANT (AGENDA ITEM 10.8)

34. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 27 September 2024; and (2) a letter from the Chief Superintendent, Police Scotland, c/o North East Division, dated 25 January 2024.

The licence holder was in attendance and spoke in support of his application and responded to questions from members.

Sergeant Neil Grant was in attendance and spoke in support of Police Scotland's letter of representation and responded to questions from members.

Both parties were given the opportunity to sum up.

The Committee resolved:-

to refuse the licence on the grounds that the applicant was not a fit and proper person.

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REQUEST FOR EXEMPTION AND REVIEW - WHEELCHAIR ACCESSIBLE VEHICLE POLICY (AGENDA ITEM 10.9)

35. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the licence holder was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request submitted by the licence holder.

As a preliminary matter, Mr Sandy Munro, Legal Adviser advised that additional correspondence had been submitted by the licence holder, therefore the Committee required to consider whether it be accepted into the proceedings.

The Committee resolved:-

to accept the late correspondence into the proceedings.

The licence holder was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY (AGENDA ITEM 10.10)

36. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request.

The applicant was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY (AGENDA ITEM 10.11)

37. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request.

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The applicant was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY
(AGENDA ITEM 10.12)**

38. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request.

The applicant was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY
(AGENDA ITEM 10.13)**

39. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request.

The applicant was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

**REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY
(AGENDA ITEM 10.14)**

40. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request.

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The applicant was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to refuse the request for exemption from the Wheelchair Accessible Vehicle Policy.

REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY (AGENDA ITEM 10.15)

41. The Committee were advised that this item had been deferred to the next meeting of the Committee at the request of the applicant.

REQUEST FOR EXEMPTION - WHEELCHAIR ACCESSIBLE VEHICLE POLICY (AGENDA ITEM 10.16)

42. The Committee had before it (1) an information note prepared by the Interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the Wheelchair Accessible Vehicle policy; (2) correspondence relating to the exemption request.

The applicant was in attendance, spoke in support of the exemption request and responded to questions from members.

The Committee resolved:-

to approve the request for exemption from the Wheelchair Accessible Vehicle Policy.

TAXI DRIVER LICENCE - RENEWAL (AGENDA ITEM 10.17)

43. The Committee had before it an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 19 April 2024.

The licence holder was not in attendance, nor represented.

The Committee resolved:-

to refuse the renewal of the licence.

TAXI DRIVER LICENCE - RENEWAL (AGENDA ITEM 10.18)

44. The Committee had before it an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 4 March 2024.

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The licence holder was not in attendance, nor represented.

The Committee resolved:-

to refuse the renewal of the licence.

TAXI DRIVER LICENCE - RENEWAL (AGENDA ITEM 10.19)

45. The Committee had before it an information note prepared by the Interim Chief Officer – Governance (Legal) which advised that the application required to be considered by 23 February 2024.

The licence holder was in attendance and spoke in support of his application and responded to questions from members.

The Committee resolved:-

- (i) to refuse the licence; and
 - (ii) that should the applicant meet Group 2 Medical Standards and reapply, to waive the application fee and also the requirement to sit the Street Knowledge Test.
- **COUNCILLOR STEVE DELANEY, Vice Convener**

LICENSING SUB COMMITTEE

ABERDEEN, 28 February 2024. Minute of Meeting of the LICENSING SUB COMMITTEE. Present:- Councillor Al-Samarai, Convener; Councillor Delaney, Vice Convener; and Councillor Clark.

The agenda, reports and recording associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

1. There were no declarations of interest or transparency statements intimated.

SHORT TERM LET (EXISTING OPERATOR) - 7 JUTE STREET

2. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from the applicant Rongrong Zhou.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

Tatyana Khilo was in attendance, spoke in support of the application and responded to questions from members.

The objector was not in attendance, nor represented.

The Sub Committee resolved:-
to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - 22 POLMUIR GARDENS

3. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that three letters of objection, appended to the report were submitted to the Private Sector Housing Team; and (2) a representation from RJH Accommodation.

As a preliminary matter, Jocelyn Janssen, Private Sector Housing Manager advised that a late objection had been received from Elizabeth and James Doyle, therefore the Committee required to consider whether it be accepted into the proceedings.

The Sub Committee resolved:-

LICENSING SUB COMMITTEE

28 February 2024

to accept the late objection into the proceedings.

Jocelyn Janssen advised that the necessary upgrading works had not been completed.

Duncan Kerr, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

Richard Bryce, one of the objectors was in attendance, spoke in support of his letter of objection and responded to questions from members.

As a further preliminary matter, Richard Bryce sought approval to circulate copies of photographs taken outside the property showing litter, therefore the Committee required to consider whether they be accepted into the proceedings.

The Sub Committee resolved:-

to accept the copies of the photographs into the proceedings, which were circulated to members.

The other three objectors were not in attendance, nor represented.

All parties were given the opportunity to sum up.

The Sub Committee resolved:-

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

SHORT TERM LET (EXISTING OPERATOR) - 45 QUEENS HIGHLANDS

4. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Ledingham Chalmers.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had not been completed.

David Lakin, the applicant was in attendance, spoke in support of the application and responded to questions from members.

The objector, was not in attendance, nor represented.

The Sub Committee resolved:-

LICENSING SUB COMMITTEE

28 February 2024

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

SHORT TERM LET (EXISTING OPERATOR) - 54 QUEENS HIGHLANDS

5. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Ledingham Chalmers.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had not been completed.

David Lakin, the applicant was in attendance, spoke in support of the application and responded to questions from members.

The objector, was not in attendance, nor represented.

The Sub Committee resolved:-

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

SHORT TERM LET (EXISTING OPERATOR) - 8 ALBURY MANSIONS

6. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that five letters of objection, appended to the report were submitted to the Private Sector Housing Team; and (2) a representation letter from Thistle Apartments.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

The applicant Isabel Rennie was in attendance, spoke in support of the application and responded to questions from members.

David Robertson and Aileen Taylor, two of the objectors were in attendance, spoke in support of their letters of objection and responded to questions from members.

The Sub Committee heard Sandy Munro provide clarification in relation to the legal position relating to title deeds, explaining that they should not be considered by members whilst determining the application as they did not constitute grounds for refusal.

LICENSING SUB COMMITTEE

28 February 2024

All parties were given the opportunity to sum up.

The Sub Committee resolved:-

to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - FLAT F, 20 RIVERSIDE DRIVE

7. The Sub Committee had before it a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that two letters of objection, appended to the report were submitted to the Private Sector Housing Team.

As a preliminary matter, Jocelyn Janssen, Private Sector Housing Manager advised that a letter of representation from Grampian Lettings Limited in response to the objections had been received, therefore the Committee required to consider whether it be accepted into the proceedings.

The Sub Committee resolved:-

to accept the late correspondence into the proceedings

Jocelyn Janssen advised that the necessary upgrading works had been completed.

Edvinas Dobrovolskis, Grampian Lettings Limited, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

The objectors were not in attendance, nor represented.

The Sub Committee resolved:-

to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - 54 SHAW ROAD

8. The Sub Committee were advised that the application had been deferred.

- **COUNCILLOR GILL AL-SAMARAI, Convener.**

LICENSING SUB COMMITTEE

ABERDEEN, 19 March 2024. Minute of Meeting of the LICENSING SUB COMMITTEE. Present:- Councillor Al-Samarai, Convener; and Councillors Delaney, Henrickson, MacGregor and McLeod.

The agenda, reports and recording associated with this minute can be found [here](#).

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

NOTIFICATION OF URGENT BUSINESS

1. The Convener advised that due to an oversight by the licence holder in submitting their renewal application, she had agreed to accept an urgent item of business onto the agenda in terms of Standing Order 36.3.

The Committee resolved:-

to note that the urgent item of business would be considered at agenda item 4.9. (article 11 of this minute refers)

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

2. There were no declarations of interest or transparency statements intimated.

SHORT TERM LET (EXISTING OPERATOR) - 66 WILLOWBANK ROAD

3. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that three letters of objection, appended to the report were submitted to the Private Sector Housing Team; and (2) a representation letter from Grampian Lettings Limited, the applicant's agent.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

Edvinas Dobrovolskis, Grampian Lettings Limited was in attendance, spoke in support of the application and responded to questions from members.

The objectors were not in attendance, nor represented.

The Sub Committee resolved:-

to grant the licence.

LICENSING SUB COMMITTEE

19 March 2024

SHORT TERM LET (EXISTING OPERATOR) - 12 QUEENS HIGHLANDS

4. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Ledingham Chalmers.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had not been completed.

David Lakin, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

The objector, was not in attendance, nor represented.

The Sub Committee resolved:-

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

SHORT TERM LET (EXISTING OPERATOR) - 22 QUEENS HIGHLANDS

5. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Ledingham Chalmers.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had not been completed.

David Lakin, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

The objector, was not in attendance, nor represented.

The Sub Committee resolved:-

to defer consideration of the application until the necessary upgrading works were completed, after which time the Chief Officer - Early Intervention and Community Empowerment could grant the licence under delegated powers if appropriate.

SHORT TERM LET (EXISTING OPERATOR) - 29 BANNERMILL PLACE

6. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason

LICENSING SUB COMMITTEE

19 March 2024

that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Grampian Lettings Limited, the applicant's agent.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

Edvinas Dobrovolskis, Grampian Lettings Limited was in attendance, spoke in support of the application and responded to questions from members.

The objector was not in attendance, nor represented.

The Sub Committee resolved:-

to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - 148 BANNERMILL PLACE

7. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that one letter of objection, appended to the report was submitted to the Private Sector Housing Team; and (2) a representation letter from Grampian Lettings Limited, the applicant's agent.

Jocelyn Janssen, Private Sector Housing Manager advised that the necessary upgrading works had been completed.

Edvinas Dobrovolskis, Grampian Lettings Limited was in attendance, spoke in support of the application and responded to questions from members.

The objector was not in attendance, nor represented.

The Sub Committee resolved:-

to grant the licence.

SHORT TERM LET (EXISTING OPERATOR) - FLAT 25 FRASER HOUSE, 9 MARKET STREET

8. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that nine letters of objection, appended to the report were submitted to the Private Sector Housing Team; and (2) a representation letter from Olarewaju Emmanuel.

As a preliminary matter, Jocelyn Janssen, Private Sector Housing Manager advised that further additional information from Nicholas Gordon, one of the objectors had been

LICENSING SUB COMMITTEE

19 March 2024

received, therefore the Committee required to consider whether it be accepted into the proceedings.

The Sub Committee heard Sandy Munro provide clarification in relation to the legal position relating to title deeds, explaining that they should not be considered by members whilst determining the application as they did not constitute grounds for refusal.

The Sub Committee resolved:-

not to accept the late information into the proceedings.

Jocelyn Janssen advised that the necessary upgrading works had not been completed.

Bukky Abdulazeez, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

Nicholas Gordon, Graham Barclay and Jason Ting, three of the objectors were in attendance, spoke in support of their letters of objection and responded to questions from members.

All parties were given the opportunity to sum up.

The Sub Committee resolved:-

to refuse the licence on the grounds that the use of the premises was not suitable or convenient for the conduct of the activity, having regard to the possibility of undue public nuisance or public safety.

SHORT TERM LET (EXISTING OPERATOR) - FLAT 26 FRASER HOUSE, 9 MARKET STREET

9. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that nine letters of objection, appended to the report were submitted to the Private Sector Housing Team; and (2) a representation letter from Olarewaju Emmanuel.

Jocelyn Janssen advised that the necessary upgrading works had not been completed.

Bukky Abdulazeez, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

Nicholas Gordon and Graham Barclay, two of the objectors were in attendance, spoke in support of their letters of objection and responded to questions from members.

All parties were given the opportunity to sum up.

The Sub Committee resolved:-

LICENSING SUB COMMITTEE

19 March 2024

to refuse the licence on the grounds that the use of the premises was not suitable or convenient for the conduct of the activity, having regard to the possibility of undue public nuisance or public safety.

SHORT TERM LET (EXISTING OPERATOR) - 56 OCEAN APARTMENTS, 52-54 PARK ROAD

10. The Sub Committee had before it (1) a report by the Private Sector Housing Manager, which advised that the application was before the Committee for the reason that three letters of objection, appended to the report were submitted to the Private Sector Housing Team; and (2) a representation letter from Alexandru Gavrila, the applicant's agent.

As a preliminary matter, Jocelyn Janssen, Private Sector Housing Manager advised that further additional information from Joshua Fraser, one of the objectors who was unable to attend today had been received, therefore the Committee required to consider whether it be accepted into the proceedings.

The Sub Committee resolved:-

to accept the late information into the proceedings.

Jocelyn Janssen advised that the necessary upgrading works had been completed.

Alexandru Gavrila, the applicant's agent was in attendance, spoke in support of the application and responded to questions from members.

Jim Harper and Amy Thain, two of the objectors were in attendance, spoke in support of their letters of objection and responded to questions from members.

All parties were given the opportunity to sum up.

The Sub Committee resolved:-

to refuse the licence on the grounds that the use of the premises was not suitable or convenient for the conduct of the activity, having regard to the possibility of undue public nuisance or public safety.

EXEMPTION FROM POLICY - STREET KNOWLEDGE TEST - JOHN HAROLD ROBERTON

11. The Committee had before it an information note prepared by the interim Chief Officer – Governance (Legal), which advised that the applicant was seeking an exemption from the policy for undertaking the Street Knowledge Test.

The applicant was not in attendance, nor represented.

LICENSING SUB COMMITTEE

19 March 2024

The Committee resolved:-

to approve the request for exemption from policy for undertaking the Street Knowledge Test.

- **COUNCILLOR GIL AL-SAMARAI, Convener**

	A	B	C	D	E	F	G	H	I
1	LICENSING COMMITTEE BUSINESS PLANNER								
	The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting.								
2	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
3			24 April 2024						
4	Public Entertainment Licensing Resolution	to review existing resolution and determine if a review exercise is required		Sandy Munro	Governance	Corporate Services	16.3		
5	Taxi Demand Survey (including Review of Taxi Ranks)	The Committee on 6/9/22 agreed to defer the Taxi Demand survey for a period of 12 months. The survey will be instructed within that period and the results reported to committee on 8 November. The Committee on 26/10/21 agreed to instruct the Chief Officer – Governance to undertake a Review of the Taxi Ranks in Aberdeen at the earliest opportunity following any Council decision being taken on the options for vehicle access on Union Street and the Spaces for People interventions in that area.		Sandy Munro	Governance	Corporate Services	16.3	D	Procurement exercise taking longer than anticipated. Now scheduled for October Committee
6	Taxi Fleet Composition	The Licensing Committee on 15/3/23 agreed that a report on the options for a mixed taxi fleet be brought to Committee at its meeting on 6 September 2023		Sandy Munro	Governance	Corporate Services	16.3	D	Awaiting feedback from the taxi trade, likely a report will be submitted by the end of year but may bring earlier once we hear from the trade.
7	Membership of the Licensing Sub Committee	The purpose of this report is to consider changes to the membership of the Licensing Sub Committee		Mark Masson	Governance	Corporate Services	Intro 3		
8	Back Wynd Taxi Rank Hours of Operation	The Committee on 21/2/24 agreed to authorise the Chief Officer - Governance to undertake a consultation exercise on increasing the hours of operation of the Back Wynd taxi rank to 24 hours a day; and to instruct the Chief Officer (Governance) to report the results of the consultation exercise to the Committee at the meeting on 24 April 2024		Sandy Munro	Governance	Corporate Services	16.3		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Membership of the Taxi and Private Hire Car Consultation Group.	The purpose of this report is to consider changes to the membership of the Taxi and Private Hire Car Consultation Group		Mark Masson	Governance	Corporate Services	Intro 3	D	Officers will be reviewing all aspects of the Taxi and Private Hire Car Consultation Group including membership and Remit over the Summer and a report will be submitted to the Committee at their meeting on 9 October 2024
9									
10			5 June 2024						
11	Low Emission Zone - Impact of Glasgow's time-limited exemption for Taxi Operators	The Committee on 6/9/23 agreed to instruct the Chief Officer – Strategic Place Planning to report back to the Licensing Committee in June 2024 on the impacts of Glasgow's time-limited exemption for taxi operators. The NZET on 1/11/23 agreed to request that the report to be presented to the Licensing Committee in June to review existing policy and determine if a review exercise is required		Will Hekelaar	Strategic Place Planning	Corporate Services	16.3		
12	Public Charitable Collection Policy			Sandy Munro	Governance	Corporate Services	16.3		
13	Review of the Short Term Lets Policy	The Committee on 06/09/22 agreed that a review of the policy be undertaken 12 months from the implementation date (1 October 2022).		Jocelyn Janssen	Housing	Families and Communities	16.3		

	A	B	C	D	E	F	G	H	I
	Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference Number	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
2	Taxi Driver Training	Licensing Committee 19/2/19 agreed to instruct the Chief Officer – Governance to continue to investigate training programmes for taxi and private hire drivers and report back to the Committee in this regard as and when appropriate.	The Committee on 21/2/24 noted that although progress was being made, discussions were ongoing with Training Providers and a report would likely to be submitted to June Meeting	Sandy Munro	Governance	Corporate Services	16.3		
14			20 August 2024						
15									
16	Second Hand Dealer's Licence Resolution	to review existing resolution and determine if a review exercise is required		Sandy Munro	Governance	Corporate Services	16.3		
17			9 October 2024						
18	Taxi & Private Hire	to review existing policy and determine if a review exercise is required		Sandy Munro	Governance	Corporate Services	16.3		
19			4 December 2024						
20	Street Trader's Licence Policy	to review existing policy and determine if a review exercise is required		Sandy Munro	Governance	Corporate Services	16.3		
21	Annual Committee Effectiveness Report	The purpose of this report is to present the annual report of the Licensing Committee to enable Members to provide comment on the data contained within (Reporting Period is 15 October 2023 to 15 October 2024)		Mark Masson	Governance	Corporate Services	GD 8.5		
22			TBC 2025						
23	Sexual Entertainment Venue Licensing Policy	Potential Review of Policy	likely to be first meeting of 2025	Sandy Munro	Governance	Corporate Services	16.3		

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	24 April 2024
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Membership of the Licensing Sub Committee
REPORT NUMBER	CORS/24/097
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Jenni Lawson
REPORT AUTHOR	Mark Masson
TERMS OF REFERENCE	Introduction 3

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider changes to the membership of the Licensing Sub Committee.

2. RECOMMENDATIONS

That Committee:-

- 2.1 approve the Licensing Sub Committee membership in accordance with the proposed composition at 3.4 of this report commencing on 1 May 2024;

3. CURRENT SITUATION

Licensing Sub Committee

- 3.1 On 5 July 2022, The Licensing Committee re-established the Licensing Sub Committee which consisted of 7 members.
- 3.2 The Committee on 12 December 2023, agreed that in order to address the current situation relating to the large volume of Short Term Lets applications and to ensure that all members of the Licensing Committee share the responsibility of considering these, that for the period of 1 January 2024 until 30 April 2024 the Sub Committee consist of any member of the Committee.
- 3.3 Council on 8 February 2024, agreed to amend the number of elected members on all committees with the Licensing Committee being reduced from 13 members to 9 and the composition being as follows:-

Licensing Committee	5 Partnership	2 Lab	1 Con	1 Ind	9 total
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- 3.4 It is therefore proposed that from 1 May 2024, the membership of the Licensing Sub Committee be reduced from 7 to 5 members with the following composition:-

Licensing Sub Committee	3 Partnership	1 Lab	1 Con	5 total
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- 3.5 If the Committee are minded to approve the recommendation, the Clerk will contact Group leaders to obtain membership representatives.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 There are no environmental implications arising from the recommendations of this report.

7. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation	*Does Target Risk Level Match Appetite Set?
Strategic Risk	N/A			Yes
Compliance	N/A			Yes
Operational	N/A			Yes
Financial	N/A			Yes
Reputational	N/A			Yes
Environment / Climate	N/A			Yes

8. OUTCOMES

- 8.1 There are no links to the Council Delivery Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	No assessment required. I confirm this has been discussed and agreed with Jenni Lawson, Chief Officer – Governance on 8 April 2024.
Data Protection Impact Assessment	Not required

10. BACKGROUND PAPERS

10.1 None.

11. APPENDICES

11.1 None.

12. REPORT AUTHOR CONTACT DETAILS

Mark Masson
Committee Services Officer
mmasson@aberdeencity.gov.uk
01224 067556

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ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	24 April 2024
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Public Entertainment Licence Resolution
REPORT NUMBER	CORS/24/124
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Jenni Lawson
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	16.3

1. PURPOSE OF REPORT

- 1.1 To review the position in relation to Public Entertainment licences and determine whether a formal review process is required.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Consider the current resolution in relation to Public Entertainment licences and determine whether a formal review process is required.

3. CURRENT SITUATION

- 3.1 The current Public Entertainment Licence Resolution is attached as Appendix 1.
- 3.2 If the Committee determines that a formal review process is appropriate a public consultation exercise will be undertaken and views sought from the public, Police Scotland, relevant Council departments and any other relevant stakeholders.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	N/A			Yes
Compliance	N/A			Yes
Operational	N/A			Yes
Financial	N/A			Yes
Reputational	N/A			Yes
Environment / Climate	N/A			Yes

8. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	No assessment required. I confirm this has been discussed and agreed with Jenni Lawson, Chief Officer, Governance on 1 April 2024
Data Protection Impact Assessment	Not required.
Other	N/A

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 Appendix 1 – Current Public Entertainment Licence Resolution

12. REPORT AUTHOR CONTACT DETAILS

Name	Sandy Munro
Title	Solicitor
Email Address	AleMunro@aberdeencity.gov.uk

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Appendix 1 – Current PEL Resolution

A licence is required where you intend to have entertainment, such as a dance, concert, variety show or other entertainment to which members of the public are to be admitted. Discounted fees will apply to community, charity, voluntary groups and community centres.

Such a licence is not required in certain circumstances, such as for an athletic or sports ground being used for sports or athletic purposes, or entertainment that is being provided on premises licensed under the Licensing (Scotland) Act 2005 during licensed hours, or if you hold a cinema licence.

Premises/activities which require a public entertainment licence are:

- Bonfires
- Bowling Alleys
- Bungee Jumping Sites
- Church Halls (a public entertainment licence shall not be required for a church hall belonging to or occupied by any religious body while being used wholly or mainly for purposes connected with that body)
- Circuses
- Community Centres
- Concert Halls
- Concerts
- Dance Halls
- Discotheques
- Dry Ski Centres
- Endurance events
- Events which utilise Temporary Demountable Structures (such as marquees, tents, inflatables, stages or platforms)
- Fairgrounds – to include any event/activity which utilises funfair equipment including bouncy castles and other inflatable equipment
- Firework Displays
- Go-karting
- Halls used for Voluntary Organisations
- Highland Games
- Ice Rinks
- Laser Display
- Laser Games
- Live Band Performances
- Martial sports
- Motorsports and Rallying
- Musical Shows or Festivals
- Paint Ball Games
- Premises for Health and Fitness including Gyms
- Public Halls
- Raves
- Roller Skating Rinks
- Running events with over 100 participants

- Schools and other Educational Establishments (or parts thereof) within which the number of members of the public admitted to or taking part in any single event or activity at any one time exceeds 60
- Skateboarding
- Sports Centres
- Swimming Pools
- Theatrical performances
- Trampolining
- Vehicle Stunt Shows

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	24 April 2024
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Back Wynd Taxi Rank Hours of Operation
REPORT NUMBER	CORS/24/125
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Jenni Lawson
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	16.3

1. PURPOSE OF REPORT

- 1.1 To inform Committee of the results of the consultation exercise on the prospect of increasing the hours of operation of the Back Wynd taxi rank whilst the night time rank on Union Street is inaccessible.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Notes the results of the consultation exercise; and
- 2.2 Instruct the Chief Officer (Governance) to implement the change of hours of operation for the Back Wynd rank to 24 hours a day, commencing on 29 April 2024.

3. CURRENT SITUATION

- 3.1 The Back Wynd taxi rank currently operates from 0500 hours to 0000 hours daily. A night time taxi rank situated on Union Street caters for passengers between the hours of 0000 and 0500 currently.
- 3.2 As a result of construction works scheduled to be carried out on Union Street from 29 April 2024 the night time rank will be inaccessible.
- 3.3 It is proposed to increase the hours of operation of the Back Wynd rank to 24 hours a day to compensate for the temporary loss of the night time rank. The change in hours would commence on 29 April 2024 to coincide with the construction works.
- 3.4 The consultation exercise ran from 19 March to 9 April and attracted no responses.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	N/A			Yes
Compliance	N/A			Yes
Operational	N/A			Yes
Financial	N/A			Yes
Reputational	N/A			Yes
Environment / Climate	N/A			Yes

8. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	New Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required
Other	N/A

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 None

12. REPORT AUTHOR CONTACT DETAILS

Name	Sandy Munro
Title	Solicitor
Email Address	AleMunro@aberdeencity.gov.uk

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Application	Name of Applicant & Agent	Premises of which application refers	Representations received	Date by which application to be determined (date order)	Page Number Start
HMO Application (Renewal)	Michael McFadyen + Winchesters Lettings	Lower Flat, 6 Sunnyside Road, Aberdeen	PSHU	08 May 2024	51-52
HMO Application (Renewal)	Michael McFadyen + Winchesters Lettings	Upper Flat, 6 Sunnyside Road, Aberdeen	PSHU	08 May 2024	53-54
HMO Application (Renewal)	John Craig + Winchesters Lettings	6 Tanfield Avenue. Aberdeen	PSHU	09 May 2024	55-56
HMO Application (New)	Thomas Rogerson	1 Elmfield Terrace, Aberdeen	PSHU	11 May 2024	57-58
Short Term Let Application (New Operator)	BLG Property Investments Ltd + Holiday Homes Edinburgh Ltd	22 Mayfield Gardens, Aberdeen	3 Objections	18 November 2024	59-66
Exemption from Street Knowledge Test – Taxi Driver Licence	Sami Benmouhoub	N/A	Applicant request	N/A	67-68

Application	Name of Applicant & Agent	Premises of which application refers	Representations received	Date by which application to be determined (date order)	Page Number Start
Complaint – Taxi Driver and Vehicle Licence	Andrew Carle	N/A	Complaint	N/A	69-72
Complaint – Taxi Driver and Vehicle Licence	Mohamad Elbehaderie	N/A	Complaint	N/A	73-80
Application for variation to Second Hand Dealer Licence	CeX Ltd	46 Union Street, Aberdeen, AB10 1BD	N/A	18 October 2024	81-86
WAV exemption request – taxi driver	Matthew Chyla	N/A	Applicant request	N/A	87-88
WAV exemption request – taxi driver	Ash Canale	N/A	Applicant request	N/A	89-90

LICENSING COMMITTEE INFORMATION SHEET

24 April 2024

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: MICHAEL MCFADYEN

AGENT: WINCHESTERS LETTINGS

ADDRESS: LOWER FLAT, 6 SUNNYSIDE ROAD, ABERDEEN

INFORMATION NOTE

- Application Submitted 09/05/2023
- Determination Date 08/05/2024

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that work and certification requirements to bring the property up to the current HMO standard have not been completed. The meeting of the Licensing Committee on 24 April 2024, is the last meeting before the one-year statutory deadline for determining this HMO licence application. Therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 24 April 2024. I will advise the Committee whether the applicant has satisfactorily completed the necessary work and certification.

DESCRIPTION

The property at Lower Flat, 6 Sunnyside Road, Aberdeen, is a ground and lower ground floor, flatted property, providing accommodation of 4 letting bedrooms, open plan kitchen/ lounge and bathroom. The applicant has requested an occupancy of 4 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:

['Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'](#)

GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and the registration includes Lower Flat, 6 Sunnyside Road, Aberdeen.
- The Council's Community Safety Team has no record of any complaints of anti-social behaviour involving the tenants of Lower Flat, 6 Sunnyside Road, Aberdeen.
- The extent of the above-mentioned work requirements are as follows:
 - 1) Kitchen door to be adjusted to latch correctly.

The following certificates must be provided:

1. PAT Certificate
2. Certificate of Compliance
3. Tenancy Agreement

LICENSING COMMITTEE INFORMATION SHEET

24 April 2024

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: MICHAEL MCFADYEN

AGENT: WINCHESTERS LETTINGS

ADDRESS: UPPER FLAT, 6 SUNNYSIDE ROAD, ABERDEEN

INFORMATION NOTE

- Application Submitted 09/05/2023
- Determination Date 08/05/2024

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that work and certification requirements to bring the property up to the current HMO standard have not been completed. The meeting of the Licensing Committee on 24 April 2024, is the last meeting before the one-year statutory deadline for determining this HMO licence application. Therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 24 April 2024. I will advise the Committee whether the applicant has satisfactorily completed the necessary work and certification.

DESCRIPTION

The property at Upper Flat, 6 Sunnyside Road, Aberdeen, is a 1st floor, flatted property, providing accommodation of 3 letting bedrooms, kitchen, lounge and bathroom. The applicant has requested an occupancy of 4 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:

['Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'](#)

GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and the registration includes Upper Flat, 6 Sunnyside Road, Aberdeen.
- The Council's Community Safety Team has no record of any complaints of anti-social behaviour involving the tenants of Upper Flat, 6 Sunnyside Road, Aberdeen.
- The extent of the above-mentioned work requirements are as follows:
 - 1) Repair bedroom 2 middle bay window and kitchen window, to operate correctly.
 - 2) Prohibition notice required for open fire in bedroom 2.
 - 3) Repair/renew thumb turn lock on bedroom 1 door.
 - 4) Renew failed double-glazed unit at kitchen window (identified at follow up inspection).

The following certificates must be provided:

1. PAT Certificate
2. Electrical Installation Condition Report, which meets the requirements of BS 7671
3. Certificate of Compliance
4. Tenancy Agreement

LICENSING COMMITTEE INFORMATION SHEET

24 April 2024

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (RENEWAL)

APPLICANT: JOHN CRAIG

AGENT: WINCHESTERS LETTINGS

ADDRESS: 6 TANFIELD AVENUE, ABERDEEN

INFORMATION NOTE

- Application Submitted 10/05/2023
- Determination Date 09/05/2024

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that work and certification requirements to bring the property up to the current HMO standard have not been completed. The meeting of the Licensing Committee on 24 April 2024, is the last meeting before the one-year statutory deadline for determining this HMO licence application. Therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 24 April 2024. I will advise the Committee whether the applicant has satisfactorily completed the necessary work and certification.

DESCRIPTION

The property at 6 Tanfield Avenue, Aberdeen, is a 2 Storey, semi-detached property, providing accommodation of 4 letting bedrooms, kitchen, lounge, bathroom, and en-suite shower room. The applicant has requested an occupancy of 4 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:

['Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'](#)

GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance

OTHER CONSIDERATIONS

- The applicant is registered as a landlord with this Council and the registration includes 6 Tanfield Avenue, Aberdeen.
- The Council's Community Safety Team has no record of any complaints of anti-social behaviour involving the tenants of 6 Tanfield Avenue, Aberdeen.
- The extent of the above-mentioned work requirements are as follows:
 - 1) Make good the flaking paint & decorate, at the bedroom 2 bay window area + decorate the bare plasterboard walls in bedroom 2.
 - 2) Re-hang the bedroom 2 door to operate correctly.
 - 3) Make good the damaged bedroom 3 ceiling and decorate accordingly (identified at follow up inspection).

The following certificates must be provided:

1. Gas Safety Certificate
2. Certificate of Compliance

LICENSING COMMITTEE INFORMATION SHEET

24 April 2024

Public Application

TYPE OF APPLICATION: HMO LICENCE APPLICATION (NEW)

APPLICANT: THOMAS ROGERSON

AGENT: NONE

ADDRESS: 1 ELMFIELD TERRACE, ABERDEEN

INFORMATION NOTE

- Application Submitted 12/05/2023
- Determination Date 11/05/2024

At the date of drafting this Information Note, a new HMO licence cannot be granted for the reason that certification requirements have not been completed. The meeting of the Licensing Committee on 24 April 2024, is the last meeting before the one-year statutory deadline for determining this HMO licence application. Therefore if the property is still unsuitable for occupation as an HMO by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 24 April 2024. I will advise the Committee whether the applicant has satisfactorily completed the necessary certification.

DESCRIPTION

The property at 1 Elmfield Terrace, Aberdeen, is a 2 Storey, semi-detached property, providing accommodation of 3 letting bedrooms, kitchen, lounge and shower room. The applicant has requested an occupancy of 3 tenants, which is acceptable in terms of space and layout.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- A public Notice of HMO Application was displayed outside the building for the 21-day statutory period, alerting the general public to the HMO licence application.

OBJECTIONS/REPRESENTATIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- General public – no objections

COMMITTEE GUIDELINES/POLICY

All applications for HMO licences are dealt with in accordance with the Scottish Government's document:

['Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities'](#)

GROUNDINGS FOR REFUSAL

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance

OTHER CONSIDERATIONS

- The applicant is not registered as a landlord with this Council for 1 Elmfield Terrace, Aberdeen.
- The Council's Community Safety Team has no record of any complaints of anti-social behaviour involving 1 Elmfield Terrace, Aberdeen.
- **The following certificates must be provided:**
 1. Copy of PRT tenancy agreement with the Anti-Social behaviour clause.

LICENSING COMMITTEE INFORMATION SHEET

24 April 2024

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION

NEW OPERATOR-SECONDARY LETTING

APPLICANT: BLG PROPERTY DEVELOPMENTS LTD

PROPERTY MANAGER: HOLIDAY HOMES EDINBURGH LTD

ADDRESS: 22 MAYFIELD GARDENS, ABERDEEN

INFORMATION NOTE

- Application Submitted 19/02/2024
- Determination Date 18/11/2024

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 3 representations/objections were submitted to the Private Sector Housing Team.

If, after consideration of the representations/objections, the Committee is minded to grant the Short Term Let licence, it may do so under delegated powers since at the time of drafting this information note, the necessary upgrading works and certification have not been completed.

DESCRIPTION

The property at 22 Mayfield Gardens, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises of a 2 Storey, mid-terraced property, providing accommodation of 3 letting bedrooms, kitchen, lounge, dining room and bathroom. The applicant wishes to accommodate a maximum of 4 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – Planning not required
- One objection email from Gordon & Grace Burnett (Attached as Appendix B)

- One objection email from Wilson Johnston (Attached as Appendix C)
- One objection email from Garry Welsh (Attached as Appendix D)

The objections were received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

- (i)for the time being disqualified under section 7(6) of this Act, or
- (ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

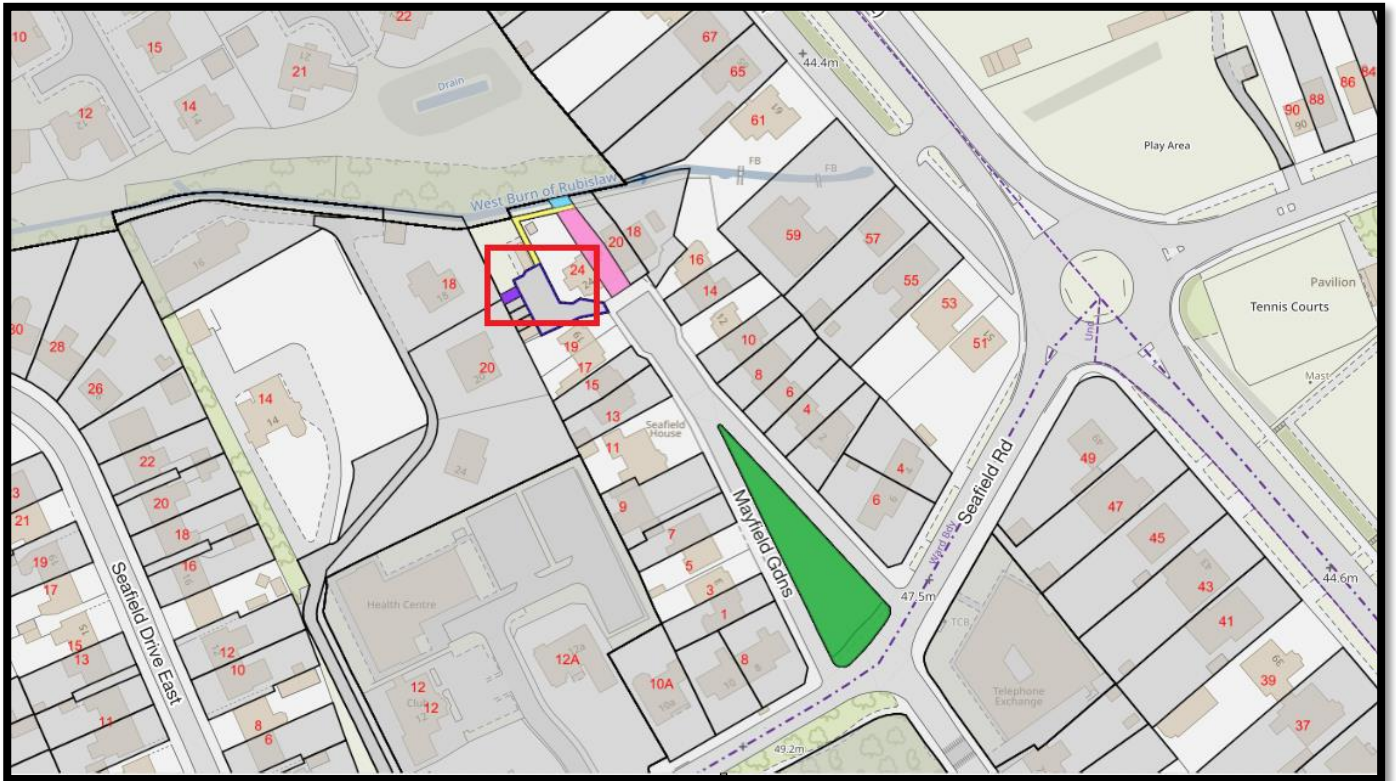
- (i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;
- (ii)the nature and extent of the proposed activity;
- (iii)the kind of persons likely to be in the premises, vehicle or vessel;
- (iv)the possibility of undue public nuisance; or
- (v)public order or public safety; or

(d)there is other good reason for refusing the application;

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- The Council's Community Safety Team has no record of any anti-social behaviour complaints in respect of 22 Mayfield Gardens, Aberdeen.
- There are no Granted Short Term Let licenses on Mayfield Gardens.
- The property is currently unlicensed. As the applicant is a new operator, the property cannot operate as a Short Term Let until the Licence application is determined.

'A'



'B'

From: Grace Burnett
Sent: Monday, March 11, 2024 9:08 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: No. 22 Mayfield Gardens, Aberdeen AB15 7YZ

TO WHOM IT MAY CONCERN

Good Morning,

Being a resident at [REDACTED] Mayfield Gardens, we wish to register our objection to the property at No. 22 Mayfield Gardens being given permission for Short Term Lets. We are happy for the property to be rented to a family on a Long Term Let.

Yours faithfully,
Gordon and Grace Burnett

'C'

From: wcjohnston
Sent: Monday, March 11, 2024 11:50 AM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Short Term Lets - Objection

This email serves to notify Aberdeen Council that we wish to object to the short term let license application submitted by 22 Mayfield Gardens Aberdeen AB15 7YZ.

As a long-time owner and resident of Mayfield Gardens, our objection is that a short term lease will:

- increase car congestion and parking to a quiet residential cul-de-sac area of the west end
- introduce unwanted and frequent strangers into the cul-de-sac who may not otherwise respect the elderly community or neighbourhood
- cause an increase in security and neighbourhood watch complaints due to noise, party's and general anti-social behaviour
- reduce the inherent attractiveness/value of the cul-de-sac residential properties due to the above

Mr Wilson Johnston

'D'

From: Garry Welsh
Sent: Monday, March 11, 2024 12:40 PM

To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>

Subject: 22 Mayfield Gardens.

The above property is subject to a short term let license.

As a neighbour I would like to lodge an objection to the proposed change of use ie Airbnb.

Mayfield Gardens is a small, quiet cul-de-sac in a residential area of Aberdeen where most residents have lived for a considerable time.

The introduction of short term lets will completely change this environment.

Yours faithfully,

Garry Welsh

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LICENSING COMMITTEE INFORMATION SHEET

24 APRIL 2024

TYPE OF APPLICATION: Exemption from policy – Street Knowledge

APPLICANT : Sami Benmouhoub

INFORMATION NOTE

Mr Benmouhoub has held a Taxi Driver Licence from 04/01/2017 until 03/01/2024. There is no evidence to suggest that a renewal application was received from Mr Benmouhoub.
Mr Benmouhoub therefore has to re-apply for the grant of a new taxi driver licence. Under Licensing Committee policy, all intended applicants for a Taxi Driver Licence must pass the street knowledge test before a grant of taxi driver licence can be submitted.
Mr Benmouhoub is seeking exemption from this policy. The exemption request is detailed in the email from Mr Benmouhoub, dated 26/02/2024.

DESCRIPTION

Street Knowledge Exemption

CONSULTEES

- N/A

OBJECTIONS/REPRESENTATIONS

Legal

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that before any new grant application for a Taxi Driver Licence can be submitted the applicant must have passed the street knowledge test.

REQUEST

I am writing in reply to your later dated 20th February 2024, informing that I was given ample time to complete my application but failed and thus asking me to make a new application with an option to apply for exception from the street knowledge test.

I sincerely apologise for my inability to complete my application within the stipulated time - this was not deliberate. I sent in proof to show that my reply to you was left in my draft outbox. I had to seek help to understand how these things work but by the time I got a reply my ability to renew had expired. (Please see my email correspondences with Mr. David M. and the licensing teams email)

Moving forward from his, considering that I can be exempted from the street knowledge test, I will like to put forward an application to be excepted based on the following reason:

1. I was eligible to renew but for the unfortunate circumstance of my emails not being sent and was lodged in my outbox + draft folder. I informed you of the incidence and sent screen shot on my email to David. I also sent the code (HMRC Tax Code and Right to Work) which you asked me to resend and I did. However, the processing time had lapsed.
2. I have been driving taxi in Aberdeen for about 8 years and have held a valid taxi license in this period. In this period I have never been summoned before the panel based on customer complaint. This will mean that I have demonstrate high professionalism on my job and I have practical knowledge of the city without a glitch. I have worked continuously during this 8year period including the Covid time.
3. I am now fully aware of what the re- application process involves. I am committed to making sure that if this exception is accepted. I will make fresh application and provide all the documents required in 24hrs.
4. If this application for an exception is rejected it will have very dire consequences for me and my whole family
 - First problem is that taking this exam will add significant time to my waiting time to acquire a license to enable me work.
 - 2ndly if the waiting is increased it means I cannot be a provider for your family.
 - This whole issue is coursing me depression, as soon as I can complete this process, I will significantly have control over my life.

I want to use this opportunity to please ask the Aberdeen city council to please dispense justice with mercy considering that my actions where not deliberate but rather a result of series of unfortunate events. I am committed to maintaining my professionalism and keeping an eye on my license to ensure that renews when necessary in the future.

I appreciate your time in processing my request and look forward to your feedback.

SAMI BENMOUHOU B

LICENSING COMMITTEE INFORMATION SHEET 21 FEBRUARY 2024

LICENCE HOLDER: Andy Carle
TAXI DRIVER'S LICENCE: 0533 and T490

DESCRIPTION

COMPLAINT

On the 30 August 2023, a complaint was received in relation to taxi driver Andy Carle relating to Mr Carle picking up fares from the helicopter rank at Aberdeen Airport despite not holding the appropriate licence.

LEGISLATION/CONSULTEE

Civic Government (Scotland) Act 1982, Section 21 subsection 1-

If any person operates, or permits the operation of, a taxi within an area in respect of which its operation requires to be but is not licensed or the driver requires to be but is not licensed, that person shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.

OBJECTIONS/REPRESENTATIONS

Legal

COMMITTEE GUIDELINES/POLICY

Under the Civic Government (Scotland) Act 1982 it is a criminal offence to operate a taxi in an area where it is not licensed.

GROUNDS FOR SUSPENSION/REVOCATION

A licensing authority may suspend or revoke a licence if, in their opinion—

A licensing authority may order the suspension [or revocation] of a licence if in their opinion—

(a) the holder of the licence or, where the holder is not a natural person, any director of it or partner in it or any other person responsible for its management, is not or is no longer a fit and proper person to hold the licence;

(b) the activity to which the licence relates is being managed by or carried on for the benefit of a person, other than the licence holder, who would have been refused the grant or renewal of the licence under paragraph 5(3) above;

(c)the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety;

(d)a condition of the licence has been contravened.

COMPLAINT

Morning ,I would like to bring to your attention an incident from this [morning.at](#) approx 9.45 I received a call from another airport driver asking how close I was to chc as there were 8 pax waiting to go into city centre.She obviously was able to take [4.at](#) that moment I was driving past bristow's heliport so was less than one minute away. My colleague informed remains pax of this and left for [city.in](#) her rear view mirror she witnessed 4 pax getting into a rainbow taxi who was sitting opposite the chc [rank.as](#) I arrived I seen this taxi leaving fully loaded.Car involved was white with reg.sv15 jyr.plate no490.

Now there was not enough time for those pax to have phoned rainbow and booked a taxi so I will leave you to draw your own conclusions.

I might add David that this is far from an isolated incident as it it happening on a daily basis not just with yellow plates but red and shire plates.They seem to be under the impression that heliports are a free for all.

If I could make a suggestion that at some point your or a colleague could come out and witness this for yourselves. As taxi drivers we don't really want to be making trouble for other drivers but having a quiet word and pointing out that they shouldn't be there is not working,in fact another airport driver was verbally abused by a red plate driver who was picking up pax at bristow's rank.

We look forward to your help with this matter.

DRIVER RESPONSE

I arrived at CHC Scotia after dropping two passengers from Dyce rail station. I was then approached by a group who'd asked if I was available in which they stated they'd already been waiting 15 minutes and had a train to catch in Aberdeen in 40 minutes time. The lead passenger then said they were about to phone Rainbow there and then. These four lads had been away for at least 3 weeks and don't care who's taxi they get into as long as they get to where they want to go.

I have been a taxi driver for **23 years** and have a very good knowledge of where you can pick up and drop off your party. I have the privelege of paying Rainbow City Taxis £195 every week for the work I receive. I am not a thief nor a liar after the inappropriate and unnecessary comments made by (redacted) on Exchange Street. I could make a complaint about her behaviour myself.

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LICENSING COMMITTEE INFORMATION SHEET
24 April 2024

TAXI DRIVER LICENCE 1743

LICENCE HOLDER: M Elbehaderie (PH054)

DESCRIPTION

- Licence held since 20/09/2017
- Current licence granted 17/02/2022 on renewal
- Expiry 19/09/2024

The first complaint was received on 27/11/2023 from another driver.

The complaint states that Mr Elbehaderie stopped on the edge of the taxi rank at the airport and asked people waiting at the rank to get into his vehicle.

The complaint also states that when told that this is illegal for him to do, Mr Elbehaderie proceeded argue with the driver in front of waiting passengers.

A second complaint was received on 25/01/2024 a different taxi driver stating that Mr Elbehadrie dropping off and picking up passengers from the taxi rank for Bristow's Heliport.

As you will see from the emails provided, when asked about this, Mr Elbehadrie admitted to dropping off at the taxi rank at Bristow's Heliport, but denied picking up a hire.

CONSULTEES

N/A

OBJECTIONS/REPRESENTATIONS

- Licensing

COMMITTEE GUIDELINES/POLICY

N/A

GROUNDS FOR SUSPENSION/REVOCATION

A licensing authority may, whether upon a complaint made to them or not, suspend or revoke a licence in accordance with the provisions of this paragraph.

A licensing authority may order the suspension or revocation of a licence if in their opinion—

- (a) the holder of the licence or, where the holder is not a natural person, any director of it or partner in it or any other person responsible for its management, is not or is no longer a fit and proper person to hold the licence;
- (b) the activity to which the licence relates is being managed by or carried on for the benefit of a person, other than the licence holder, who would have been refused the grant or renewal of the licence under paragraph 5(3) above;
- (c) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety;
- (d) a condition of the licence has been contravened.

In considering whether to suspend or revoke a licence the licensing authority may—

(a) have regard to—

- (i) any misconduct on the part of the holder of the licence, whether or not constituting a breach of any provision of Part I or II of this Act or this Schedule, which in the opinion of the authority has a bearing on his fitness to hold a licence;
 - (ii) where the licence relates to an activity consisting of or including the use of premises or a vehicle or vessel, any misconduct on the part of persons frequenting or using the premises, vehicle or vessel occurring there or any misconduct in the immediate vicinity of the premises, vehicle or vessel which is attributable to those persons;
- (b) make such reasonable inquiries as they think fit and, subject to sub-paragraph (5) below, include the results of their inquiries in the matters to which they have regard in such consideration.

COMPLAINT 1

I'd like to put in a complaint against red plate 054 . Stopped right on edge of airport rank this morning and popped his boot open asking people off the rank to go into his car . When I pointed out to him it was illegal for him to pick up there I was told none of my business and he would pick up where he wanted . After again stating it was illegal I was told to dry my eyes he had hankies in his car . This led to a small argument in front of passengers waiting . It was very unprofessional on his part . I picked up and left and he was still waiting there trying to pick up . Thanks for your time ...



Complaint 2

Morning David.i have just had words with ph plate at bristow's rank.i witnessed him on rank dropping off passenger and agreeing to pick up pax who was waiting for taxi .this was confirmed by customer who told me he had approached ph car and driver told him he would take him.when I told driver he was out of order he was not concerned and laughed with pax he was dropping off.he then proceeded to take a photo of me picking up pax legally.i have attached photograph of car concerned thank you



Driver responses

Good afternoon,

Further to my email earlier today another complaint has come to my attention, which again states that you stopped near the taxi rank at Bristows on 27/11/2023 and actively plied for hire by asking waiting customers to use your vehicle (there is a photo attached).

A Private Hire Car is legally prohibited from plying for hire.

Therefore I have no choice other than to put both matters to the licensing Committee for the suspension or revocation of all licences held.

The complaints will be put before them on 24/04/2024 and you will receive an invite 14 days before that date.

Regards

Good afternoon,

Sorry we are not working from the office and a meeting is not possible.

As I have stated it is an offence for any vehicle other than a taxi to stop, park or wait on a taxi rank.

The photo attached cleared shows your vehicle, which is not a taxi stopped on a rank.

It also shows the rear PHC plate held on by two cable ties- this is a breach of conditions and therefore also a criminal offence.

I am happy to withdraw my warning and pass your case to the Licensing Committee if you prefer, and if they agree with what is shown in the photo they may suspend or revoke any licences held.

Regards

Subject: Re: Complaint Against Driver of PH054 & Vehicle Test

Good morning

I am looking to have a meeting with your good self, as I feel extremely upset and despondent by the fact of the outcome of your decision.

I feel greatly disappointed and unfairly treated.

I want to prove my innocence from the 2 criminal alleged charges.

Many thanks

Good morning,

I have noted your comments however they do not change the fact that you have committed two criminal offences.

Perhaps it would be a good idea if you reflected on that.

Regards

Subject: Re: Complaint Against Driver of PH054 & Vehicle Test

I have explained to you earlier in previous email, that I did drop off outside Bristows.

As for the taxi driver, who reported me to you. I had no choice but to report that taxi driver for his aggressive and rude behaviour in front of other passengers and other public people. The complaint was lodged to the Airport office with regards to the airport taxi driver's behaviour and aggressive attitude towards me.

I did not expect colleague to behave towards other colleague in such manner.

May be it is a good idea to reconcile between us (taxi driver) in order to get a good attitude towards each other as taxi driver.

I hope we all could live and work in peace.

Good afternoon,

We have photographic evidence that your vehicle stopped on the Taxi Rank at Bristows to at least drop off a fare (we are willing to accept that you did not collect a fare).

It is a criminal offence for any vehicle other than a taxi to stop, wait or park on a taxi rank- your vehicle is not a taxi.

In addition the same photo clearly shows the rear PHC plate being held on to the vehicle by two cable ties, which is a breach of the testing manual (being not secure) and therefore of licence conditions (which is also a criminal offence).

Therefore you should take this email as an official warning as to your future conduct.

These matters will be kept on file and should any further complaints be received your licences will be referred to the licensing committee for suspension or revocation.

Regards

Subject: Re: Complaint Against Driver of PH054 & Vehicle Test

Good morning

This is Mohamad ElBehaderie owner of Audi A6 plate number 54.

Yes I dropped outside Bristows, but I did not pick up any fare from there. I directed the passenger to the normal airport taxi.

As for the condition of my car, there is no problem with my car, clean and road trust worthy. I am to have my Hackney date 12 of February next month.

However I will take my car to Hackney test station as you have requested.

Kind regards

Good morning,

A complaint has been received against the drive of PH054 stating that the vehicle dropped off a passenger on the Bristows rank at the airport and collected a fare immediately thereafter that was not pre-booked, at approx. 12:00 on 25/01/2024.

I am sure you are aware that both of these would be a criminal offence.

You have 7 days to respond to this complaint by email.

In addition we have a concern relating to the condition of vehicle PH054 and therefore you are required to take it for inspection to the taxi testing centre today at 15:00

If you do not the licence will be suspended with immediate effect.

Regards

LICENSING COMMITTEE INFORMATION SHEET 24 APRIL 2024

TYPE OF APPLICATION: Variation of Second-Hand Dealer’s Licence
APPLICANT: Cex Ltd

INFORMATION NOTE

Application must be determined by 12/07/2024

DESCRIPTION

Variation of second-hand dealer’s licence.
The applicant is requesting for condition 3 on the licence to be removed. Condition 3 provides that the licence holder shall keep all articles in his shop or other place where his ordinary business is carried on. He shall not dispose of any articles acquired by him except goods bought at auction until the expiry of 48 hours (excluding any time on Saturdays and Sundays) after the date on which it shall appear from his books or electronic records that such articles have been purchased or received.

No letters of objection or representations have been received, however as the previous request for the same variation was refused it is being brought before Committee.

CONSULTEES

- Police Scotland
- Trading Standards

OBJECTIONS/REPRESENTATIONS

N/A

GROUNDS FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

and otherwise shall grant the application.

Reasons

We at CeX are looking to have a conversation with the Council and the Police to have our licence requirement of holding all items for 48 hours before sale removed.

The requirement is stated within the Civic Government Scotland Act, a piece of legislation over 40

years old. As such, we feel the requirement is outdated and has not yet developed in line with industry

and modern systems and a review of this requirement is necessary.

Later in this writing, it will be discussed in full that we use systems that will allow for a more efficient

communication method with the Police, which will reduce the time taken to seize these items for the

police and subsequently reduce the pressure on the stores to hold all items.

The data of the stores will be written in full further down, however in short, we find that the amount

of items seized by the Police often do not fall within the time frame required for the hold. As well as

this, only a small section of these items are requested for purchase within the hold period, as such the

complete hold on all items seems excessive to meet the necessary reasons.

Further by requiring the holding of these items for the time period, it causes issues for the stores.

Firstly, by not selling some of these items, this affects the stores budget for their wages and also their

ability to meet their bonus requirements. As can be seen later in the data, this is a large downside for a

system that is not effective.

Secondly, by requiring the stores to hold these items, it adds a burden in the proper management and

storage of these items. The stores are required to find the space to store these items until the end of the

hold period and also to properly manage the system in ensuring that the items are tracked to ensure

they are not put out for sale prior to the hold system expiry. As said earlier, with the data available,

this a serious burden on the stores for a system that does not meet the purpose it is intended to provide.

The following information goes into more detail about our reasons for feeling that the 48 hour hold is

ineffective and that we can work together to develop a more effective system that puts less pressure on

the store while still fulfilling the requirements of the Police.

The Law

Currently Section 25 ss1 of the Civic Government Scotland Act states;

“Subject to subsections (2) and (3) below and section 27 of this Act, a second-hand dealer shall not dispose of any item of

his stock-in-trade until the expiry of 48 hours (excluding any time on Saturdays or Sundays) after he acquired it.

Further Subsection 3 of the same sections continues;

A licensing authority may, on granting a second-hand dealer’s licence or at any time thereafter, on application by the dealer

and after consultation with the chief constable, order that subsection (1) above shall not apply to the disposal by the dealer of

any item, or any specified item or class of items, of his stock-in-trade or any specified part of it.

Data for the use of the 48 hours hold

For the Aberdeen store, we are looking to show the data over the last 3 years. This data will include

the amount of purchases the store has made over this time period, the number of seizures made by the

police and the time frame that these seizures have taken since the item was bought in.

The Aberdeen store since January 2020 has bought in 262572 items

In this time frame, the Police have made 8 Seizures

Looking at this data, we can see that the amount of seizures make up 0.003% and of that percentage 1

of these have been caught within the time frame. This one item was caught within the 48 hours as the

item was locked to a business account and was reported to the POlice by the store when this was noticed.

Membership Data

All of our customers are required to have an account, with the requirements of identification set by the council, in order to sell any item to us.

These requirements show that any item that is of interest to the police, CeX will be able to provide the

necessary information to allow for the proper pursuit of justice.

Subsequently, CeX offers a 2 year warranty on all items, as such when an item is sold, many of our

customers provide their details to allow for digital proof of their purchase. In this case, if an item is

sold, CeX will be able to contact the customer and request that the item is to be returned and then

handed to the Police.

Online Data

For the limited number of items that are requested within the 48+ hour hold period, the majority of

these items are requested via our online store. For these items, we will have full details of the purchaser, including contact and delivery details.

If the police require any item that we have sold via our online store, we have the ability to contact the

purchaser and request that the item is returned and we can subsequently pass this to the Police.

Work with Reciprio

All items with serial numbers are run through Checkmend. Checkmend is operated by Reciprio, where

they will cross check all serial numbers we provide with the National Mobile Phone Register as well

as Police Crime Reports for Police Scotland. I have attached a letter from Les Gray, one of the directors of Recipero that outlines CeX uses of Checkmend.

As the system can allow the Police to become aware of the items that have been purchased by the

store in real time, then we at CeX are happy to develop a system where we can provide details to the

Police to allow for contact to be made and the item to be removed from stock to prevent the sale until

the Police have time to collect the device. This system would allow the Police to have access to all the

devices they require for their investigations and simultaneously allow for CeX to avoid having trade

impacted by the hold on stock.

Other Stores

We have two other stores that currently do not require a hold of 48 hours, these being Livingston and

Paisley. For each of these stores, we have yet to experience any issue in relation to a lack of 48 hour

hold on these items. Without the stipulation, we have encountered no increase in the handling of

stolen goods or issues arising from inability to return said items if the need arises

LICENSING COMMITTEE INFORMATION SHEET

24 APRIL 2024

TYPE OF APPLICATION: Application for an exemption from the *Wheelchair Accessible Vehicle Policy*

APPLICANT: Matthew Chyla (0040)

INFORMATION NOTE

Mr Chyla is seeking an exemption to the Committee Policy that states that any new grant application for a taxi must be for a Wheelchair Accessible Vehicle (WAV) and that only a WAV can ever be licensed on such a licence.

The Committee has before it an email from Mr Chyla indicating the grounds under which he is seeking the exemption.

Mr Chyla is currently a licence holder of Private Hire Vehicle Licence (PH085) and is requesting to be able to licence his current vehicle as a Taxi Vehicle.

Should the Committee be minded to grant the exemption the applicant is aware that he will be required to submit an application for the grant of a new Taxi Licence.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any new grant application for a Taxi Licence must be for a WAV vehicle.

It is clear in my case that the monopoly in Aberdeen are stopping me from operating through any of their offices due to my views and beliefs.

This point combined with the fact that booking offices have made clear of their intentions to ostracise drivers who defect to Uber - should they begin to operate in Aberdeen leaves me with no alternative but to write this letter.

Although I understand the licensing committee have no jurisdiction over booking office's conduct towards a driver, the committee may be able to offer an alternative option for an individual like myself exiled from Aberdeen booking offices.

As a taxi-driver licence holder, I may operate a taxi-licensed vehicle in the city, however, as previously mentioned I'm not in any financial position to trade out to a WAV vehicle.

I respectfully request the licensing committee to grant me the ability to place a Taxi License on my saloon vehicle.

This would be a mutually beneficial outcome as it would provide an Executive Vehicle Representing Aberdeen City on the streets during busy weekend periods and also enable me to work independently whilst taking in a reasonable level of income.

I look forward to your response.

Kind Regards,

Matthew Chyla

LICENSING COMMITTEE INFORMATION SHEET

24 APRIL 2024

TYPE OF APPLICATION: Application for an exemption from the *Wheelchair Accessible Vehicle Policy*

APPLICANT: Ashley Canale (T249)

INFORMATION NOTE

Mr Canale is seeking an exemption to the Committee Policy that states that any new grant application for a taxi must be for a Wheelchair Accessible Vehicle (WAV) and that only a WAV can ever be licensed on such a licence.

The Committee has before it an email from Mr Canale indicating the grounds under which he is seeking the exemption.

Mr Canale is currently a licence holder of a Taxi Vehicle Licence T249 and is requesting to change his current vehicle to a saloon/estate car.

Should the Committee be minded to grant the exemption the applicant is aware that he will be required to submit an application for the substitution of a new vehicle on to the Taxi Licence.

COMMITTEE GUIDELINES/POLICY

Licensing Committee policy states that any new grant application for a Taxi Licence must be for a WAV vehicle.

Thanks for your patience and understanding,

I was wondering if you could help me ?

I have had Wheel Chair accessible cars since June 2008.

I am currently thinking of changing my car but can no longer afford to buy one of these cars.

They have jumped from £24000 to just over £36000.

I am 59 years of age and i am not getting any younger.

I am looking to buy a Hybrid saloon car which is more greener to run as well helping the carbon foot print.

I also work the ranks although i am with a taxi company.

Right now we need all the taxis we can get due to public demand as there are more and more private hire cars appearing on the roads.

Would it be possible if i change to a cleaner greener car that i could keep my taxi plate so i could continue helping public demand on the ranks.

Kind Regards,

Ash canale

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