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To: Councillor Blackman, and Councillors Allan, Boulton, Collie, Cormack, Cormie, Dean, Fletcher, Hunter, Leslie, MacGregor, Noble, John Stewart, Townson and Wisely.

Town House,
ABERDEEN 6th September 2011

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in Committee Room 2 - Town House on **WEDNESDAY, 14 SEPTEMBER 2011 at 2.00 pm.**

JANE G MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

1 DETERMINATION OF EXEMPT BUSINESS

- 1.1 Members are Requested to Resolve that any Exempt Business on this Agenda be Considered with the Press and Public Excluded

2 MINUTES, COMMITTEE BUSINESS STATEMENT AND INFORMAL BUSINESS

- 2.1 Minute of Previous Meeting of 1st June 2011 (Pages 5 - 22)
- 2.2 Minute of Meeting of the Taxi Consultation Group of 15th August 2011 (Pages 23 - 26)
- 2.3 Minute of Meeting of Evidential Hearings Sub-Committee of 30th June 2011
- 2.4 Minute of Meeting of Sports Ground Advisory Working Group of 7th July 2011 (Pages 27 - 28)
- 2.5 Statement of Business Dealt with Informally Since 1st June 2011 (Pages 29 - 30)

2.6 Committee Business Statement (Pages 31 - 32)

3 APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES - LIST OF APPLICATIONS (Pages 33 - 36)

3.1 Application for the Grant of a House in Multiple Occupation - 52 Bedford Place (Pages 37 - 40)

3.2 Application for the Grant of a House in Multiple Occupation - 24 Sunnyside Avenue (Pages 41 - 54)

3.3 Application for the Grant of a House in Multiple Occupation - 118 Union Grove (Pages 55 - 66)

3.4 Application for the Renewal of a House in Multiple Occupation - 10 Sunnyside Avenue (Pages 67 - 74)

3.5 Application for the Grant of a House in Multiple Occupation - 48 Elmbank Terrace (Pages 75 - 80)

3.6 Application for the Grant of a House in Multiple Occupation - 10 Orchard Road (Pages 81 - 84)

3.7 Application for the Grant of a House in Multiple Occupation - 38 Elmfield Terrace (Pages 85 - 88)

3.8 Application for the Grant of a Second Hand Dealer Licence - Adil Ozkapici

3.9 Application for the Renewal of a Street Trader (General) Licence - William Hepburn

3.10 Application for the Renewal of a Street Trader (Ice Cream) Licence - Edward Thomson

3.11 Application for the Renewal of a Street Trader (Hot Food) Licence - Alexander Jackson

3.12 Application for the Renewal of a Street Trader (Ice Cream) Licence - Derek Forbes

3.13 Application for the Renewal of a Street Trader Employee (Ice Cream) Licence - Gillian Forbes

- 3.14 Application for the Renewal of a Street Trader (Ice Cream) Licence - Alexander Thomas Jack
- 3.15 Application for the Renewal of a Street Trader (Ice Cream) Licence - Allan Lovie
- 3.16 Application for the Renewal of a Street Trader (General) Licence - Christopher Erskine
- 3.17 Application for the Renewal of a Street Trader (General) Licence - Ivor Erskine
- 3.18 Application for the Renewal of a Street Trader (Hot Food) Licence - Elspet Baxter Forsyth
- 3.19 Application for the Renewal of a Street Trader (Ice Cream) Licence - Debra Bingley
- 3.20 Application for the Renewal of a Street Trader (General) Licence - El Pescador
- 3.21 Application for the Grant of a Late Hours Catering Licence - Piroska Balint, Kordoba Take Away
- 3.22 Application for the Renewal of a Late Hours Catering Licence - Toto Investments Ltd, Pizza Home Delivery

4 GENERAL REPORTS AND REQUESTS

- 4.1 Licensing of Houses in Multiple Occupation - New Powers - H&E/11/70 (Pages 89 - 96)
- 4.2 Request for Permission to Substitute a Saloon Car onto a Taxi Operators Licence - Stanley Beattie (Pages 97 - 98)
- 4.3 Proposed Change of Licence Holder from Individual to Partnership - Request Retention of Non-Wheelchair Accessible Vehicle (Pages 99 - 100)
- 4.4 Taxi Consultation Group - CG/11/032 (Pages 101 - 106)
- 4.5 Taxi Fare Review - CG/11/084 (Pages 107 - 122)

4.6 Licensing Committee Sub-Committees and Working Groups (Pages 123 - 124)

5 ITEMS WHICH THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE - INCLUDING LIST OF APPLICATIONS

5.1 Taxi Demand Survey - CG/11/100

5.2 Application for the Renewal of a Taxi Driver Licence (Information contained within the letter is Data Protected)

5.3 Application for the Renewal of a Taxi Driver Licence (Information contained within the letter is Data Protected)

5.4 Application for the Grant of a Taxi Driver Licence

5.5 Application for the Renewal of a Taxi Driver Licence

5.6 Application for the Renewal of a Taxi Driver Licence

5.7 Application for the Grant of a Taxi Driver Licence

5.8 Application for a Temporary Taxi Driver Licence

5.9 Application for the Grant of a Window Cleaner Licence

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson, tel. 52(2989) or e-mail mmasson@aberdeencity.gov.uk

LICENSING COMMITTEE

ABERDEEN, 1 June, 2011. Minute of Meeting of the LICENSING COMMITTEE. Present:- Councillor Reynolds, Convener; and Councillor Kirsty West, Vice Convener; and Councillors Allan, Boulton, Collie, Corall, Dunbar (Substituting for Councillor Cormie), Farquharson (Substituting for Councillor Milne), Hunter, Malone (Substituting for Councillor Fletcher up to and including Item 3.9 on the agenda), Noble, Robertson (Substituting for Councillor Fletcher from Item 3.10 on the agenda) and John Stewart.

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MId=1933&Ver=4>

REQUEST FOR DEPUTATIONS

1. In accordance with Standing Order 10(1), the Convener advised that a request for deputation had been received from Mr Russell McLeod on behalf of the Aberdeen Taxi Group in relation to the reports on Taxi Substitution Fees, Variation of Condition – Utilisation of Night Time Taxi Ranks and Variation of Condition on Airport Zoned Taxi Licences (as detailed at articles 10, 12 and 13 of this minute).

The Committee resolved:-

to accept and hear the deputations prior to considering the relevant report.

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

2. Prior to considering the matters before the Committee, Members were requested to resolve that any exempt business on the agenda be considered with the press and public excluded.

The Committee resolved:-

in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of Article 14 of the minute so as to avoid disclosure of exempt information of the class described in paragraph 14 of Schedule 7(A) to the Act.

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MINUTE OF SPECIAL MEETING OF 22 MARCH 2011

3. The Committee had before it the minute of meeting of the special Licensing Committee of 22 March 2011.

The Committee resolved:-
to approve the minute.

MINUTE OF PREVIOUS MEETING OF 23 MARCH 2011

4. The Committee had before it the minute of its previous meeting of 23 March 2011.

In relation to Article 7 (Licence Application Fees: April 2011 – March 2011), the Clerk advised that there had been a misprint in appendix 2B of the report relating to the income based on the proposed taxi substitution fee. He intimated that the income figure should have read £7000, instead of £6000.

The Committee resolved:-
(i) to note the information provided: and
(ii) to approve the minute.

MINUTES OF MEETING OF THE EVIDENTIAL HEARING SUB-COMMITTEE OF 4 MARCH (2 MEETINGS) AND 29 MARCH 2011

5. The Committee had before it the minutes of the Evidential Hearing Sub-Committee of 4 March (2 meetings) and 29 March 2011.

The Committee resolved:-
(i) that Councillor Boulton would replace a member from the SNP Group on the Evidential Hearings Sub-Committee;
(ii) that the SNP Group notify the Clerk which member would be replaced; and
(iii) to otherwise note the minutes.

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COMMITTEE BUSINESS STATEMENT

6. The Committee had before it, for its consideration, the Committee Business Statement.

In relation to Item 3 (Criminal Justice and Licensing (Scotland) Act 2010), Eric Anderson, Senior Solicitor advised that there was an error in the guidance originally submitted by the Scottish Government in terms of the date when the provision for Public Entertainment Licences would take effect. He intimated that the date should be 1st April, 2012 and not 1st April, 2011 as previously reported.

The Committee resolved:-

- (i) to remove Item 1 (Variation of Condition on Airport Zone Taxi Licences) and Item 2 (Improvements to Night Time Taxi Ranks) from the Statement;
- (ii) to note the information provided; and
- (iii) to otherwise note the Business Statement.

MINUTE OF MEETING OF THE TAXI CONSULTATION GROUP OF 23 MARCH 2011

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the Committee consider the following item of business as a matter of urgency in order that the issue could be resolved timeously.

7. The Committee had before it the minute of meeting of the Taxi Consultation Group of 23 March, 2011.

The Committee resolved:-

to note the minute.

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**APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES –
LIST OF APPLICATIONS**

8. The Committee had before it, for its consideration, the applications listed in Appendix A to this minute.

The Committee resolved:-

that all applications be determined on the basis shown in Appendix A and that all licences be subject to the Council's normal conditions unless otherwise stated.

**REQUEST FOR PERMISSION TO SUBSTITUTE A SALOON CAR ONTO A TAXI
OPERATOR'S LICENCE – IAN MELDRUM**

9. The Committee heard Eric Anderson, Senior Solicitor provide background information in relation to a request by Mr Ian Meldrum for permission to substitute a saloon car onto a Taxi Operator's Licence.

The Committee heard from Mr William Wallace, the Unite Union, representing Mr Meldrum on the circumstances surrounding his request.

Mr Meldrum gave permission for Mr Anderson to read from a letter submitted by Mr Meldrum's GP.

The Committee resolved:-

to agree to the request to substitute a saloon car onto a Taxi Operators Licence.

TAXI SUBSTITUTION FEES

10. As agreed at the start of the meeting (Article 1 refers), the Committee received a deputation from Mr Russell McLeod, on behalf of the Aberdeen Taxi Group (ATG) on their proposal that the cost for a Taxi Substitution Fee of £35.00 include the cost for the supply and fit of a new taxi plate.

Mr McLeod indicated that at its meeting on 23rd March 2011 the Licensing Committee discussed and agreed its Licensing Application Fees for 2011/12 part of which was the reintroduction of a substitution fee of £35.00. He explained that it was therefore a surprise when on presenting a vehicle for substitution, taxi drivers were asked to pay £35.00 for the substitution fee and a further £15.00 for a new taxi plate. He concluded by intimating that it was the ATG's view that when the

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Committee agreed its fees for the coming year it was their understanding that the supply and fit of a new taxi plate would be included within the Taxi Substitution Fee of £35.00.

The Committee had before it a report by the Director of Corporate Governance which sought to clarify that the Committee's fee for substitution of a new vehicle to a taxi licence was separate from the fee for a new identification plate.

The report recommended:-

that the Committee –

confirm that the fee for substitution of a vehicle is £35, which includes the vehicle test and associated paperwork, and confirm that a new vehicle identification plate is to be charged separately at a cost of £15.

The Committee resolved:-

that the fee for the substitution of a vehicle for financial year 2011/12 is £35.00, which includes the vehicle test, associated paperwork and a new vehicle identification plate.

IMPROVEMENTS TO NIGHT-TIME TAXI RANKS

11. With reference to Article 11 of the minute of meeting of 15th September 2010, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which outlined the results of the statutory consultation for the proposed fourth night time taxi rank and of the proposal to change the operational times of the night time taxi ranks to seven days a week.

The costs associated with the proposal to install the fourth night time taxi rank on Castle Street, Aberdeen totalled £12,000, of which £4,000 had been secured from Aberdeen City Council's Licensing Service, £2,000 from Aberdeen City Council's Community Safety Budget and £6,000 match funding allocated from the Risk Management Grant

The report recommended:-

that the Committee –

- (a) instruct officers to introduce the fourth night time taxi rank; and
- (b) instruct officers to implement the changes to the operating times of the night time taxi ranks from midnight to 5am on Saturdays and Sundays to operate from midnight to 5am seven nights a week.

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The Committee resolved:-

to approve the recommendations.

VARIATION OF CONDITION – UTILISATION OF NIGHT-TIME TAXI RANKS

12. The Committee received a deputation from Mr Russell McLeod, on behalf of the Aberdeen Taxi Group (ATG) in relation to the wording of the proposed variation of a condition of taxi driver's licences in terms of the utilisation of night-time taxi ranks.

Mr McLeod advised that the wording of the new condition required to be very clear and suggested that it be reworded to read "It is an offence to wait in or pick up from a closed rank". He explained that the rewording should not only include normal ranks when they are closed but also include night time ranks when they are not operational.

With reference to Article 6 of the minute of the previous meeting of 23rd March 2011, the Committee had before it a report by the Director of Corporate Governance which provided details of the responses to the statutory consultation following the proposal to vary the conditions for taxi driver's licences to ensure that drivers do not operate from closed taxi ranks at any time.

The report recommended:-

that the Committee –

- (a) consider the comments (objections/representations) from the licence holders; and
- (b) decide whether or not to ratify the new condition.

Mr Gordon Anderson, one of four taxi drivers who responded in writing to the statutory consultation process and who was in attendance at the meeting voiced his concerns over the proposal which in his view penalised taxi drivers.

The Committee resolved:-

- (i) to approve the following variation of condition to the taxi driver's licence:- "At any time when any designated taxi rank is closed the driver of a taxi shall not park, stop his taxi, ply for hire or otherwise canvass or importune for employment at that closed taxi rank"; and
- (ii) to otherwise note the comments, objections and representations from taxi licence holders.

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VARIATION OF CONDITION ON AIRPORT ZONED TAXI LICENCES: OUTCOME OF ADDITIONAL TRIAL PERIOD

13. The Committee received a deputation from Mr Russell McLeod, on behalf of the Aberdeen Taxi Group (ATG) in relation to the outcome of the additional trial period regarding to the variation of condition on airport zoned taxi licences

Mr McLeod advised that although the trade agreed that any extra taxis on a Saturday night would be welcomed by the public, it was their view that the Committee need to consider the impact this could have on city drivers. He indicated that he was still of the opinion that there was no demand for the airport drivers to work in the city 52 weeks of the year, but there was a demand during the winter months. He proposed that the Committee consider allowing airport taxis to work midnight to 5.00am on a Sunday only during the winter months, which could easily be determined and run from the end of British Summer Time, last weekend in October, through till the clock change on the last weekend in March beginning of British Summer time. Drivers could be informed of these times in writing 2/3 weeks prior to the change.

With reference to Article 9 of the minute of meeting of 17th September 2010, the Committee had before it a report by the Director of Corporate Governance which provided a response to the Committee's instructions made in relation to its report "Variation of Condition on Airport Zoned Taxi Licences: Outcome of Trail Period"

The report recommended:-

that the Committee considers the information provided and decides to –

- (a) make the situation permanent by varying the condition to enable airport zoned taxis to continue to operate in the city zone between midnight and 5am on Saturday nights/Sunday mornings; or
- (b) revert to the position before the trial period whereby all airport zoned taxis operate only from the airport.

If the Committee decides to adopt option (a) above it is recommended that the Committee instruct officers to carry out the statutory variation procedure; continue the trial period until the statutory variation procedure is completed; and report back to the Committee.

The Convener, seconded by Councillor John Stewart moved:-
that recommendation (b) above be approved.

The Vice Convener, seconded by Councillor Boulton moved as an amendment:-
that recommendation (a) above be approved and that Transport Marshals be requested to undertake a further survey to gather data in terms of the waiting

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times and the number of hires by airport zoned and other taxi drivers at all ranks at various intervals throughout the evening and night during August or September 2011

On a division, there voted:- for the motion (2) – the Convener and Councillor John Stewart; for the amendment (10) the Vice-Convener and Councillors Allan, Boulton, Collie, Corall, Dunbar, Robertson, Hunter, Farquharson and Noble.

The Committee resolved:-
to adopt the amendment.

**APPLICATIONS FOR GRANT, RENEWAL OR VARIATION OF LICENCES –
LIST OF APPLICATIONS TO BE HEARD IN PRIVATE**

In accordance with the decision recorded under Article 2 of this minute, the following item was considered with the press and public excluded.

14. The Committee had before it for its consideration, the applications listed in Appendix B to this minute.

The Committee resolved:-
that all applications be determined on the basis shown in Appendix B and that all licences be subject to the Council's normal conditions unless otherwise stated.
- **COUNCILLOR JOHN REYNOLDS, Convener.**

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APPENDIX A

1. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 3/001
Premises – 34 Garthdee Drive, Aberdeen

The Committee were advised that two letters of objection had been submitted in relation to the application.

The Committee heard from Mr Alistair Watson who had submitted an objection to the application. He requested that his objection now be withdrawn.

The Committee resolved:-

to agree that officers could grant the application under delegated powers subject to the completion of the works on the premises.

2. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 3/002
Premises – 51 Bedford Place, Aberdeen

The Committee were advised that the works and the certification requirements had not been met.

The Committee resolved:-

to defer consideration of the application until works on the premises were completed, after which time officers could grant the application under delegated powers if appropriate.

3. **APPLICATION FOR THE GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**
Application Ref No. 3/003
Premises – 71 Craigievar Crescent, Aberdeen

The Committee heard from Mr James Steel, Solicitor, Raeburn Christie on behalf of the applicant in support of the application.

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The Committee resolved:-

to refuse the application on the ground contained in Paragraph 5(3)(b) of Schedule 1 of the Civic (Scotland) Act 1982 namely that 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 refusal of such a licence if he had made the application himself.

4. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (ICE CREAM) LICENCE**
Application Ref No. 3/004
Sites – Zones 5 and 6
Days/Times – Monday to Sunday, 11:00 to 22:30

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

5. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (GENERAL) LICENCE**
Application Ref No. 3/005
Site – Zone 9: City Centre
Days/Times – Monday to Saturday, 07:00 to 18:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the outer boundary of a school for this purpose".

The Committee heard from Carol Petrie in support of her application.

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions and
- (ii) to note that it would not be permissible for the applicant to trade within 400 metres of the secondary school.

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6. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS
(GENERAL) LICENCE**
Application Ref No. 3/006
Sites – All Areas Except Zone 9
Days/Times – Monday to Friday, 08:00 to 17:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the outer boundary of a school for this purpose".

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions and
- (ii) to note that it would not be permissible for the applicant to trade within 400 metres of the secondary school.

7. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT
FOOD) LICENCE**
Application Ref No. 3/007
Sites – Crombie Road North Side 15m East of Crombie Place
Days/Times – Monday to Friday, 08:00 to 14:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the outer boundary of a school for this purpose". It was explained that the application site was located within 400 metres of Torry Academy secondary school but that the applicant's hot food van predominantly serves customers working and visiting the nearby industrial units.

The Committee heard from Teresa Jarvie in support of her application.

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The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions but
- (ii) to allow the applicant to trade within 400 metres of the secondary school.

8. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 3/008

Sites – Whitemyers Avenue North Side 150m East of Whitemyers Place

Days/Times – Monday to Saturday, 06:00 to 18:00

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

9. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 3/009

Sites – Howe Moss Drive 20m North of Howe Moss Place

Days/Times – Monday to Saturday, 07:30 to 15:30

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

10. **APPLICATION FOR THE GRANT OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**

Application Ref No. 3/010

Sites – Beach Esplande South End, 30m North of Footdee Public Toilets on the Right Hand Side

Days/Times – Monday to Sunday, 06:00 to 16:00

The Committee heard Eric Anderson, Senior Solicitor, Licensing advise that one letter of objection had been received. He also explained that the applicant wished to trade from 06:00, which would breach the licensing condition that trading would commence at 07:00.

The Committee heard from Martin Sherwood in support of his application.

Councillor Robertson, seconded by Councillor Collie moved:-

“to grant the application subject to the trading times being 07:00 to 16:00”.

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Councillor Boulton, seconded by Councillor Corall moved as an amendment:-

“to grant the application and to allow trading to commence at 06:00 until 16:00”.

On a division, there voted:- for the motion (5) – Councillors Allan, Collie, Robertson, Hunter and John Stewart; for the amendment (7) – the Convener, the Vice-Convener and Councillors Boulton, Corall, Dunbar, Farquharson and Noble.

The Committee resolved:-

to adopt the amendment outlined above.

11. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE**

Application Ref No. 3/011

Sites – (1) Bedford Avenue – Junction with St Machar Drive, (2) Gardner Drive at Entrance to Shops, (3) Oldcroft Place Across from the Shops, (4) Stance at Links Golf Course

Days/Times – Monday to Sunday, 08:00 to 19:00

The Committee heard Eric Anderson, Senior Solicitor, Licensing advise that the applicant had failed to provide a certificate by the food authority stating that the applicant’s van complies with the appropriate requirements.

The Convener, seconded by the Vice Convener moved:-

“that the application be deferred until the next meeting as the applicant does not have the necessary certificate of compliance for the van”.

Councillor Allan, seconded by Councillor Hunter moved as an amendment:-

“that the application be considered by the Committee today”

On a division, there voted:- for the motion (7) – the Convener, the Vice-Convener and Councillors Boulton, Corall, Dunbar, Farquharson and Noble for the amendment (5) – Councillors Allan, Collie, Robertson, Hunter and John Stewart;

The Committee resolved:-

to defer consideration of the application until the next meeting.

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In terms of Standing Order 15(6), Councillor Allan declared her dissent in relation to the preceding decision.

12. **APPLICATION FOR THE GRANT OF A STREET TRADERS (GENERAL) LICENCE**
Application Ref No. 3/012
Sites – Zone 9: City Centre
Days/Times – Monday to Sunday, Various Days Throughout the Year

DECLARATION OF INTEREST

The Convener declared an interest in the subject matter of this item of business by virtue of the nature of goods the applicant would be trading in. He left the meeting during consideration thereof.

In the absence of the Convener and Vice-Convener, Councillor John Stewart took the Chair for this item.

The Committee heard from Mr Dawson on behalf of the applicant in support of the application.

The Committee resolved:-

to grant the application and to allow the applicant to trade on Union Street, Aberdeen.

13. **APPLICATION FOR THE RENEWAL OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**
Application Ref No. 3/013
Sites – (1) Kittybrewster Retail Park, (2) PC World Car Park, Hutcheon Street
Days/Times – Monday to Saturday, 09:00 to 18:00

The Committee were reminded of the recent changes to its standard conditions applicable to street trader's licences and in particular the addition of the following condition: "subject to the explicit consent in writing from the Licensing Authority, no street trader shall engage in the hawking, selling or offering or exposing for sale any type of food and/or drinks within a four hundred (400) metres radius of a secondary school at any time. Without prejudice to any statutory rights that the licence holder may have, the Council shall be the ultimate arbiter in determining what may constitute the

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outer boundary of a school for this purpose". It was explained that the application site at Kittybrewster Retail Park was located within 400 metres of St Machar Academy secondary school but that the applicant's hot food van predominantly serves customers working and visiting the nearby retail units.

The Committee resolved:-

- (i) to grant the application subject to its updated standard conditions but
- (ii) to allow the applicant to trade within 400 metres of the secondary school.

14. **APPLICATION FOR THE GRANT OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**

Application Ref No. 3/014

Sites – Greenhole Place, Bridge of Don, 50m West of Broadfold Road

Days/Times – Monday to Friday, 07:30 to 14:30

The Committee heard Andrew Gilchrist, Principal Environmental Health Officer advise that the applicant did not have the necessary certificate of compliance for the van.

The Committee heard Maureen Ross in support of her application.

The Committee resolved:-

- (i) to defer consideration of the application; and
- (ii) to allow officers to grant the application under delegated powers subject to the submission of a certificate of compliance for the van.

15. **APPLICATION FOR THE VARIATION OF A STREET TRADERS (HOT FOOD) LICENCE (NEW SITE)**

Application Ref No. 3/0015

Sites – Beach Esplanade, 101m from Burger King towards Footdee on the Left Hand Side.

Days/Times – Monday to Sunday, 08:00 to 20:00

The Committee were advised that a letter of objection had been submitted in relation to the application.

The Committee heard from Mr James Johnson on behalf of the applicant in support of the application.

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The Committee resolved:-

to grant the application subject to the trading times being 08:00 to 19:00.

16. **APPLICATION FOR THE RENEWAL OF A THEATRE LICENCE**
Application Ref No. 3/016
Applicant – Aberdeen City Council (Riverbank School)

The Committee resolved:-

to grant the application.

17. **APPLICATION FOR THE GRANT OF A PUBLIC ENTERTAINMENT LICENCE**
Application Ref No. 3/017
Applicant – Pure NRG Fitness Ltd, First Floor, Unit 1B, Berryden Retail Park

The Committee were advised that the application had been withdrawn.

18. **APPLICATION FOR THE RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE**
Application Ref No. 3/018
Applicant – Danestone Community Association, Fairview Street

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

19. **APPLICATION FOR THE GRANT OF A TAXI DRIVERS LICENCE**
Application Ref No. 3/019
Applicant – Brenda Donald

The Committee were advised that the application had been withdrawn

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APPENDIX B

1. **APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE**
Application Ref No. 5/001

The Committee heard from Sergeant Keith Middler, Grampian Police, who referred to the Chief Constable's letter of observation dated 24th March 2011. Sergeant Middler intimated that the applicant had passed the Street Knowledge Test

The Committee heard from the applicant in support of his application.

The Committee resolved:-
to grant the application

2. **APPLICATION FOR THE GRANT OF A TAXI DRIVER LICENCE**
Application Ref No. 5/002

The Committee heard from Sergeant Keith Middler, Grampian Police, who referred to the Chief Constable's letter of observation dated 5th May 2011. Sergeant Middler also intimated that the applicant had passed the Street Knowledge Test

The Committee heard from the applicant's representative in support of his application.

Councillor Hunter, seconded by Councillor Dunbar moved:-
"that the application be refused on the grounds that the applicant was not a fit and proper person to hold a licence"

Councillor Boulton, seconded by Councillor Corall moved as an amendment:-
"that the application be granted for a period of six months"

On a division, there voted:- for the motion (5) – the Convener, the Vice-Convener and Councillors Dunbar, Robertson and Hunter; for the amendment (4) – Councillors Boulton, Corall, Farquharson and Noble.

The Committee resolved:-
to adopt the motion to refuse the application

LICENSING COMMITTEE
1 June, 2011

3. **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE**
Application Ref No. 5/003

The Committee heard from Sergeant Keith Middler, Grampian Police, who referred to the Chief Constable's letter of observation dated 9th May 2011.

The Committee heard from the applicant's representative Mr Budge, Solicitor in support of his application.

The Committee resolved:-
to grant the application for a period of six months.

DRAFT

TAXI/PRIVATE HIRE CAR CONSULTATION GROUP

MINUTE OF MEETING OF 15th AUGUST 2011

Present: Councillor Kirsty West (Convener), and Councillors Boulton and Hunter.

In Attendance: Roy McHardy (ARTDA), Russell McLeod and Graeme McColl (ATG), Gordon McKay (Rainbow), Lynne Smith (Central Taxis), Tom Wilson and Steve Robertson (Unite), Sergeant Keith Middler (Grampian Police), Kevin Leiper (Independent), Nigel Buchan (Fleet Services), Eric Anderson (Senior Solicitor, Licensing), Alyson Mollison (Legal Manager, Licensing), Jacqui Wallace (Licencing) and Mark Masson (Legal and Democratic Services).

MINUTE OF PREVIOUS MEETING OF 23 MAY 2011

1. The Consultation Group had before it the minute of the previous meeting of 23rd May 2011.

The Consultation Group agreed:-

to approve the minute.

ROLE, REMIT AND MEMBERSHIP OF THE TAXI CONSULTATION GROUP

2. The Consultation Group had before it for information and an opportunity to comment, a report by the Director of Corporate Governance which sought the Licensing Committee's approval of the revised remit, governance and membership of the Taxi Consultation Group (TCG).

The Consultation Group agreed:-

- (i) to ensure that officers incorporate within the report to the Licensing Committee the suggestion that membership of the TCG should include a representative of the Disability Advisory Group; and
- (ii) to otherwise note the report.

TAXI FARE REVIEW

3. With reference to Article 6(i) of the minute of meeting of 7th February 2011, the Consultation Group had before it for information and an opportunity to comment, a report by the Director of Corporate Governance which provided advice that would allow the Licensing Committee to reach an informed decision on any changes to be made to the current taxi fare tariff, arising from proposals put forward by the Aberdeen Taxi Group.

Concerns were raised by Russell McLeod in relation to the formula which was used by officers this year, which in his opinion, was based solely on the depreciation of the vehicle and did not take into account that taxis were on the road three times as much as other vehicles.

The Consultation Group agreed:-

- (i) that following the Licensing Committee meeting on 14th September 2011, officers would take on board the comments submitted and liaise with relevant people in terms of future formula calculations; and
- (ii) to otherwise note the report.

TAXI TRADE SURVEY

4. With reference to Article 6 (ii) of the minute of meeting of 7th February 2011, the Consultation Group heard Eric Anderson provide an update on the progress of conducting a Taxi Trade (Demand) Survey.

Mr Anderson advised that invitations to quote to undertake the survey had been issued and that officers were awaiting bid submissions from interested parties. He explained that due to the competitive tendering process and confidential nature of the submissions, that details could not be circulated to the taxi trade for consultation. He indicated that a report which would include any cost implications for the taxi trade would be prepared and submitted to the Licensing Committee in due course.

The Consultation Group agreed:-

to note the information provided.

DETAILED AUDITED ACCOUNTS – PREVIOUS YEARS TAXI TRADE INCOME

5. The Consultation Group heard Alyson Mollison advise that as part of the Council's detailed budgetary process, that it was the intention to undertake detailed work to provide in future, robust information relating to the taxi trade income audited accounts.

Kevin Leiper advised that it would be beneficial to compare past and future figures to determine whether there had been value for money, however it was noted that work to extract previous years accounts would be time consuming, costly and have a significant impact on the workload of officers.

The Consultation Group agreed:-

to note that detailed audited accounts relating to taxi trade income would be made available in February 2012 and on an annual basis thereafter.

TAXI RANK SPACES REVIEW

6. With reference to Article 4 of the minute of meeting of 7th February 2011, the Consultation Group heard Kevin Leiper and Russell McLeod seek to determine whether work was being undertaken to review the current number of taxi rank spaces within the city centre.

The Consultation Group agreed:-

to request that Scott Ramsay provide an update on the position at the next meeting of the Group.

RELAXATION OF ZONING CONDITIONS – OFFSHORE EUROPE AND WALKER CUP

7. The Consultation Group had before them a report by the Director of Corporate Governance which provided information on (a) the Aberdeen Taxi Group's request on behalf of the Aberdeen Taxi Trade for the relaxation of the airport taxis zoning condition for the duration of Offshore Europe 2011 and the Walker Cup 2011 from midnight on Sunday 4th September until midnight on Sunday 11th September 2011; and (b) the licensing authority's consideration and decision making process in relation to the aforementioned request.

The report (a) explained that the proposed relaxation would permit airport zoned taxis to wait at the Aberdeen Exhibition and Conference Centre taxi rank and accept hire and if people are waiting, to pick up from any city taxi rank; (b) advised that previous decisions to relax the zoning conditions for Offshore Europe had been made at the Licensing Committee, however both events were scheduled to be held the week preceding the next meeting of the Licensing Committee; and (c) indicated that it was proposed that the Committee's Informal Business Panel would consider the request and utilise its powers to either grant or remit it to the Committee to consider as it does not have the power to refuse the request.

The report recommended:-

that the Consultation Group considers and notes the report.

It was noted that if the Informal Business Panel remits the request to the Licensing Committee to determine, then the request would fall as the Committee next meets after both events.

Eric Anderson advised that it was likely that the request would be considered by the Informal Business Panel within the next few days.

The Consultation Group agreed:-

- (i) to note that if the Informal Business Panel grant the request, officers would notify all taxi drivers accordingly by letter; and
- (ii) to note the report and the information provided.

ABERDEENSHIRE COUNCIL LICENSED TAXIS PICKING UP IN ABERDEEN

8. The Consultation Group heard Tom Wilson raise concerns in relation to Aberdeenshire Council licensed taxis picking up in Aberdeen which created ill feeling amongst taxi drivers.

Mr Wilson advised that it was perceived by drivers that the Police was taking very little action to enforce the rules and prevent the Aberdeenshire licensed taxi drivers from picking up in Aberdeen.

Sergeant Keith Middler explained that this was a long standing issue and that evidence was required to pursue offenders as some may be working legitimately. He indicated that a report had recently been issued to city centre policing to highlight the matter and to clarify the issue for charging offenders.

Graeme McColl advised that he had met with city centre Sergeant Jim Fraser and confirmed that briefings in this regard had been provided to Police Officers.

The Convener indicated that advice received from Aberdeenshire Council was that evidence (plate number, registration, dates and times, photographs if possible etc) should be obtained and forwarded to their complaints email address which was as follows:- taxicomplaints@aberdeenshire.gov.uk so that the matter could be investigated and any action taken.

The Consultation Group agreed:-

To note the information provided.

DATE AND TIME OF THE NEXT MEETING

9. The Convener requested that the next meeting scheduled to be held on 24th October 2011 commence at 9.30am instead of 10.00am.

The Consultation Group agreed:-

To note that the next meeting scheduled to be held on 24th October 2011 would commence at 9.30am in the Town House

COUNCILLOR KIRSTY WEST, Convener

DRAFT

SPORTS GROUND ADVISORY WORKING GROUP

ABERDEEN, 7 July 2011. - Minute of Meeting of the SPORTS GROUND ADVISORY WORKING GROUP. Present:- Eric Anderson (Licensing), Kevin Coutts (GFRS), Ivor Churcher Environmental Health), John Morgan (AFC), Grant Tierney (Building Standards), Adrian Watson and Salter Watson (Grampian Police).

Apologies: John McCulloch and David McIntosh.

DRAFT SAFETY CERTIFICATE FOR PITTODRIE

1. The Group had before it the draft of the new safety certificate for Pittodrie Stadium.

Eric Anderson explained the nature of the changes to the certificate which had been brought about following consultation amongst Group members. In particular, it was agreed that two further appendices should be attached to the safety certificate, namely Appendix 5 (List of Deviations) and Appendix 6 (Calculation of the P&S Factors). It was also agreed that the fire risk assessment would remain as a separate document from the safety certificate.

The Group thereafter agreed that the Principal Certificate would now be prepared for execution. Paragraphs 7 and 30 were amended to take into account provisions relating to “police free” matches.

INSPECTIONS OF MATCHES NEXT SEASON

2. The Group agreed in principle to arrange for inspections for a category C game and one which is “Police-free”. It was suggested that a category C inspection would be carried out at the home game against Rangers FC which was currently scheduled to take place on 29 October, 2011. It was also agreed that the Club would provide the Clerk with a list of home fixtures which would include a note of those which have been allocated as “Police-free” for circulation amongst the members of the Working Group.

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STATEMENT OF BUSINESS DEALT WITH
INFORMALLY SINCE 01 JUNE 2011

Applicant	Application	Premises	Date(s)	Decision
David Jane General Manager The Belmont Cinema 49 Belmont Street Aberdeen	Request for temporary extension of operating hours	The Belmont Cinema 49 Belmont Street Aberdeen	14 July 2011	Agree

Proposal	Date	Decision
Request on behalf of taxi trade for relaxation of taxi licence Airport Zone for (i) Offshore Europe 2011 and (ii) The Walker Cup	17 August 2011	Agree

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COMMITTEE BUSINESS STATEMENT

LICENSING COMMITTEE - Following Meeting of 1st June 2011

<u>No.</u>	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Responsible Head(s) of Service</u>	<u>Report Due (bold depicts items now outstanding)</u>	<u>Report Expected (if known)</u>
1.	Licensing Committee 17.11.10 Article 11	<u>Criminal Justice and Licensing (Scotland) Act 2010</u> Officers to prepare a report on the implications of the act for late hours catering licensing – Provision takes effect on 1 st October 2012. Officers to prepare a report on the implications of the Act for public entertainment licensing – Provision takes effect 1 st April 2012		Head of Legal and Democratic Services		TBC - 2012
2.	Licensing Committee 23.03.11 Article 5	<u>Request by Aberdeen Taxi Group for Taxi Fare Review</u> Officers were instructed to submit a report to the next possible meeting on a Taxi Fare Review	A report is included within the agenda. Request removal of this item from the Business Statement.	Head of Legal and Democratic Services		14.09.11
3.	Licensing Committee 23.03.11 Article 5	<u>Request by Aberdeen Taxi Group for Taxi Demand Survey</u> Officers were instructed to submit a report to the next possible meeting in relation to a Taxi Demand Survey which should include consideration of the procurement implications.	A report is included within the agenda. Request removal of this item from the Business Statement.	Head of Legal and Democratic Services	14.09.11	23.11.11

4.	Licensing Committee 01.06.11 Article 13	<u>Variation of Condition on Airport Zone Taxi Licences</u> It was agreed (a) that officers would carry out the statutory variation procedure; continue the trial period until the statutory variation procedure was completed; and report back to the Committee; and (b) that Transport Marshals be requested to undertake a further survey to gather data in terms of the waiting times and the number of hires by airport zoned and other taxi drivers at all ranks at various intervals throughout the evening and night during August or September 2011		(a) Head of Legal and Democratic Services & (b) Director of Housing and Environment	23.11.11	
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LICENSING COMMITTEE

14 September 2011

LIST OF APPLICATIONS TO BE HEARD

	Application Type	Name and Address of Applicant(s)	Premises, Vehicle or Area to which Application Refers	Objections or Representations Received From	Date by which Application to be Determined (If Applicable)
1.	HMO - Grant	Eileen D.R.Thomson	52 Bedford Place, Aberdeen	H & E	13 February 2012
2.	HMO – Grant	Georgia Kassab	24 Sunnyside Avenue, Aberdeen	3 Objectors	12 May 2012
3.	HMO – Grant	Jane C.F.Guthrie	118 Union Grove, Aberdeen	5 Objectors	9 June 2012
4.	HMO - Renewal	Stewart Mair + Thomson Properties	10 Sunnyside Avenue, Aberdeen	1 Objector	28 June 2012
5.	HMO - Grant	Andrew Buchan	48 Elmbank Terrace, Aberdeen	1 Objector	10 July 2012
6.	HMO - Grant	Laserase (Scotland) Limited	10 Orchard Road, Aberdeen	1 Objector (Late letter)	10 July 2012
7.	HMO - Grant	Anne K.Rait	38 Elmfield Terrace, Aberdeen	1 Representation	31 July 2012
8.	Second Hand Dealer Grant	Adil Ozkapici	Select Mobile 203 George Street	LD	22 September 2011
9.	Street Trader (General) Renewal	William Hepburn	(1) Stockethill, Danestone, Ferryhill, Bridge of Don (2) Pitmedden, Dyce, Kingswells, Milltimber (1) Tuesday 08:00 to 18:00 (2) Wednesday 08:00 to 18:00	LD	27 September 2011

	Application Type	Name and Address of Applicant(s)	Premises, Vehicle or Area to which Application Refers	Objections or Representations Received From	Date by which Application to be Determined (If Applicable)
10.	Street Trader (Ice Cream) Renewal	Edward Thomson	Zones 1, 2, 6 and 7 Monday to Sunday 12:00 to 22:00	LD	27 September 2011
11.	Street Trader (Hot Food) Renewal	Alexander Jackson	(1) Bedford Avenue - Junction with St Machar Drive (2) Gardner Drive at entrance to shops (3) Oldcroft Place across from shop (4) Stance at Links Golf Course Monday to Sunday 08:00 to 19:00	LD EH	28 September 2011
12.	Street Trader (Ice Cream) Renewal	Derek Forbes	Zones 1 and 4 Monday to Sunday 10:00 to 22:00	LD	29 September 2011
13.	Street Trader Employee (Ice Cream) Renewal	Gillian Forbes	Zones 1 and 4 Monday to Sunday 10:00 to 22:00	LD	29 September 2011
14.	Street Trader (Ice Cream) Renewal	Alexander Thomas Jack	Zones 1, 2 and 6 Monday to Sunday 10:00 to 22:00	LD	29 September 2011
15.	Street Trader (Ice Cream) Renewal	Allan Lovie	Zones 1 and 2 Monday to Sunday 11:00 to 23:00	LD	30 September 2011
16.	Street Trader (General) Renewal	Christopher Erskine	Tullos – Monday to Saturday 07:00 to 10:30 Altens – Monday to Saturday 10:30 to 13:30 Woodend – Tuesday to Friday 14:00 to 15:00	LD	30 September 2011
17.	Street Trader (General) Renewal	Ivor Erskine	Tullos – Monday to Saturday 07:00 to 10:30 Altens – Monday to Saturday	LD	30 September 2011

	Application Type	Name and Address of Applicant(s)	Premises, Vehicle or Area to which Application Refers	Objections or Representations Received From	Date by which Application to be Determined (If Applicable)
			10:30 to 13:30 Woodend – Tuesday to Friday 14:00 to 15:00		
18.	Street Trader (Hot Food) Renewal	Elspet Baxter Forsyth	South Esplanade East 205m east of Victoria Road Monday to Friday – 07:00 to 14:00	EH	30 September 2011
19.	Street Trader (Ice Cream) Renewal	Debra Bingley	Zones 5, 6 & 7 Monday to Sunday 12:30 to 20:00	LD	3 November 2011
20.	Street Trader (General) Renewal	El Pescador	All Zones except Zone 9 Monday to Sunday – 09:00 to 17:30	LD	26 November 2011
21.	Late Hours Catering Grant	Piroska Balint	Kordoba Take Away 311 George Street Sunday to Thursday 23:00 to 00:00 Friday and Saturday 23:00 to 01:00	LD	30 September 2011
22.	Late Hours Catering Renewal	Toto Investments Ltd	Pizza Home Delivery Unit 8, 50 Cotton Street Monday to Sunday 23:00 to 01:00	LD	17 November 2011

ABBREVIATIONS:

- LD Legal and Democratic Services
- CC Chief Constable
- EPI Enterprise, Planning and Infrastructure
- EH Environmental Health
- GFRS Grampian Fire and Rescue Service
- BS Building Standards
- H & E Housing and Environment
- CE City Events
- TI Taxi Inspector

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MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.52 Bedford Place, Aberdeen
Applicant/s: Eileen D.R.Thomson
Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that the premises is jointly owned, and the applicant's co-owner has previously been held not to be a fit & proper person to hold an HMO Licence.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a first floor flat with accommodation comprising of 3 letting bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 14 February 2011, and is in the sole name of Eileen D.R.Thomson. The applicant declared that the joint-owner of the property is David C.Thomson, and that he is not an applicant for the HMO Licence.

Following submission of the application, I requested the applicant to provide me with a signed statement from David C.Thomson to the effect that 1) he agreed to the applicant applying for an HMO licence in her name only, and 2) he accepted that he remained jointly liable for all Landlords' legal obligations and responsibilities in respect of the premises. To date, no signed statement has been received by the HMO Unit.

The applicant also submitted the Certificate of Compliance, declaring that the Notice for Display was displayed between 11 February 2011 and 18 March 2011. No letters of objection were received by the Council during that period or since.

Works / Certification Requirements:-

The property has not been inspected.

Previous HMO Licence application from David C.Thomson:-

The Licensing Committee, at its meeting on 15 September 2010 considered an HMO Licence application from Mr Thomson in respect of the property at No.71 Craigievar Crescent, in light of the submission of a letter of objection from a neighbour. The Committee refused to grant Mr Thomson's an HMO Licence for the reason that, in the Committee's opinion, he was not a fit & proper person to hold a Licence. Mr Thomson appealed the decision to the Sheriff Court where the Council's decision to refuse the Licence was upheld.

Ground of Refusal:-

The Civic Government (Scotland) Act 1982, as amended, provides the following ground of refusal:

A Licensing Authority shall refuse an application to grant or renew a licence if, in their opinion, 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 refusal of such a licence if he had made the application himself.

Previous HMO Licence Application;-

Along with her application for No.52 Bedford Place, the applicant submitted an application for an HMO Licence in her own name in respect of the property at No.71 Craigievar Crescent, which she co-owns with David C.Thomson. This application was considered by the Licensing Committee at its meeting on 1 June 2011, and the draft Minute of the decision is as follows:

Premises – 71 Craigievar Crescent, Aberdeen

The Committee heard from Mr James Steel, Solicitor, Raeburn Christie on behalf of the applicant in support of the application.

The Committee resolved:-

to refuse the application on the ground contained in Paragraph 5(3)(b) of Schedule 1 of the Civic (Scotland) Act 1982 namely that 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 refusal of such a licence if he had made the application himself.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- The Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.52 Bedford Place, Aberdeen.
- The applicant, the co-owner and their property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 persons, however because the property has not been inspected, I cannot confirm whether or not this is acceptable to the HMO Unit.

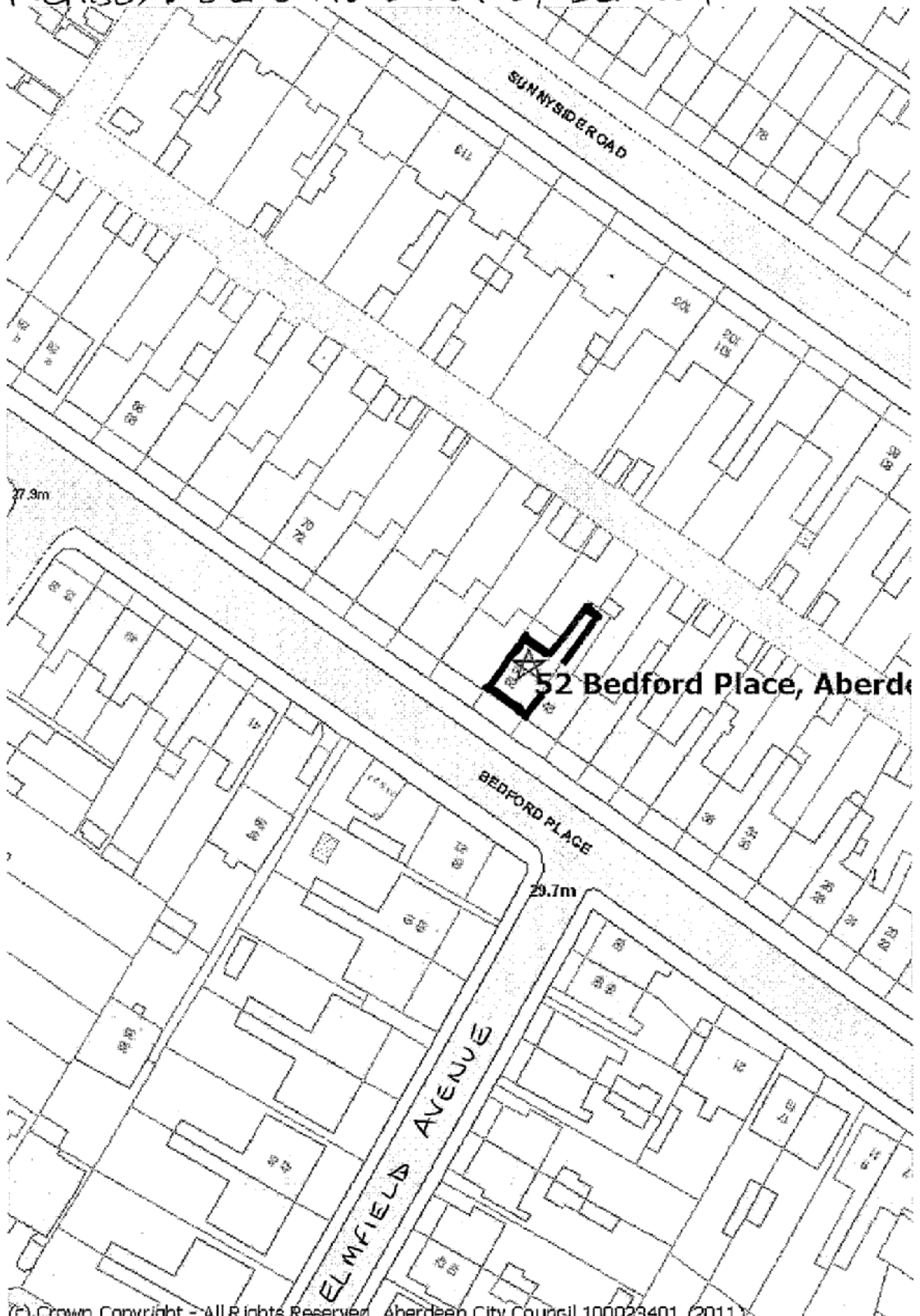
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain

Private Sector Housing Manager

A

TITLE: APPLICATION FOR HMO LICENCE
PREMISES: 52 BEDFORD PLACE, ABERDEEN



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MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.24 Sunnyside Avenue, Aberdeen
Applicant/s: Georgia Kassab
Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that 3 letters of objection were received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a two-storey & basement house. Planning Permission was recently granted to extend the house to provide the following accommodation:

Basement: Kitchen/Dining/Family room

Ground floor: 3 Bedrooms, 2 Public rooms & 1 Bathroom

Upper floor: 2 Bedrooms & 1 Bathroom

The applicant's intention is to use the 2 public rooms as bedrooms, thereby creating a total of 7 letting bedrooms.

The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 13 May 2011. The Certificate of Compliance submitted by the applicant declares that the Notice for Display was displayed between 11 May 2011 – 6 June 2011.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 8 June 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letters of objection:-

3 letters of objection were received by the HMO Unit within the statutory Notice period, and are therefore competent. The letters are attached as appendixes B1, B2 & B3.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.24 Sunnyside Avenue, Aberdeen.
- The applicant and her property are not registered with the Landlord Registration database. The applicant must therefore register prior to letting the property.
- The applicant has requested an occupancy of 7 persons, which is acceptable to the HMO Unit in terms of space and layout. However, following intervention from a Council Planning Inspector advising the applicant that Planning Permission Change of Use was also required, the applicant advised that she now wished to accommodate 5 persons, although she requested that the HMO Licence be granted for a maximum occupancy of 7 persons so as to allow her the option of applying for Planning Permission Change of Use at some time in the future. The correspondence is attached as appendix C.1.

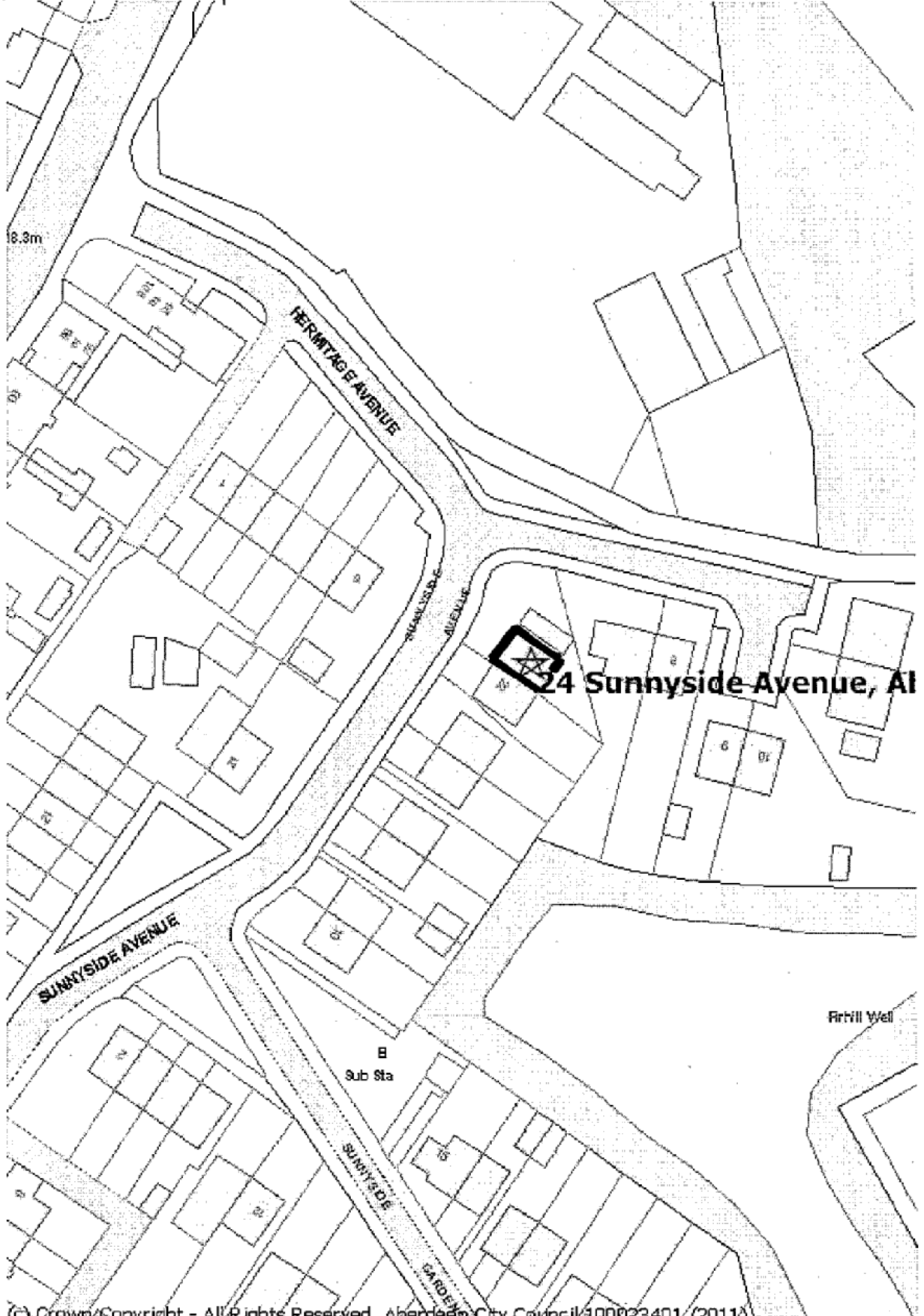
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain

Private Sector Housing Manager

A

TITLE: APPLICATION FOR HMO LICENCE
PREMISES: 24 SUNNYSIDE AVENUE, ABERDEEN



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B.1

27, MAY 2011

H.M.O. UNIT
NEIGHBOURHOOD SERVICES (SOUTH AREA)
4TH FLOOR
ST NICHOLAS HOUSE
BROAD STREET
ABERDEEN
AB10 1 BX

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	31 MAY 2011
Date Logged on Flare	

OBJECTION TO APPLICATION FOR MULTI OCCUPATION LICENCE AT 24 SUNNYSIDE AVENUE, ABERDEEN

DEAR SIR,

I RESIDE AT THE ABOVE ADDRESS WHICH IS A SEMI DETACHED HOUSE.

THE HOUSE AT 24 WAS SOLD ABOUT A YEAR AGO AND WAS BOUGHT BY A FEMALE WHO LIVES IN LONDON AND ALSO OWNS OTHER PROPERTIES IN ABERDEEN WHICH ARE LET OUT TO STUDENTS.

THE OWNER OF NUMBER 24 APPLIED TO THE COUNCIL TO DEMOLISH THE DETACHED GARAGE AND BUILD AN EXTENSION TO THE HOUSE OVER THE SITE OF THE GARAGE.

BY BUILDING THE EXTENSION SHE HAS MADE THREE DOUBLE BEDROOMS AND SHE HAS ALSO MADE THE TWO PUBLIC ROOMS ON THE GROUND FLOOR INTO ANOTHER TWO DOUBLE BEDROOMS. SHE HAS REBUILT THE PRESENT KITCHEN INTO THE BASEMENT AT THE FRONT OF THE HOUSE WHERE IT IS UNDERGROUND AND THEREFOR NO WINDOW SHE HAS MADE THE ...

PRESENT KITCHEN INTO A BATHROOM WITH THE BACK DOOR BLOCKED UP. ALONG WITH THE TWO BEDROOMS AND BATHROOMS ON THE UPPER FLOOR THIS MEANS THAT THERE ARE 7 DOUBLE BEDROOMS. THERE IS ONLY TWO BATHROOMS FOR A POSSIBLE 14 RESIDENTS. THIS, IN MY MIND IS TOTALLY UNSUITABLE. THERE IS ONE COMMON ROOM IN THE UNDERGROUND BASEMENT WITH A PATIO DOOR LEADING OUT TO A FLIGHT OF STAIRS UP TO GROUND LEVEL. THIS WOULD BE THE ONLY ESCAPE APART FROM THE FRONT DOOR. SHOULD THERE BE A FIRE, COULD ALL 14 RESIDENTS ESCAPE UNHURT?

SECONDLY, THERE COULD BE PROBLEMS SHOULD ALL 14 RESIDENTS OWN CARS. THERE IS A RESIDENTS PARKING SCHEME COMING INTO FORCE ON 1ST SEPTEMBER 2011 AND EACH HOUSE WILL ONLY GET TWO PERMITS. ONE PERMIT FOR A SPECIFIC VEHICLE AND THE SECOND PERMIT FOR ANY VEHICLE

THE OWNER HAS APPLIED FOR A LICENCE FOR MULTIPLE OCCUPATION. I OBJECT TO THIS AS WHEN I BOUGHT OUR HOUSE [REDACTED] ALL THE HOUSES WERE RESIDENTIAL. THE PROPERTY AT 24 IS MORE OR LESS BECOMING A "HOSTEL" FOR 14 INDIVIDUALS HAVING TO SHARE A BEDROOM AND ONLY HAVE ONE COMMON ROOM IN THE UNDERGROUND BASEMENT. WITH THE OWNER LIVING IN LONDON IT WOULD BE DIFFICULT TO CONTACT HER IN CASE OF ANY COMPLAINT REGARDING EITHER PROPERTY OR THE RESIDENTS.

THIS PROPERTY IS BEING RUN AS A BUSINESS IN THE MIDDLE OF A RESIDENTIAL AREA.

B.1

I WOULD HOPE THAT THE ABOVE POINTS
BE CONSIDERED AND THAT THE APPLICATION FOR
THE LICENCE BE REVOKED

YOURS FAITHFULLY



(JOHN B. REED)

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	1 JUN 2011
Date Logged on File	

[REDACTED]
[REDACTED]
[REDACTED]
28 May, 2011

H. M. O UNIT
NEIGHBOURHOOD SERVICES,
ST NICHOLAS HOUSE
BROAD ST.,
ABERDEEN
AB10 1BX.

B.2

OBJECTION TO APPLICATION FOR MULTIPLE
OCCUPATION LICENCE AT 24 SUNNYSIDE AVE.,
ABERDEEN.

Dear Sir,

I reside at [REDACTED]
[REDACTED]. When
the owner of the above property applied for Planning
permission for an extension and also to excavate
the cellar to create more living space I
objected at that point, formally in writing, to
what was clearly a multi-occupancy conversion. I
also objected at that point to the further pressure

it would place on parking in what is already a very congested and busy area.




I wish to object most strongly to this application for multi-occupancy as it creates what is in effect a student hostel in a very established and mature residential area. It will have a major impact on the neighbourhood and with 7 double bedrooms and a possible total of 14 residents will be totally and significantly out of keeping with surrounding properties. Have all Health and Safety

issues been considered? If the property is being operated essentially as a hostel the very likely absence of the owner/proprietor will mean that residents will have no immediate contact if there are problems with the property or those residing there.

In summary I wish to object to this application on the grounds that it is totally out of keeping with neighbouring properties, will place further strain on an already almost impossible parking situation and would seem to have significant Health and Safety

implications. Furthermore the potential for pressure^{B.I.}
on services such as waste disposal (how many
wheeled bins etc) and for increased noise levels
will also be significant factors. I urge that
this application be refused.

Yours faithfully


Mrs ELIZABETH WILKINS



B.3

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	1 JUN 2011
Date Logged on Flare	

[REDACTED]

28th May 2011

HMO Unit
Neighbourhood Services (South Area)
4th Floor
St Nicholas House
Broad Street
Aberdeen
AB10 1BX

Dear Sirs

24 Sunnyside Avenue Aberdeen AB24 3LY

I have read your notice outside 24 Sunnyside Avenue regarding having any objections to multiple occupancy.

I would like to state my objections as under noted:

- (1) When we purchased our house this was a residential area and people are now proposing to build what could be classed as a small tenement. The builders informing me that there are going to be 7 double bedrooms accommodating 14 people.
- (2) Obviously this going to cause excessive noise for the people at number 22. This makes me wonder which house next will be granted permission to do this and I would point out from experience these houses are not sound proofed enough for that amount of people to live their daily lives.
- (3) Also there is a massive problem with the amount of cars in this street due largely to the amount of houses already let out. Resident parking is now being introduced and also parking meters so if all the people have cars who are going to move into number 24 it is going to make the position of finding a parking space impossible.

This area is already a disgrace with unkept gardens, windows with curtains hanging off, rubbish lying about and making it more like a university campus than a residential area and to consider giving permission to alter houses to allow such a large occupancy is ridiculous.

More thought needs to be given before handing out permission to convert semi-detached houses into mini tenements for multiple occupancy

Your comments would be appreciated.

[Redacted]

Yours faithfully

[Redacted]

Roland Cheyne

Our Ref. GB-P101408
Your Ref.
Contact Gavin Bruce
Email pi@aberdeencity.gov.uk
Direct Dial (01224) 522171
Direct Fax (01224) 636181



ABERDEEN
CITY COUNCIL

14th July 2011

Mrs Georgia Kassab
[REDACTED]

Planning & Sustainable Development
**Enterprise, Planning and
Infrastructure**
Aberdeen City Council
8th floor
St Nicholas House
Broad Street
Aberdeen AB10 1GY

Tel 01224 523470
Fax 01224636181
Minicom 01224 522381
DX 529452, Aberdeen 9
www.aberdeencity.gov.uk

Dear Madam:

**Use of House for Multiple Occupation
24 Sunnyside Avenue, Aberdeen**

It has recently been brought to my attention that you have recently applied for an HMO licence for the house at 24 Sunnyside Avenue, Aberdeen. If it is your intention to operate a house of multiple occupancy from this address as indicated in the HMO licence application then planning permission for a change of use of the house will be required. I would therefore request that if this is your intention you should submit a planning application for a change of use of 24 Sunnyside Avenue, Aberdeen.

I understand that alterations are taking place at present to extend the house under planning permission ref no. P101408 that was granted planning permission in November 2010 and that the house is presently vacant. The house should not be occupied and used as a HMO prior to gaining all appropriate consents.

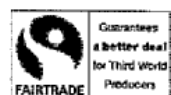
Please contact me if you require further assistance regarding this matter.

Yours faithfully

Gavin Bruce
Planning Inspector

cc Ally Thain, Private Sector Housing Manager, Private Sector Housing Unit,
Housing & Environment

GORDON McINTOSH
DIRECTOR



Choose products with the FAIRTRADE Mark



[REDACTED]

22.7.11

REG: 24 Sunnyside Ave, AB24 3LY

Dear Mr Gavin Bruce

Thank you for your letter dated 14.7.11 regarding applying for a change of use for 24 Sunnyside Ave . I have decided to let out the property for the coming year to only 5 individuals. I spoke to Gary from planning as I believe you were on annual leave. I discussed the issue with him and he informed me that change of use is not needed if the property is to be tenanted by only 5 individuals. I have also spoken to Ally Thain in the HMO department who is also dealing with my case. He is happy for me to proceed applying for an HMO for 7 people but only letting the property to 5 individuals, therefore complying with planning regulations. If and when I wish to increase the amount of tenants to 6 or 7 then I will apply to the Planning Department for a change of use. I shall copy this letter to Alley Thane, so there are no misunderstandings and to make sure I am acting within Aberdeen City Council guidelines/procedures.

Please do not hesitate to contact me if you have any queries. My contact number is 0207 2498315.

Thank you again,

Yours faithfully

[REDACTED]

G Kassab.

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MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.118 Union Grove, Aberdeen
Applicant/s: Jane C.F.Guthrie
Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that 5 letters of objection were received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a first-floor flat with accommodation comprising of four letting bedrooms, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 10 June 2011, although the application is dated 7 June 2011, this being the first day of the 21-day statutory Notice period.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection of the premises on 20 June 2011, then he wrote to the applicant on 21 June 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letters of objection:-

5 letters of objection were received by the HMO Unit within the statutory Notice period, and are therefore competent. The letters are attached as appendixes B1 – B5.

Letter from Applicant:-

As per the statutory requirement, the letters of objection were copied to the applicant who subsequently submitted a letter responding to the objections. The letter is attached as Appendix C.1.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of the first floor flat at No.118 Union Grove, Aberdeen.
- The applicant and her property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 persons, which is acceptable to the HMO Unit in terms of space and layout.
- The applicant currently holds an HMO Licence in respect of the property at 15 Summerfield Terrace, Aberdeen, of which the ASBIT team has no record of complaint.

I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

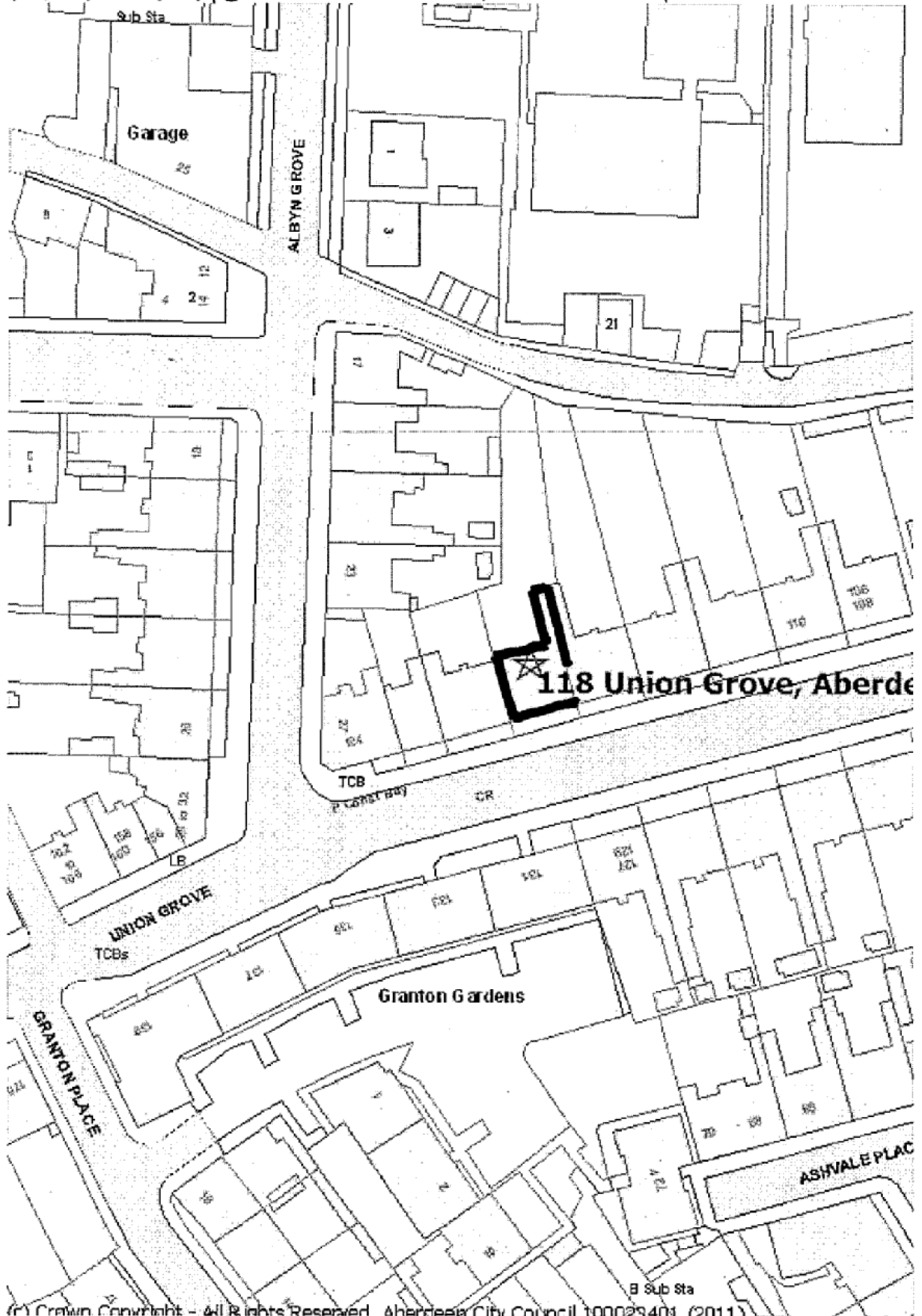
Ally Thain

Private Sector Housing Manager

A



TITLE: APPLICATION FOR HMO LICENCE
PREMISES: 118 UNION GROVE, ABERDEEN



© Crown Copyright - All Rights Reserved. Aberdeen City Council 100029401 (2011)

B.1

22 June 2011

Dear Sir/Madam,

You posted an intimation of the proposal to turn the two first floor flats at 118 Union Grove, Aberdeen into a House of Multiple Occupation. However, you omitted to include any detail about what exactly is meant by Multiple Occupancy. In the absence of such detail, I have to assume that multiple occupancy may lead to a diminution in the standard of living of the existing tenants through possible increases in traffic noise etc.. In multiple occupancy, it seems likely that short-term tenants are not going to be very interested in looking after the cleanliness and tidiness of the property and its garden. Therefore, in my view, it is quite unfair to impose such a change without the full facts being made known to other owners, and I will be obliged if you will put my objection before the Council for their consideration

Yours faithfully,

[Redacted signature]

Mrs.L.Miller

[Redacted address]

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	24 JUN 2011
Date Logged on Flare	

B.2

[REDACTED]

22 JUNE 2011

DEAR SIR,

**REF. HOUSE OF MULTIPLE OCCUPATION APPLICATION
118 UNION GROVE, ABERDEEN**

- I HAVE READ THE NOTICE OF THE ABOVE AND I WISH TO OBJECT TO THE PROPOSAL.
- I DO NOT COSIDER IT A FITTING USE OF THE BUILDING AND I BELIEVE IT WOULD ESTABLISH AN UNACCEPTABLE PRECEDENT FOR THE AREA.
- THE PROPERTY CONCERNED WAS DESIGNED AS TWO SEPARATE FLATS, AND EVEN UNTIL NOW HAS OPERATED AS A SINGLE FAMILY UNIT.
- MULTIPLE OCCUPANCY INTRODUCES THE DANGERS OF EXCESSIVE WEAR AND TEAR, AND ADDITIONAL TRAFFIC AND NOISE TO BE SUFFERED BY EXISTING TENANTS

Yours faithfully

[REDACTED]

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	24 JUN 2011
Date Logged on Flare	

B.3

Ref House of Multiple Occupancy Application
118 Union Grove, Aberdeen

It has come to my attention that a Public Notice has been served with regard to the above.

I wish to lodge an objection on the grounds that this is not a suitable thing for the tenements in Union Grove. I feel it would detract from the present style of life which is enjoyed at present by residents, and which was intended originally when the tenements were built, i.e. to house family units for relatively long term periods.

[REDACTED]

Alistair Hay

[REDACTED]

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
24 JUN 2011	
Logged	
Flare	

B.4

118 Union Grove, Aberdeen, and I wish to lodge the following objection to the Proposed **"House of Multiple Occupancy"** at that address

1. A continual turnover of short term tenancies will tend to introduce a number of people who have little or no interest in the care and maintenance of the building, nor of the comfort and peace of the other inhabitants who may wish to make it their permanent homes (surely the proper purpose of the building).
2. Turning an upstairs flat (albeit a double one) into a house of Multiple Occupancy does not seem to be an appropriate use of the property, which obviously was always intended for a family unit.
3. Such a change of use would alter the character of the building and of the style of living which existing owners and tenants have come to expect.
4. [REDACTED] concerned about excessive wear and tear on the floor/ceiling [REDACTED] due to the increased footfall when the tenants congregate in the lounge [REDACTED]. I have already experienced, in another flatted property in Aberdeen, a lath and plaster ceiling collapsing on tenants. Fortunately no one was injured on that occasion, but most people will be unaware of just how potentially lethal such an accident can be.
5. I think that multiple occupancy will result in an unacceptable increase in noise and traffic in and out of the building
6. It would appear that if Multiple Occupancy is allowed to go ahead in this case, there is no reason why it should be refused elsewhere in many flatted buildings throughout Aberdeen, and this would create "mini-boarding houses" wherever someone decides to knock two adjacent 1-bed flats together, when these dwellings were obviously not intended for such a purpose.

Signe

(Mr. A. Sim)

24/6/11

ABERDEEN CITY COUNCIL	
Neighbourhood-Services Central	
HMO Unit	
Date Received:	27 JUN 2011
Date Logged on Flare:	

B.5

[Redacted]

23 June 2011

Dear Sirs,

RE. 118 Union Grove, Aberdeen
Proposed House of Multiple Occupation

I wish to lodge objection to the above proposal. I bought the [Redacted] in good faith, assuming it would remain as a dwelling for a number of family units with long term intentions to stay there. Multiple Occupancy, which you have not defined for us in your Notice, would seem to alter the character of the building, and if it went further, of the rest of Union Grove. We do not want that, we are quite content with the way things are at present.

Multiple Occupation could mean potentially, a number of virtual strangers coming in and out of the building at any time.

I would fear for the security, the cleanliness, and the possible additional noise that would be created. It is not appropriate for the building or indeed anywhere else in Union Grove to establish what would appear to be small-scale boarding houses within the tenements, which were always designed to be enjoyed by family units.

Please ensure that my objection is put before the councillors at the appropriate meeting.

Thank you.

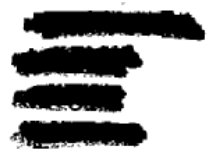
Yours faithfully,

[Redacted Signature]

Mrs. Kanita Sim

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	27 JUN 2011
Date Logged on: Fiare	

C.1



ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	10 AUG 2011
Date Logged on Flare	

Mr. Ally Thain
 Private Sector Housing Manager
 Aberdeen City Council, Housing & Environment
 4th Floor, St Nicholas House
 Broad Street
 Aberdeen AB10 1BY

2nd August 2011

Dear Mr. Thain,

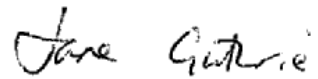
Further to your letter of 27th June 2011 informing me of a number of objections you have received to the HMO licence I am applying for in relation to the premises at 118 Union Grove, Aberdeen, I would like to place on record my formal response.

- 1) In terms of the process in general, I am frankly rather concerned that the posting of a notice for twenty-one days informing all those who read it that they we are intending to create a 'house of multiple occupancy' and that they may object within that period, is a rather open, 'nothing-to-lose' invitation to put obstacles in the way of the application. The phrase 'house of multiple occupancy' is a rather vague description and left unexplained can seem rather daunting to fellow occupants and owners. I believe, this to a great extent explains the objections. Since I received your letter I have written to the owners of the other flats in the tenement to explain my plans and to reassure them of my credentials as a landlord. I enclose a copy of this letter.
- 2) It is important to understand that the property for which I am applying for an HMO licence is a three-bedroom flat which was originally two individual one-bedroom flats, having been converted a number of years back by a previous owner. My application for a maximum occupancy of five persons is very much in line with the accommodation available.
- 3) I would like to point out that I have been a landlord for five years, having two other properties in Aberdeen and I have an impeccable record of both renting my properties to excellent tenants and providing first-class accommodation to them. I am meticulous in interviewing and selecting my tenants and always take up third party references on them.
- 4) With regard to the specific objections enclosed with your letter, I respond as follows:
 - i. Reference B1
 Firstly, it would appear the objector is unaware that there are no longer two flats on the first floor, the conversion into one flat having taken place several years ago by a previous owner and the requirement for an HMO licence if rented to more than two unrelated people. It would also seem that their primary issue is a lack of information on my intentions which we have now furnished via the enclosed letter.

- ii. Reference B2
With reference to an 'unacceptable precedent' potentially being created by the granting of the HMO licence I believe this would not be the case as there are other HMO licences in Union Grove. Furthermore, I contend that the claim that an HMO will 'introduce the dangers of excessive wear and tear and traffic noise' is unjustified since I am only applying for a licence for the number of persons for which there is accommodation. A family unit for which an HMO licence would not be required could easily consist of five, and potentially considerably more, people.
- iii. Reference B3
The objections are vague, claiming that the tenements were built to house family units. To my knowledge, this is nowhere stated in the deeds or any other relevant documents.
- iv. Reference B4
This objection mainly surrounds the issues of short term tenancies and tenants being unlikely to care for the maintenance of the building as well as the property 'obviously' being intended for a family unit. As stated above, there is no legal documentation stating these properties are intended for family units. Furthermore, it would appear that several of the flats are already rented out to tenants. As for maintaining the building and the communal areas, this is largely my responsibility as landlord although I will also encourage my own tenants to carry out their own duties in this regard. The communal areas are currently rather poorly maintained. It is my intention to work with my fellow owners to improve this situation, having only recently purchased the premises, and I have already requested quotes for some of the necessary work.
Lastly, the objector appears to be unaware in his point number 6. that HMO licences are commonplace in "flatted buildings throughout Aberdeen" which tends to add weight to my point that there is much misunderstanding of my intentions which, in hindsight, I should have explained earlier. His argumentation about "mini-boarding houses" and potential ceiling collapse further illustrate this apparent misunderstanding.
- v. Reference B5
Many of the same points are raised in this objection, which are addressed above. Again, the assumption that a "small-scale boarding house" is being established suggests a misunderstanding of my intentions.

I intend to be present at the Licensing Committee meeting on 14th September 2011 to speak in favour of the application and to explain to the committee and any objectors who are present that the living environment will be maintained and protected should the licence be granted and, as previously stated, that it is my intention to work with our co-owners to improve the communal areas.

Yours sincerely



Mrs Jane C. F. Guthrie

Encs.

C.1
/

Dear Residents of 118 Union Grove,

I was rather perturbed to note a number of objections to the granting of an HMO licence for the flat which my husband and I recently purchased on the first floor.

In one respect we are not surprised since the standard notice we are obliged to post states in rather stark terms that we are applying for a 'house of multiple occupancy' licence which creates a false impression and gives no further relevant details, such as number of occupants. In hindsight we should have provided you with such details in any case.

Firstly, let us point out that we are responsible individuals, fully aware of the need to maintain the living environment as it is and very keen to protect the flat we have purchased and are fully committed to our responsibilities for the shared maintenance of the communal areas of the building in which it is situated.

As some of you may know, the flat was converted some time back by combining the two flats on the floor and making one flat. Regulations state that if we want to rent this flat out to more than two persons then we require an HMO licence. This licence requires rigorous safety and fire measures to be in place, including smoke alarms, which adds greatly to the safety of the whole building. If the flat was to be rented to a family or was still two separate flats, the total number of residents/tenants has the potential to exceed five. The HMO licence application in question is for no more than five persons. Our flat is no different than the other flats in the building with regards to the risk of noise pollution, fire hazards and wear and tear, except to say, that the annual gas, electricity, fire safety regulations and anti-social behaviour conditions that we must meet are not legal requirements on rental properties for two or less people or owner occupied properties.

If you are one of those who have objected to our application, we would be grateful of the opportunity to discuss the matter.

We can be contacted on [REDACTED]

or

E mail: [REDACTED]

Jane Guthrie

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MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Renewal of a Licence to Operate a House in Multiple
Occupation (HMO) at No.10 Sunnyside Avenue, Aberdeen
Applicant/s: Stewart Mair
Agent: Thomson Properties**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that one letter of objection was received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a two-storey house with accommodation comprising of four letting bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 29 June 2011. the Certificate of Compliance submitted by the applicant's Agent states that the Notice for Display was displayed between 26 June 2011 – 17 July 2011.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 18 July 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letters of objection:-

One letter of objection was received by the HMO Unit within the statutory Notice period, and is therefore competent. The letter is attached as appendix B1.

Letter from applicant's Agent:-

As per the statutory requirement, the letter of objection was copied to the applicant's Agent who subsequently submitted a letter responding to the objection. The letter is attached as appendix C1.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.10 Sunnyside Avenue, Aberdeen.
- The applicant and his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 persons, which is acceptable to the HMO Unit in terms of space and layout.

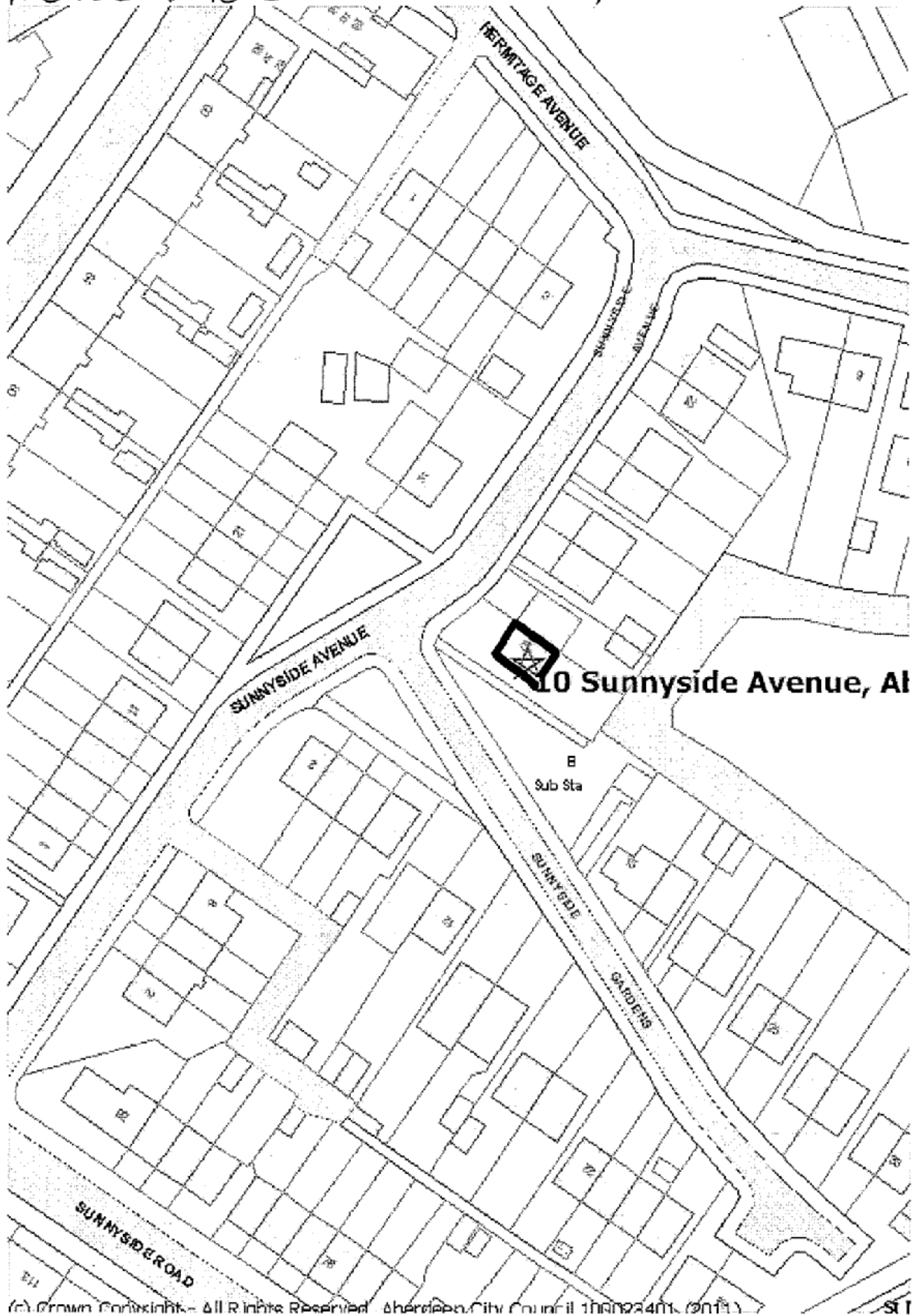
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain

Private Sector Housing Manager

A

TITLE : APPLICATION FOR HMO LICENCE
PREMISES : 10 SUNNYSIDE AVENUE, ABERDEEN



10 Sunnyside Avenue, Ab

B.1

HMO Unit Housing and Environment
4th Floor, St Nicholas House,
Broad Street, Aberdeen AB10 1BX

[Redacted]
[Redacted]
[Redacted]

2 July 2011

Dear Sirs,

Application for HMO Premission for
10 Sunnyside Avenue. Aberdeen AB24 3LY

I am writing to object to this proposal to grant an HMO permit to this property. This area is suffering neglect because of the large number of properties being used for student accommodation. There are far too many student properties in the Sunnyside area with absent landlords and no proper control.

Last winter, the flat roof of this house, 10 Sunnyside Avenue, had to be repaired but the roofing contractor left an unsightly pile of rubbish from the flat roof repair littered across the grassed amenity area. I had manually to remove the debris off the grass area and stack it against the fence for this property to make it look a bit better and allow the grass to be cut. Nothing has been done for the last six months to get the rubbish removed and the students in the property were unable even to tell me who to get in touch with to complain to. I am also annoyed that the rear fence was partially removed while the roof was being repaired and again nothing has been done to restore it. The garden is being looked after but these things indicate that no one is really managing this property.

Yours sincerely,

[Redacted Signature]

Douglas Thain

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	5 JUL 2011
Date Logged on File	



C.1 [REDACTED]

12.02.2010

WITHOUT PREJUDICE

Aberdeen City Council,
Housing & Environment Dept
Floor 4 St Nicholas House
Aberdeen AB10 1BX

For the attention of: Ally Thain

Dear Ally

1 Objection to the Renewal of HMO Licence – 10 Sunnyside Avenue, Aberdeen

With regard to the renewal of the HMO licence for 10 Sunnyside Avenue, Aberdeen. I wonder if you would inform the licensing committee that we have now cleared the debris from the side of the property and made the boundary fence stable as well. I have enclosed a letter that we received from Mr Thain and our letter of reply that we sent to him, in which we confirm that the debris was cleared and fence stabilized. You will see that we have offered the statement within our letter to Mr Thain that if he has any further problems to please contact as soon as he can in order that we can clear the problems as quickly as possible.

Hopefully you will see that we are producing clear evidence of our ongoing diligence to the properties management.

Yours sincerely

For Thomson Properties

Richard Thomson

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	15 AUG 2011
Date Logged on Fiare	





17.07.2011

C.1 (cont)

Mr Douglas Thain
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr Thain

10 Sunnyside Avenue – Complaint

We refer to your letter dated 2nd July 2011, and in this respect we have now had the opportunity to look into the points you raised within that letter. We have inspected the property and found that you were indeed correct that the debris from the repair carried out some time ago was left by the contractor. We have now had the same contractor go and collect the debris and make good any ground damage made from this. At our inspection we noted that the fence at our clients property was in need of attention and we instructed the contractor to repair this at the same time he collected the debris.

We now hope that the matters you have raised as complaints have now been fully attended to and that you are satisfied about the conclusion. However if you have any further point of note regarding the property please do not hesitate to contact our office in the future.

Yours sincerely

For Thomson Properties
[REDACTED SIGNATURE]

Richard Thomson

Copy



Thomson Properties and Mr Stewart Mair

C.1 (cont)

[REDACTED]
[REDACTED]
[REDACTED]

2 July 2011

Dear Sir,

10 Sunnyside Avenue. Aberdeen

I am writing to complain about the unsightly pile of rubbish from the flat roof repair at the above property that has been lying on the grass amenity area for the past 6 months.

I am also annoyed that the rear fence has been partially removed and nothing has been done to restore it.

Can you please arrange to have these things attended to, as they are unsightly and they lower the tone of the area, which is already suffering from neglect from too many student accommodation properties?

Yours sincerely,

[REDACTED]

Douglas Thain

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MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.48 Elmbank Terrace, Aberdeen
Applicant/s: Andrew Buchan
Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that one letter of objection was received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is an upper floor maisonette with accommodation comprising of five letting bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 11 July 2011. The Certificate of Compliance submitted by the applicant declares that the Notice for Display was displayed between 5 July 2011 – 27 July 2011.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 29 July 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letters of objection:-

One letter of objection was received by the HMO Unit within the statutory Notice period, and is therefore competent. The letter is attached as appendix B1.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.48 Elmbank Terrace, Aberdeen.
- The applicant and his property are registered with the Landlord Registration database.
- The applicant has requested an occupancy of 5 persons, which is acceptable to the HMO Unit in terms of space and layout.
- The applicant previously held an HMO Licence in respect of the property, which expired on 28 April 2011 and was not renewed.

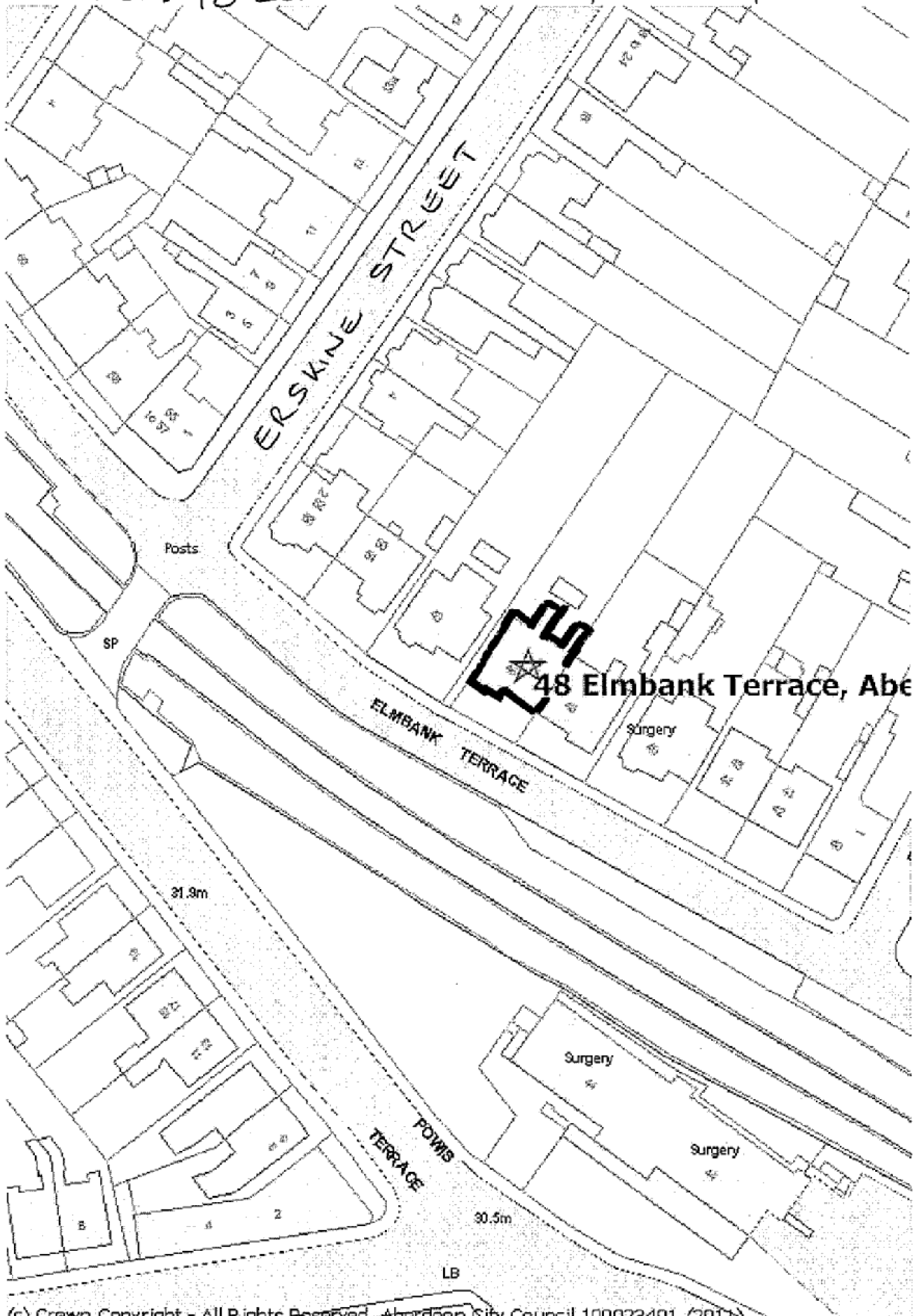
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain

Private Sector Housing Manager

A

TITLE: APPLICATION FOR HMO LICENCE
PREMISES: 48 ELMBANK TERRACE, ABERDEEN



B.1

Clare Neely



22 July 2011

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received:	25 JUL 2011
Date Logged on Flare	

Housing & Environment
4th floor St Nicholas House
Broad Street
Aberdeen
AB10 1BX

**Housing in Multiple Occupation (HMO) Licence Application:
48 Elmbank Terrace, Aberdeen**

Thank you for the opportunity to respond to the application for a HMO licence for the property situated at 48 Elmbank Terrace, Aberdeen.

Please accept this letter as an objection of such a licence for this property.

I have been advised by the HMO Unit at Aberdeen City Council that a previously HMO licence for this property, held by the same owner, expired in April 2011 and was not renewed. As I believe that tenants have been residing in this property during the period from April 2011 to July 2011, the applicant may be committing a criminal offence and is therefore not a fit and proper person to hold a HMO licence. The Aberdeen City Council website clearly states that *"It is a criminal offence to operate an HMO without being in possession of a current HMO Licence issued by the Local Authority"* Copies of the tenancy agreement detailing the dates of vacation would confirm if my beliefs are correct.

In addition, the applicant has failed to manage his property correctly in that he has not ensured his tenants to take appropriate action to maintain the garden at the front of the property, or to comply with existing Council waste collection activities.

Waste collection

The property currently possesses three standard sized wheelie bins which are stored in the front garden. On a number of occasions over the past year, all three bins have been full and overflowing with additional refuse piled up within the garden. As the tenants have not put their rubbish out for collection, the overflowing bins have attracted scavenging seagulls to the area who damage the roofs of cars by scratching paintwork as well as depositing their faeces in the locality. This is something that as a local resident and car owner, I'm keen to avoid.

Rubbish has now been cleared from the garden, but since 20 July 2011 two sofas have been 'dumped' outside the property on the footpath of Elmbank Terrace (photo attached). A telephone call to the Environmental Services Department of the Council on the date of writing confirmed that the applicant has not arranged a special collection for these, and may therefore have committed an act of 'fly-tipping'.

As I understand, properties can only be allocated ONE additional wheelie bin if there is a baby in nappies in the household to obviously encourage the residents to undertake recycling activities in line with Council policies. The landlord of this property appears to have done nothing to ensure his tenants are undertaking their obligations with regard to local waste collection / recycling activities and has also managed to circumnavigate the policies with regard to the provision of additional wheelie bins.

Garden

I would expect, as a minimum, that the landlord ensures that the tenants take appropriate action to maintain the garden at the front of the property – adjacent to the footpath of Elmbank Terrace. This has not been done. At the date of writing, the garden is unruly and overgrown, with planting, including a bramble bush which you will appreciate has thorns, spilling out over and into the public footpath (photo attached). The overgrown state of the garden does nothing to support the visual amenity of the local area. If, under their tenancy agreement, the tenants have not been required to maintain the garden, the responsibility falls to the landlord himself and its overgrown state suggests he is unwilling/unable to do so, or to ensure his tenants do so and therefore not a fit and proper person to hold a HMO licence.

Car parking

Space for on-street car parking is at a premium in the Elmbank Terrace area. A HMO could reasonably be expected to contain residents who, between them, own more than one car. Granting a HMO licence for this property is likely to increase the competition for on-street car parking spaces in the locality as well as increase traffic flow in a residential area.

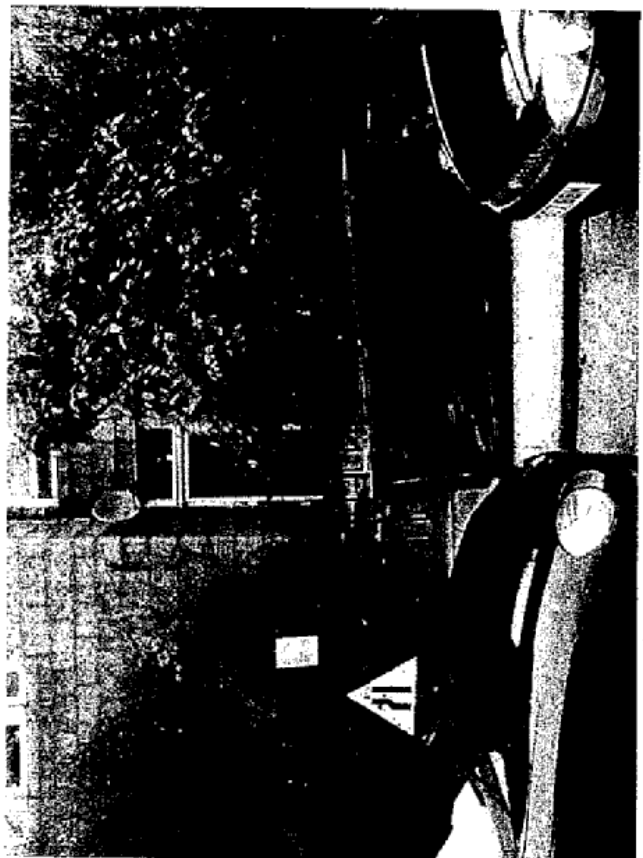
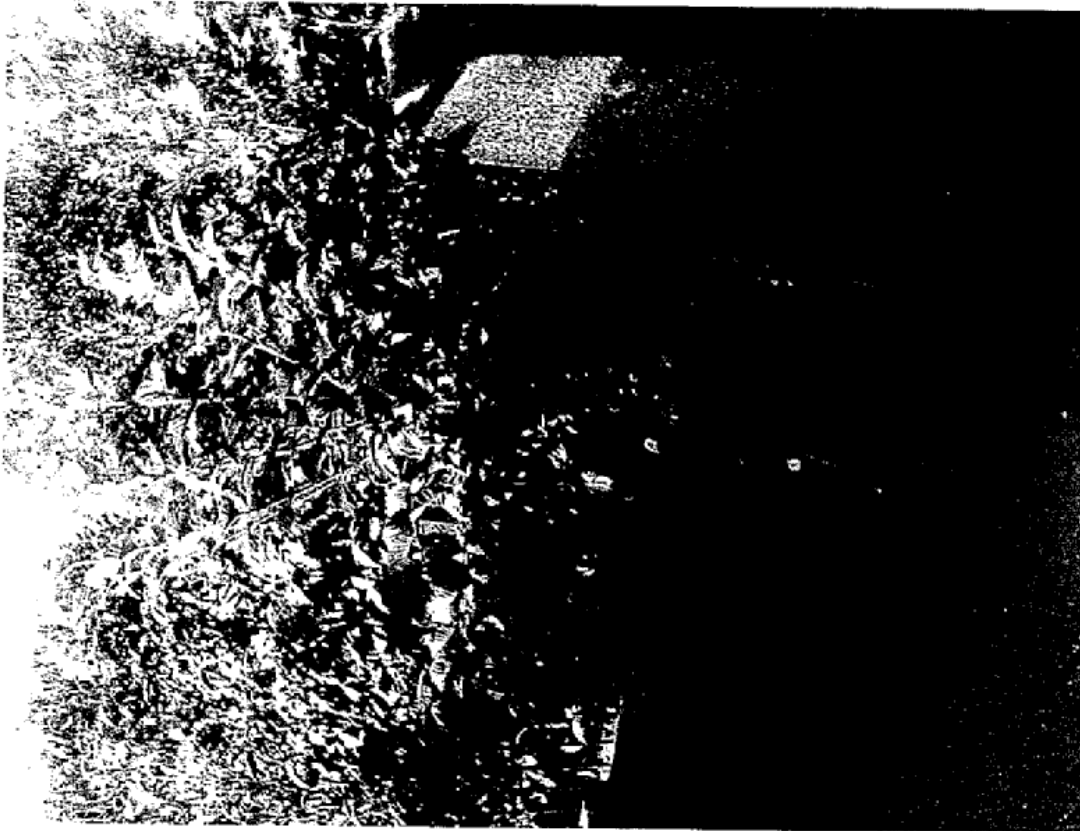
I feel that the applicant has not managed either his property, with regard to maintenance of the garden area, or the behaviour of his tenants correctly and therefore a HMO licence for this property should not be granted.

I would be grateful if the Council would inform me of the outcome of their decision.

Yours faithfully,



Clare Neely





MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.10 Orchard Road, Aberdeen
Applicant/s: Laserase (Scotland) Limited
Agent: None stated**

I refer to the above HMO Licence application, which may be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that one 'late' letter of objection was received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is a two-storey house with accommodation comprising of three letting bedrooms, two public rooms, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 11 July 2011. The Certificate of Compliance submitted by the applicant declares that the Notice for Display was displayed between 2 July 2011 – 23 July 2011.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 19 July 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letter of objection:-

One letter of objection was received by the HMO Unit on 1 August 2011, outwith the statutory 28-day period for lodging objections or representations. If the Committee decides to consider the letter, it will be circulated to Members at the meeting.

Other considerations:-

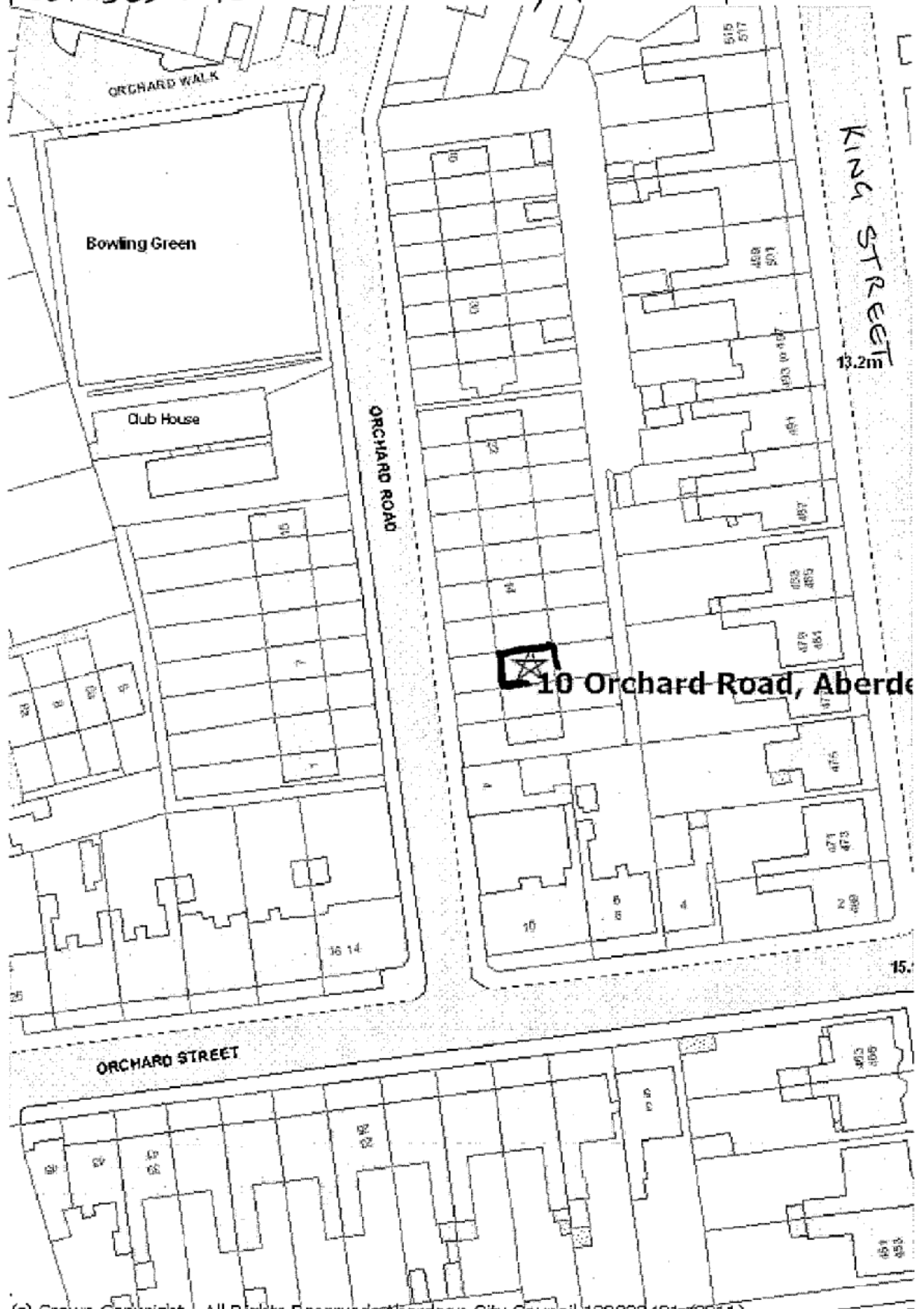
- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.10 Orchard Road, Aberdeen.
- The applicant is registered with the Landlord Registration database, but not the property. The applicant should add the property prior to commencing operation as a rental property.
- The applicant has requested an occupancy of 4 persons, which is acceptable to the HMO Unit in terms of space and layout.
- Nos.8 & 12 Orchard Road are licensed HMOs. Nos 14 & 16 Orchard Road are pending HMO Licence applications.

I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain

Private Sector Housing Manager

TITLE: APPLICATION FOR HMO LICENCE
PREMISES: 10 ORCHARD ROAD, ABERDEEN



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MEMO

Shelter & Environment

Housing & Environment

4th Floor, St.Nicholas House

To	Eric Anderson, Senior Solicitor, Corporate Governance, Town House		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	1 September 2011
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

**Civic Government (Scotland) Act 1982
(Licensing of Houses in Multiple Occupation) Order 2000
Application for the Grant of a Licence to Operate a House in Multiple
Occupation (HMO) at No.38 Elmfield Terrace, Aberdeen
Applicant/s: Anne K.Rait
Agent: None stated**

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 14 September 2011, for the reason that one letter of representation was received by the HMO Unit.

I can advise you as follows:-

The premises:-

The premises to which this HMO Licence application relates is an upper-floor maisonette with accommodation comprising of four letting bedrooms, one public room, one kitchen and one bathroom. The position of the premises is shown on Appendix 'A' attached to this memo.

The HMO application:-

The HMO Licence application was received by the Council on 1 August 2011, this date being the start of the 28-day statutory period for lodging objections or representations.

Works / Certification Requirements:-

The HMO Officer carried out an initial inspection, then he wrote to the applicant on 19 August 2011, listing upgrading work and certification requirements to bring the property up to the current HMO standard. At the date of this memo, all requirements have not been met, although this is not the reason for referral to the Licensing Committee.

Letter of representation:-

One letter was received by the HMO Unit on 22 August 2011, within the statutory 28-day period and is therefore competent. The letter is attached as appendix B1.

Other considerations:-

- The Chief Constable, Grampian Police, has been consulted in respect of the applicant's suitability as a "fit and proper person", and has made no comments or objections.
- Grampian Fire & Rescue Service has been consulted in respect of the suitability of the property, and has made no comments or objections.
- At the date of this memo, the Council's Antisocial Behaviour Investigation Team (ASBIT) has no record of any complaint in respect of No.38 Elmfield Terrace, Aberdeen.
- The applicant applied to register with the Landlord Registration database, but did not complete the application. The applicant should complete the registration prior to letting the property.
- The applicant has requested an occupancy of 4 persons, which is acceptable to the HMO Unit in terms of space and layout.

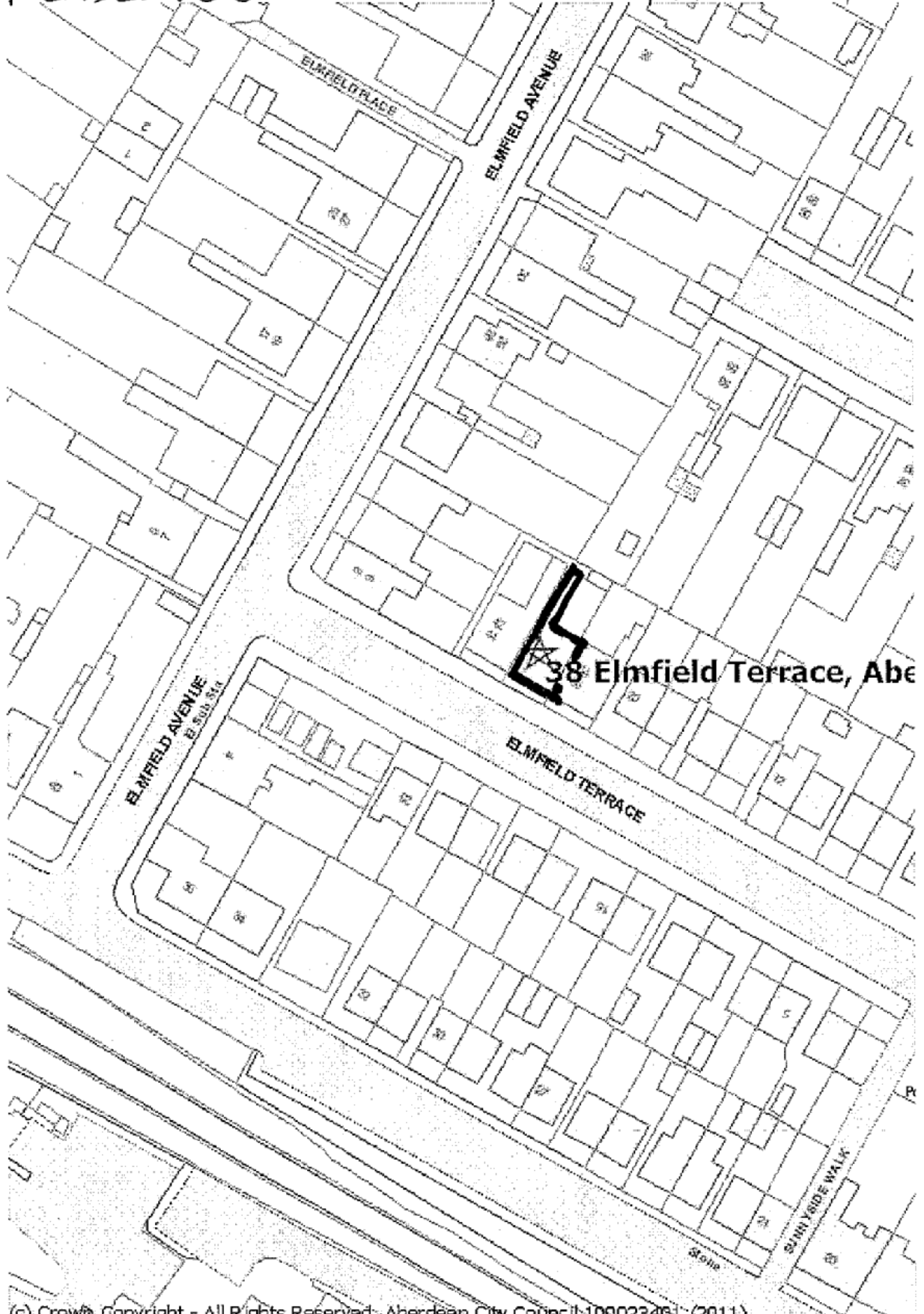
I trust the above explains the position. Please contact me on x2870 if you wish to discuss any of the above.

Ally Thain

Private Sector Housing Manager



TITLE: APPLICATION FOR HMO LICENCE
PREMISES: 38 ELMFIELD TERRACE, ABERDEEN



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B.1

[REDACTED]

Housing and Environmental,
Aberdeen City Council,
4th Floor,
St Nicholas House,
Aberdeen
AB10 1BX

20 August 2011

Dear Sirs,

38 Elmfield Terrace – Application For an HMO Licence

We wish to pass comment on the above application.

While we are not lodging an objection to this application, [REDACTED] we would like to raise our concerns about potential tenants and the possible problems that may arise from having an absentee landlord.

During the last year, the tenants of 38 Elmfield Terrace behaved in an anti-social manner, particularly in their disposal of rubbish. Numerous overfilled bin bags were a weekly sight at the door to that property [REDACTED] creating a mess that was exacerbated by vicious seagulls strewing the contents around the street. Such was the scale of the problem that we had to contact Waste Aware Aberdeen, and even though they said they would look into the matter, any subsequent change in behaviour from the tenants was very short-lived.

We are therefore asking that the landlord and new tenants be reminded of their duty to ensure that the property is well managed. We suggest that they could start by procuring a black box and a white bag for recycling.

Yours Faithfully,

[REDACTED]

Andrew and Helen Hopwood

ABERDEEN CITY COUNCIL	
Neighbourhood Services Central	
HMO Unit	
Date Received	22 AUG 2011
Date Logged on Flare	

ABERDEEN CITY COUNCIL

COMMITTEE: Housing & Environment
DATE: 25 August 2011
DIRECTOR: Pete Leonard
TITLE OF REPORT: Licensing of Houses in Multiple Occupation – New Powers
REPORT NUMBER: H&E/11/70

1. PURPOSE OF REPORT

This report seeks to inform Members of the provisions of Part 5 of the Housing (Scotland) Act 2006, concerning licensing of Houses in Multiple Occupation (HMO), which will come into effect on 31 August 2011. The report also advises on further changes to be introduced by the Private Rented Housing (Scotland) Act 2011, and seeks delegated authority to enable officers to deal with a number of the new powers arising from the legislative changes.

2. RECOMMENDATION(S)

It is recommended that the Committee:

- (i) Delegate authority to the Director of Housing and Environment, the Private Sector Housing Manager and the Senior Private Sector Housing Officer (Rented Sector) to:
 - 1) grant temporary exemption orders and extensions to same
 - 2) make orders under Section 144 (suspension of rent, etc)
 - 3) make requirements under Section 145 (power to require rectification of breach of HMO Licence)
 - 4) sign, and serve (or arrange for or instruct the service of) HMO amenity notices and all notices of the above types of decision and take, or arrange for or instruct the taking of, any action necessary in connection with doing any of the foregoing,

all in terms of the provisions of Part 5 of the Housing (Scotland) Act 2006, and to instruct that this be added to the Scheme of Delegation documents.

- (ii) Instruct the Director of Housing & Environment to submit a further report to the Housing & Environment Committee prior to the coming into force of Sections 129A & 131A of the Private Rented Housing (Scotland) Act 2011, on the implications to the Council of these two Sections.
- (iii) Remit this report to the meeting of the Licensing Committee on 14 September 2011, for noting.
- (iv) Otherwise note the content of this report.

3. FINANCIAL IMPLICATIONS

The Council's HMO Licensing activity is funded solely from the HMO Licence application fees. The income covers all costs involved in processing applications, granting Licences and investigating unlicensed HMOs.

HMO Licence fees were last reviewed by the Housing & Environment Committee at its meeting on 24 August 2010. Following ratification by the Finance & Resources Committee at its meeting on 28 September 2010, a new, lower Licence fee structure came into effect at midnight on 28 September 2010.

4. OTHER IMPLICATIONS

The Private Sector Housing Unit (PSHU) has been given authorisation from the Housing & Environment Committee to employ additional staff, specifically to enforce against Landlords of unlicensed HMOs. As a result of this, the PSHU is undergoing restructure by way of the preparation of a business case with the intention of providing a better service by more flexible use of staff. All costs, however, will be covered by the HMO Licence application fees.

5. BACKGROUND/MAIN ISSUES

- 5.1 HMO Licensing in Scotland is currently legislated for by the Civic Government (Scotland) Act 1982 and the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000. From 31 August 2011, HMO Licensing will fall under Part 5 of the Housing (Scotland) Act 2006, and most of Part 2 of the Private Rented Housing (Scotland) Act 2011.

The new legislation is similar to the current legislation in terms of how the Council deals with HMO Licence applications however the new legislation is different in a number of areas, especially in the provision of enforcement powers. Several key areas of the new legislation are summarised as follows:

Section 125 – Defines an HMO to be living accommodation

- occupied by 3 or more people as their only or main residence, who are members of 3 or more families, and
- which is a house or is, or forms part of, any premises or group of premises owned by the same person and its occupants share kitchen and/or bathroom facilities

Other than clarifying the position in relation to students and hospital patients, there is no definition of ‘main residence’.

Section 129A – The Private Rented Housing (Scotland) Act 2011 will introduce this Section in January 2012, allowing local authorities to refuse to consider an HMO Licence application if it considers that the occupation of the living accommodation as an HMO would constitute a breach of planning control. Should the applicant subsequently apply for and obtain Planning Permission, then resubmit the HMO Licence application within 28 days of obtaining such permission, no further Licence fee is payable.

Section 130 – States that the local authority must refuse to grant an HMO Licence if it considers that any of the applicant/s, agent, Director/s, Partner/s, etc, named on the application are:

- i) Not ‘*fit and proper persons*’ to hold such a Licence. In considering whether or not a person is “fit and proper”, the local authority must apply the criteria set out in Section 85 of the Antisocial Behaviour (Scotland) Act 2004.
- ii) Disqualified from holding an HMO Licence, by a Court.

Section 131 – States that the local authority may only grant an HMO Licence if the living accommodation is either suitable for occupation as an HMO or can be made suitable by imposing conditions in the HMO Licence. In determining the suitability of the accommodation, the local authority must consider:

- a) Its location.
- b) Its condition.
- c) Any amenities it contains.
- d) The type and number of the persons likely to live in it.
- da) Whether any rooms within it have been subdivided.
- db) Whether any rooms within it have been adapted and that has resulted in an alteration to the situation of the water and drainage pipes within it.
- e) The safety and security of the persons likely to live in it.
- f) The possibility of undue public nuisance.

Section 131A - The Private Rented Housing (Scotland) Act 2011 will introduce this Section in January 2012, allowing local authorities to refuse to grant HMO licences if it considers that there is (or would be if a new Licence was granted) overprovision of HMOs in the locality in which the living accommodation concerned is situated.

Section 136 – States that where an HMO changes ownership and the new owner is a Registered Landlord, the existing HMO Licence is to be treated as having been granted to the new owner for a period of one month from the date of sale. The new owner must then submit an HMO Licence renewal application prior to the expiry of the one-month period.

Section 139 – Allows local authorities to revoke an HMO Licence at any time if it considers that:

- a) the Licence-holder is no longer a 'fit & proper' person to hold a Licence, or
- b) the living accommodation is no longer suitable for use as an HMO and cannot be made suitable by varying conditions, or
- c) a condition of the Licence has been breached.

Any proposed revocation must be determined at a hearing (the Licensing Committee), and a Sheriff Court appeal is available following the decision taken at the hearing.

Section 142 – Introduces Temporary Exemption Orders. Where accommodation requires an HMO Licence, the owner can apply to the local authority for a Temporary Exemption Order. The owner must specify the measures that he/she will take to ensure that the accommodation ceases to be an HMO, and the Local Authority can only grant the Order if it is satisfied that these measures will have the intended effect. The Order will last for 3 months and, if necessary, the Local Authority can extend it for a further 3 months but only under exceptional circumstances. The local authority is not entitled to charge a fee for an application for a Temporary Exemption Order.

Delegated authority is requested for officers to deal with this new power.

Section 144 – Introduces Rent Suspension Orders. If an HMO that requires a Licence is not licensed, or if a condition of an existing HMO Licence has been breached, the local authority can order that no rent is payable by the tenants. The local authority must revoke the Order if it subsequently grants an HMO Licence, or the Licence condition is no longer being breached, or the property is no longer being operated as an HMO.

Delegated authority is requested for officers to deal with this new power

Section 145 – Introduces ‘Breach of Condition/s’ Notices. If a local authority considers that there has been a breach of HMO Licence condition/s, or a breach is likely, it can serve Notice on the Licence-holder requiring him/her to take the necessary action to rectify the breach or prevent it from happening.

Delegated authority is requested for officers to deal with this new power.

Section 146 – Introduces HMO Amenity Notices. If a local authority believes that living accommodation is an unlicensed HMO, which is not reasonably fit for occupation by the number of persons occupying it, the local authority can serve an HMO Amenity Notice. The Notice must specify the work required and the deadline for completion of the work.

Delegated authority is requested for officers to deal with this new power.

Section 154 – Makes it an offence to own an unlicensed HMO without a reasonable excuse. It is also an offence to act for an owner of an unlicensed HMO, without a reasonable excuse. Where the Landlord already holds an HMO Licence, it is an offence to breach a Licensing condition, or allow a person to occupy the accommodation while a Notice concerning a breach has effect, or allow a person not specified on the licence as the licence-holder’s agent to act on the Landlords behalf, all without a reasonable excuse. The maximum fines available to the Courts for these offences range from £1,000 to £50,000. In addition to any fine for conviction of any offence detailed in Section 154 of the Act, the Court may also revoke the HMO licence and disqualify the owner, agent, Director, etc, from holding an HMO Licence for up to 5 years.

Section 160 – The local authority must keep a public register detailing information about HMO applications and HMO Licences in its area, and make the register available for public inspection at all reasonable times. There is a current requirement to keep a public register, but the new legislation increases the amount of detail to be held on it.

Section 161 – The local authority is entitled to charge a fee in relation to:

- a) an application for an HMO licence,
- b) the issue of a certified copy of an HMO licence,
- c) the issue of a certified copy of an entry in the authority’s public register.

The local authority is not entitled to charge a fee in relation to any other aspect of HMO licensing such as applications for Temporary Exemption Orders and licence variations.

- 5.2 Section 163 of the 2006 Act refers to guidance issued by Scottish Ministers, to which local authorities must have regard when dealing with HMO Licensing. This Council was represented on the Scottish Houses in Multiple Occupation Network Group (SHMONG) Guidance Subgroup which drafted the guidance over winter 2010/11 prior to the draft guidance being consulted upon. Unfortunately the 'final' version of the guidance has not yet been published, and it is not expected to be available until some time in August 2011. The guidance, when available, will be used by HMO Officers and administration staff to assist determination of HMO Licence applications.
- 5.3 The enforcement provisions contained within the new legislation are much more comprehensive than what is currently available, and will provide the HMO Unit with a range of new powers for enforcement against Landlords of unlicensed HMOs. These new enforcement provisions will require powers to be delegated to officers to enable the service of the various Notices and Orders referred to above.
- 5.4 Currently, HMO Officers have delegated powers to grant HMO Licences where the applicant/s is considered to be a fit & proper person, no letters of objection have been submitted, all work & certification requirements have been carried out satisfactorily and there is no other area of concern. All HMO Licence applications where these criteria have not been met are currently referred to the Licensing Committee for its consideration and determination. This procedure will continue for applications dealt with under the new legislation.
- 5.5 For the new legislation to work effectively, it must be publicised so that existing or prospective HMO-Licence holders are aware of the new requirements, and Landlords of unlicensed HMOs are aware of the sanctions open to local authorities and the courts. At this time it is unknown as to whether or not the Scottish Government will conduct a publicity campaign to promote the new legislation, however the Council can take certain steps to increase awareness in Aberdeen city. Under the transitional arrangements, local authorities are required to write to all HMO Licence-holders and pending Licence-applicants prior to 31 August 2011, advising them of the changes that the new legislation will introduce.
- 5.6 As mentioned in paragraph 5.1, Part 2 of the Private Rented Housing (Scotland) Act 2011 comes into effect on 31 August 2011, with the exceptions of Sections 129A & 131A which are scheduled to come into effect in January 2012. Both Sections allow local authorities discretion in whether or not to exercise the powers contained therein. The reason for the delay is that Section 131A (Overprovision) was introduced as a 'last-minute' amendment to the Bill and was never consulted upon. The Scottish Government has now started a limited consultation with local authorities with the intention of developing guidance on both Sections, and a further report will be presented to the Housing & Environment Committee prior to their introduction.

6. IMPACT

One of the stated aims contained within the *Vibrant, Dynamic & Forward Looking* document is to:

Ensure that landlords of houses in multiple occupation adhere to the licensing laws.

This report is likely to be of particular interest to certain members of the public who have a connection with HMO Licensing. In particular, landlords of licensed HMOs may be interested in the new legislation when they come to renew their HMO Licences, and landlords of unlicensed HMOs may be interested in the enforcement powers which will be available to the Council, and the fines which a Court can impose, together with disqualification from holding an HMO Licence.

7. BACKGROUND PAPERS

Civic Government (Scotland) Act 1982

Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000

Housing (Scotland) Act 2006

Private Rented Housing (Scotland) Act 2011

8. REPORT AUTHOR DETAILS

Ally Thain, Private Sector Housing Manager

Tel. (52) 2870

E-mail: allyt@aberdeencity.gov.uk

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Agenda Item 4.2

From: Eric Anderson
To: Jacqui Wallace
Date: 02/08/2011 14:21
Subject: Fwd: plate change

Hi Eric

My name is Stanley Beattie [REDACTED] plate no A75

i am a airport taxi driver and have been for the past 8 years before this I worked in the town for 23 years so in total I have been in the trade for 31 years

Round about 18 years ago I had back problems and decided to hand back my saloon car plate as I was unable to work full time and later on I Slipped a disc in my back and had to have three major back operations for this and when I got back to work after a year I was only driving part time with other taxi company cars.

eight years ago I applied for my own plate again as I was back full time and the only plate I could get was a wav one as they had changed the plate situation.

So my situation now is I am at the airport and although I am exempt from pushing wheelchairs because of my back problems. I still have to take passenger with extra heavy luggage as the saloon cars can't take it. I am having real problems lifting them . I still try to help the passenger as much as I can and sometimes the drivers or the Marshall give me a hand but when I get to my destination I have to unload it myself and if the passenger is a old person I can't ask them to do it

But then after that I have to take about three days off to rest my back as I am in agony and one of these days I am going to do some real damage.

I love working at the airport but my doctor and consultant say I am not supposed to lift really heavy things

So I am writing to you to see if the licensing committee would considered under medical grounds to change my wav plate for a saloon car plate .I also have a trapped nerve in my leg which the surgeon said it has been damaged for life and will never be right I am driving a fiat doblo which is basically a converted van and it is not doing my back any good so i would like to change to a saloon car automatic because i would not have to lift extra heavy luggage and the automatic would be a lot easier to drive as it would take the pressure of my leg

As I said I am a taxi drive with 31 years of experience so I don't no anything else

Yours sincerely
Stanley Beattie

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Agenda Item 4.3

Gary & Jane Mair



25th Aug 2011

Your Ref: ewja/wr/w85126.

Dear Eric Anderson,

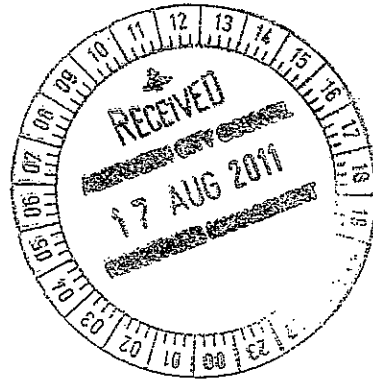
I refer to your return letter dated 23rd Aug 2011, in which you asked for more information regarding my Mums licence (Jane Mair) about going into partnership with myself, Gary Mair.

The licence/ hackney plate number is A063, which is due for renewal on 30th September 2011 and is currently on a salon vehicle. We do wish for the committee to relax the provision in this case and would be grateful if you allow my Mum to apply for a new licence in partnership with myself and to keep the same vehicle, in this case a Ford Mondeo.

Should the committee agree to the above request, and consider the application in time for the September meeting can you please advise us what we need to do and what application form we need to fill in before the existing licence expires.

Kind Regards,
Gary & Jane Mair.

Gary Mair



15 Aug 2011

For the attention of:
Mr Eric Anderson.

Dear Licensing committee,
After having a brief conversation with Jackie Wallace on 15/08/2011 I was advised to write a letter concerning our application.

My Mum, Jane Ann Margaret Mair has hackney plate number A063, which is due for renewal on 30/09/2011.

As I explained to Jackie, my Mum and I (Gary Mair) would like to go into partnership and was not sure how to go about it.

As the licence is now due on 30/09/2011 we thought that now would be the time to apply for a grant in the partnership of the licence and hope to be considered at the next licensing committee meeting, which is due in September, just before the renewal date.

I would be extremely grateful if the committee would have time to consider our grant and, as advised by Jackie, if successful my mum would know if she should surrender her licence and apply/grant for a new one in both our names.

Kind Regards,
Gary & Jane Mair.

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	14 September 2011
DIRECTOR	Stewart Carruth
TITLE OF REPORT	Taxi Consultation Group
REPORT NUMBER:	CG/11/032

1. PURPOSE OF REPORT

The purpose of this report is to approve the revised remit, governance and membership of the Taxi Consultation Group.

2. RECOMMENDATION(S)

That the Licensing Committee –

- (a) agree the remit of the Taxi Consultation Group as outlined in the report at Section 5.1
- (b) approve the membership of the Group as outlined in the appendix to the report; and
- (c) agree that the Taxi Consultation Group meet twice a year (one meeting prior to and the other following the Summer recess) and that the dates for these meetings be agreed by the Convener of the Group.

3. FINANCIAL IMPLICATIONS

- 3.1 If the Committee decides not to agree to recommendation (c) above, regarding the reduction in the number of meetings of the Group, there would be revenue implications as a result of the costs associated with officer's workload as outlined in 5.3 of this report.

There are no capital implications for current and future years, or any financial risk arising from this report.

4. OTHER IMPLICATIONS

- 4.1 The meetings of the Taxi Consultation Group (TCG) would require the attendance of a Solicitor to provide advice and to answer questions regarding taxi matters. An officer from Committee Services would be required to prepare agendas, attend meetings and produce minutes in keeping with the principles of the Council's Standing Orders and to provide advice thereon.

5. MAIN ISSUES

5.1 Remit

On 26th June 2007, the Licensing Committee agreed to establish the Taxi/Private Hire Car Consultation Group to progress any longstanding and new taxi and private hire car issues as they arise and to subsume the work of the Taxi/Private Hire Car Review Group. No formal remit or membership of the Group was agreed.

It is therefore proposed that the new remit of the TCG would be as follows:-

“A working group of the Licensing Committee to be known as the Taxi Consultation Group will be formed. It will consist of a maximum number of 5 Elected Members and 7 representatives of the taxi trade of whom 1 will represent the airport operators. Additional attendees will include the Taxi Inspector, the Fleet Services Manager, an observer from the Disability Advisory Group and a solicitor representing the licensing function. Other relevant representatives will be invited to attend meetings on an ad hoc basis.

Taxi trade members must represent a specific and recognised interest group. It will be understood that the representatives will report to their members after meetings.

The Group will meet twice yearly. The Group will act without any powers but will discuss matters of relevance to the taxi trade at the discretion of the convener and make recommendations to the Licensing Committee as appropriate.

“Matters of relevance” includes all matters relevant to the taxi trade in Aberdeen that are within the remit of the Licensing Committee.”

5.2 Membership

Under paragraph 30(2) of the Council's Standing Orders, the Licensing Committee shall have the power to appoint Consultative Groups without delegated powers consisting of its own members and such other persons as it thinks fit.

Correspondence was issued to all taxi trade groups including the current members and representatives of the TCG requesting that they provide details in terms of their representation on the TCG, how many members of the trade they represent, how they report back to their members, how they take their members views into account and whether they would wish to remain on the TCG.

A total of seven groups responded to the correspondence, however one of these groups, namely the Disability Advisory Group could not be considered as an affiliated member of the TCG as they do not represent any specific trade members, although a representative from this group would be welcome to attend the meetings as an observer. It

is therefore proposed that the membership of the TCG be as outlined in the appendix to this report. Taxi trade membership of the TCG would be for a fixed period of three years, after which time, correspondence seeking a further fixed term representation will be issued to all current taxi trade groups

It is also proposed that a member of the TCG would be entitled to nominate in advance of the meeting a substitute member to attend meetings only in the event that he/she was unable to attend.

5.3 Frequency of Meetings

Currently the TCG meets four times a year, however the current frequency of the meetings of the Group and the work associated with and following the meetings has had a significant impact on the workload of officers. It is therefore recommended that the number of meetings be reduced. If the Committee agrees to reduce the number of meetings of the Group to two meetings a year, this would result in a saving in officers' time to undertake other duties.

As a result of the proposed reduction of meetings, it would be the intention to write to the approved membership of the Group ten days in advance of the meeting seeking items for the agenda.

It is also proposed that the next meeting of the Group would be held on 24th October 2011 at 9.30am in the Town House. A programme of meeting dates for 2012 would be arranged in due course.

5.4 Feedback from Taxi Consultation Group Members

The Taxi Consultation Group discussed the draft report at their meetings on 23rd May and 15th August 2011, during which the following suggestions were submitted from some members of the Group:-

- that representation of the TCG include all Licensed Taxi Offices;
- that the TCG include a representative from the Disability Advisory Group as a member rather than an observer;
- that the TCG meet preferably four times per year to coincide with the meetings of the Licensing Committee;
- that two members of each taxi trade group be represented on the TCG as opposed to the recommendation within the report that only one be appointed;

6. IMPACT

Establishing a TCG ensures regular dialogue and consultation with the taxi trade. This enables the Council to fulfil its obligations to consult with the public and brings issues of relevance to the fore, often before they become problematical.

There is no particular interest for the public in the work of this Group as it has no delegated powers from the parent Committee, although as

potential passengers, the public may be interested in some issues which may be referred from this Group to the Committee.

7. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

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PROPOSED MEMBERSHIP OF THE TAXI CONSULTATION GROUP

Group/Organisation	Name of Representative	Representing (approx number of members)
Aberdeen Airport Drivers	Derek Lumsden	120
Taxi Badge Holders Association	Marc Anderson	136
Independent Drivers	Kevin Leiper	Unknown
Unite Union	Tommy Campbell	90
Aberdeen Rail Taxi Drivers Association	Roy McHardy	120
Aberdeen Taxi Group	1 Member (to be confirmed)	Unknown

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ABERDEEN CITY COUNCIL

COMMITTEE: LICENSING
DATE: 14 SEPTEMBER 2011
DIRECTOR: STEWART CARRUTH
TITLE OF REPORT: TAXI FARE REVIEW
REPORT NUMBER: CG/11/084

1. PURPOSE OF REPORT

To provide the Committee with information that will allow it to reach an informed decision on any changes to be made to the current taxi fare tariff, arising from proposals put forward by Aberdeen Taxi Group (ATG) on behalf of the taxi trade in Aberdeen.

2. RECOMMENDATION(S)

That the Committee considers the report and any representations made by members of the trade and

- (a) agrees in principle to ATG's proposal for a basic charge of £2.40 for the first 950 yards and thereafter a charge of £0.20 for every additional 180.5 yards;
- (b) decides if it wishes to implement the increase in waiting time to £23.00 per hour;
- (c) decides if it wishes to increase the surcharge for hires commencing at the railway station to £1.00;
- (d) sets the date on which the new tariff would take effect (taking into account the statutory consultation period and lodging of any appeal). The earliest date that a change to the tariff can be effected is 8 December 2011 but this date may be subject to change; and
- (e) instructs the Head of Legal and Democratic Services to advertise the general effect of the proposals and the date when it is proposed that they take effect.

3. FINANCIAL IMPLICATIONS

The taxi licensing budget takes account of staff involvement in a fare review and meter recalibration every year.

4. OTHER IMPLICATIONS

A lack of adequate number of taxis and private hire cars could have an adverse impact on the local economy.

5. BACKGROUND/MAIN ISSUES

5.1 Legal Requirement

In terms of Section 17 of the Civic Government (Scotland) Act 1982, the licensing authority is required to undertake a review of taxi fares at least every 18 months.

5.2 Required Procedures and Timetable

Such reviews are normally carried out in the following manner:-

- (a) taxi trade representatives request a review and make submissions as to any proposed alterations;
- (b) draft proposals are discussed with trade representatives and a draft of the report is placed before a meeting of the Taxi Consultation Group;
- (c) the Committee then considers the report and hears from trade representatives and the Head of Legal and Democratic Services. Whether the Committee proposes to make a change or not, the proposal requires to be advertised. Anyone wishing to object can do so within one month;
- (d) the Committee then considers any objections and decides on any change in the tariff and the date when it is to take place. This decision is formally intimated to the trade representatives;
- (e) Taxi licence holders have 14 days in which to lodge an appeal against the Committee's decision with the Scottish Traffic Commissioners. Members of the public cannot appeal at this stage. The lodging of such an appeal delays the change in the tariff until the appeal is concluded;
- (f) On the date of the proposed increase, staff from the Taxi Inspection Centre adjust the meters and recheck their calibration. Due to the large number of vehicles involved two days are required to carry out the change.

5.3 Matters to be taken into account when undertaking a fare review

The Scottish Traffic Commissioner does not issue general guidelines in respect of the review of taxi fare scales but, at a 1992 appeal, a formula was suggested by the Traffic Commissioner which might include some or all of the following factors:-

- (a) Use of a representative vehicle upon which to base cost increase levels;
- (b) Information on actual diesel, insurance, licence, tyres and spare costs in percentage terms
- (c) Repair costs information;
- (d) Assumptions about paid and unpaid mileage;
- (e) Agreed general inflation rates;
- (f) An assessment of likely trends in passenger numbers based upon general economic factors;
- (g) Information on scales in similar Council areas.

By this means, it was stated that a more objective view of each element of the fare scale might be achieved. There is however no single formula to be used and at an appeal in 2004 the Traffic Commissioner suggested that the Council use average wages for Aberdeen in their calculations rather than the median figures for the UK previously used.

The Scottish Development Department issued guidelines in 1983 as regards the reviewing of taxi fare scales – “The Secretary of State expects that in fixing fares authorities will work to pay primary regard to the costs incurred by the Trade, having regard to the capital costs (including interest payments) of the vehicles, the costs of maintaining and replacing them to the standard of the licensing authority, of

employing drivers and the prevailing level of wages and costs in related road transport industries. In the Secretary of State's view the public interest is best served by ensuring the maintenance of an adequate taxi services by giving the Trade a fair return rather than depressing fares for social reasons, however understandable".

The Committee therefore, have to assess the data placed before them concerning motoring and wage costs since the last review and endeavour to agree a level of fares that produces a fair return to the Trade.

5.4 Request by Taxi Trade

Aberdeen Taxi Group (ATG) submitted a letter dated 05 February 2011 setting out its proposals for taxi fares. It then submitted a further letter dated 08 March 2011, providing running cost figures in support of its claim. These letters are attached as Appendix 1. The request for a review was put before the Licensing Committee on 23 March 2011 and the Committee instructed officers to undertake a fare review and submit a report.

Analysis of the Claim

The proposal by ATG is to keep the flag fall at £2.40 but apply it to the first 950 yards rather than 1000 yards as at present. The mileage charge will increase from 20p for every 190 yards to 20p for every 180.5 yards. If both these increases were accepted then at 2 miles the charge would be £5.40 compared with the current fare of £5.20; an increase of approximately 4%. It is further proposed to increase (i) waiting time from £20 per hour to £23 per hour; an increase of 15% and (ii) fares commencing at the railway station: from £0.50 to £1.00 an increase of 100%. ATG's justification for requesting a 15% increase in waiting time is that it has not changed since 2007 and it only affects those customers who keep the driver waiting.

Agreed Formula

In recent years a formula has been used to arrive at the average fare per mile required to recover motoring and wage costs, based on an estimate that an average taxi in Aberdeen travels 40,000 miles per year, approximately one half of which is spent carrying passengers.

The formula is –

$$\frac{\text{Cost to run vehicle for 40,000 miles pa} + \text{Average Annual Aberdeen Wage} + \text{Taxi Insurance}}{20,000 \text{ miles}}$$

This produced a figure of £2.46 per mile at the last review in 2008.

Use of the Formula this Year

(a) Motoring Costs

These figures are taken from the AA's Table of Running Costs for 2011 (see Appendix 2). The AA calculations are based on the purchase price of a new vehicle. The price bracket used for these calculations is that for new vehicles whose purchase price is between £20,000 and £32,000. The AA's figures assume a price of 133.3 pence per litre for petrol and 130.7 pence for diesel. The running cost per mile

is amended for every change of one penny above or below those prices. The fuel prices used in these calculations are those in the AA's Fuel Price Report for June 2011 for Scotland (Appendix 3) and equate to 136.3 pence for petrol and 140.5 pence for diesel. The highest annual mileage figure provided by the AA is 30,000; therefore, the cost per mile for a vehicle whose annual mileage is 40,000 may be slightly less. The equivalent figures at the last review are shown in brackets.

Petrol vehicles 46.78 (46.66)

Diesel vehicles 44.90 (41.59)

Average running costs per mile = 45.84p (44.12)

This represents an increase of approximately 4% since the last review.

(b) Wages

The Office of National Statistics (ONS), Annual Survey of Hours and Earnings (ASHE) figures show that the average annual earnings for full time employees in Aberdeen in 2010 were £34,265 (Appendix 4). This represents an increase of 12% since the last review, when earnings were £30,425. Median gross annual earnings, at £26,901 have not been used, as the Traffic Commissioner suggested average earnings should be used to reflect the higher costs of operating in Aberdeen.

(c) Insurance

The AA's running costs already factor in the cost of insurance of approximately £1200 for both diesel and petrol cars. However, the agreed formula allows insurance costs to be added as a separate factor in the formula. The current claim from the trade refers to an average insurance cost of £1200.

(d) Cost Per Mile

Inserting these figures into the formula –

$$\frac{(45.84p \times 40,000\text{mls}) + £34,265 + £1200}{20,000} = \mathbf{£2.69 \text{ per mile}}$$

This represents the average fare per mile required to cover costs and provide a fair return to the trade. The figure last time was £2.46, but the Committee implemented a fare structure whereby a 2 mile daytime midweek fare costs £5.20 or £2.60 per mile. The ATG claim if granted, would mean a 2 mile journey midweek at 3pm would cost £5.40, an increase of 4%

This 4% equates to the increase in average running costs since the last review.

5.5 Analysis of the claim submitted by ATG

(i) Flag Fall and Mileage Charge

Comparison with other local authorities

Changing the flag fall to £2.40 for every 950 yards and the mileage to £0.20 for every 180.5 yards would impact upon long and short journeys more or less equally leading to a 4% increase in the fare for a 2 mile journey and 4.7% for a 6 mile journey at 3pm midweek. Appendix 5 shows how the existing and requested increase in Aberdeen's

tariff compares with fares operating in other Scottish cities and Aberdeenshire. The tariffs for Aberdeenshire, Dundee and Edinburgh came into operation in 2011; Glasgow's in 2010. I have selected several journeys, commencing at varying times and for varying distances; these mirror those selected for comparison in previous fare reviews. The figures presume journeys are not delayed by traffic to any extent as taximeters switch from a distance to time basis if a vehicle's speed falls below a certain figure. The figures show that of the four main cities, Aberdeen would have the highest fares for both long and short distances.

Comparison with UK Figures

Private Hire and Taxi Monthly Magazine publish monthly tables comparing taxi fares throughout the UK. This covers 377 councils. The table is ranked on the cost of a 2 mile journey at the daytime rate and Aberdeen presently sits between 185th and 209th (in effect joint 185th along with 24 other local authorities). The ATG request, if granted would move Aberdeen to between 142nd and 168th. This is however a very inaccurate guide as to fares actually paid by the travelling public as it takes no account of any extras and surcharges that may be payable. Furthermore, it can only ever be a snapshot and will change whenever a local authority implements a change in tariff.

Increase in waiting time charge from £20 to £23 per hour

The last increase to this tariff was in 2007. This tariff will not only apply to passengers that keep a driver waiting; the taximeter will switch to this tariff once the vehicle speed falls below a certain level. A charge of £23 per hour equates to approximately 38.33 pence per minute (currently 33.33 pence per minute).

Comparing the hourly waiting time rates with the other main cities and Aberdeenshire –

	<u>Daytime</u>	<u>Evenings</u> (after 10pm weekdays)
Aberdeen (proposed)	£23	£23
Edinburgh	£21.10	£22.20
Dundee	£14.30	£14.90
Glasgow	£15.00	£15.00
Aberdeenshire	£36.00	£36.00

Increase surcharge for hires commencing at the Railway Station

The request represents a 10% increase. The other cities have no similar charges to make comparisons against.

5.6 Number of taxi and private hire car operators

There are currently 1009 taxi operators in Aberdeen, a rise of 4% since the last review. The private hire car fleet has remained constant over the period.

5.7 Consultation

In terms of section 17 of the Civic Government (Scotland) Act 1982, the local authority must consult with persons or organisations appearing to them to be, or be representative of, the operators of taxis operating within their area. The draft report

was discussed by the Taxi Consultation Group at its meeting on 15 August 2011. It was recognised that although when applying the formula the ATG's figures differed from those of the local authority in certain categories, their resultant proposal of £5.40 per two mile journey closely matched the local authority's conclusions. The group's main concern focused on the different methods used to calculate motoring costs and it intimated that once this review was finished it would like a review of how costs are calculated.

5.8 General Comments

In setting fares, the Licensing Committee must take account of relevant costs and comparisons to ensure that the taxi trade receives an adequate return to enable it to continue to meet the public's requirement for its services.

6. **IMPACT**

Corporate – Fares need to be set at a level which will provide a fair return to the trade. This in turn will ensure there is provision of adequate taxi services for residents and visitors alike. A lack of taxis could have an adverse impact on the local economy and be detrimental to the City's reputation as a destination for business and tourism. This fits with the Local Transport Strategy, which recognises the important gap in the transport network that taxis and private hire cars can fill.

Public – Increasing fares may impact on those people with disabilities who may have lower than average incomes and a greater reliance on taxis than others.

7. BACKGROUND PAPERS

Civic Government (Scotland) Act 1982

9. REPORT AUTHOR DETAILS

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5 February 2011

Convenor of Licensing Committee
Town House
Broad Street
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AB10 1WL

Dear Convenor

ATG (Aberdeen Taxi Group) would like the following Item added to the Taxi Consultation Group Agenda on Monday 7th February 2011 as AOCB, then on to the Licensing Meeting on 23rd March 2011.

ATG would like to put forward the following proposals for 2011 Taxi Fare Review. As you are aware this will be the first request from Aberdeen Taxi Drivers for a Fare Review since March 2008. Our review in 2008 resulted in a Fare Increase which was implemented on 11th November 2008.

USING TARIFF CARD FROM NOVEMBER 2008 AS REFERENCE.

BASIC TARIFF

(A) FOR THE FIRST 950 YARDS	£2.40	CURRENTLY FIRST 1000 YARDS
(B) FOR EVERY ADDITIONAL 180.5 YARDS	£0.20	CURRENTLY EVERY 190 YARDS

WAITING TIME

A sum calculated at the rate of £23.00 per hour	CURRENTLY £20.00 per hour.
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SURCHARGES

1, 2, 3, 4, 5, 6, 7, No Change

8, For each hire commencing at Aberdeen Railway Station £1.00 CURRENTLY £0.50

9, 10, 11, No Change

This equates to an increase of around 5%:

The increase in waiting time is slightly higher but waiting time has not increased since 2007 and in our opinion needs to be treated differently.

Waiting time will only have an impact on those customers who keep their Taxi waiting, on the normal average Taxi journey waiting time will have no impact at all.

Since April 2008 Retail prices have risen by 14%. The Average wage in Aberdeen has risen from £28,735 in 2007 to £34,528 today, that's an increase of over **20%**

Aberdeen Taxi Drivers are not looking to get back to where we were, which would need at least a 10% increase, we are only looking to slow the erosion to our earnings.

Aberdeen Taxi Drivers have in our view acted responsibly to our customers since 2008 and have refrained from initiating a Fare Review during the economic downturn that we have all had to deal with. Unfortunately we now find ourselves having to deal with increasing costs VAT increased by 2.5% and fuel at its highest level ever. The recent VAT increase has not only impacted on Fuel prices but it has a knock on effect on everything we need to operate our businesses.

Vehicle prices have increased substantially in the past 3 years. Insurance costs have also increased. Repair & Maintenance have increased also.

March 2008 Fuel was £1.12 - £1.14 per litre.

February 2011 Fuel is £1.30 - £1.32 per litre.....An increase of over 15%

As we are all aware Fuel can fluctuate in price, but given the circumstances in which we find our selves with talk of a Fuel Stabiliser then there is a real chance that Fuel will NEVER come down in price. As in 2008 it is our view that Fuel is a Taxi driver's largest single running cost accounting for around 40% of our weekly cost. An average driver will use 25 litres per day.

March 2008 25 litres X 112 pence X 5 days = £140.00 weekly

February 2011 25 litres X 130 pence X 5 days = £162.50 weekly

In January's edition of Private Hire Monthly (PHM) Fares league table Aberdeen are currently 164th while Aberdeenshire are 73rd. A comparison of Fares between Aberdeen & Aberdeenshire are as follows.

2 mile Journey in Aberdeen would cost £5.20	In Aberdeenshire it would cost £5.60
5 mile Journey in Aberdeen would cost £10.80	In Aberdeenshire it would cost £11.60
10 mile Journey in Aberdeen would cost £20.00	In Aberdeenshire it would cost £21.60
The Running mile cost in Aberdeen is £1.85	In Aberdeenshire it is £2.00
Waiting time in Aberdeen is £20.00 per hour	In Aberdeenshire it is £36.00

Even allowing for our proposed increase Aberdeen Taxi Fares would still remain less than our Aberdeenshire Colleagues.

ATG would ask the Licensing Committee to approve these proposals with implementation during August 2011. ATG will be represented at the Licensing Committee meeting on 23rd March to answer any questions Committee members may have.

Regards,
Russell McLeod
Chairman
A.T.G.

ABERDEEN TAXI GROUP

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8 March 2011

Convenor of Licensing Committee
Town House
Broad Street
ABERDEEN
AB10 1WL

Dear Convenor

A.T.G formula in support of 2011 Fare Review

Since 2004 when the Taxi Trade request a fare review both the trade and Aberdeen City Council use the same formula in an attempt to reach a fair and just conclusion to this review.

We use the average wage for Aberdeen City as a target, we take this figure from Aberdeen City website 2010 = £34,528

We then take running costs from AA's website, fuel, depreciation and, insurance add together and divide by 20,000 (paid miles)

AA's pence per mile standing charges and running costs for petrol cars between £20,000 and £30,000 = 43 pence per mile

AA's pence per mile standing charges and running costs for diesel cars between £20,000 and £30,000 = 37.09 pence per mile

Average of running costs = $43 + 37.09 \div 2 = 40.5$ pence per mile

Depreciation @ 21.5 pence per mile (Source AA)

Total of standing charges and running costs + depreciation = 62 pence per mile, Insurance costs £1200.00 average

Using figures from Taxi Inspection Centre the average Taxi does 40,000 miles per year of which 50% (20,000) are paid miles

	Average Wage	Miles	Running Costs	Total
Insurance				
			& Depreciation	
Gives us a calculation of:	$\frac{\pounds 35,428 + (40,000 \times 0.62 = 24800) + 1200}{\text{Paid Miles } 20,000}$			= 61,428

= £3.07 pence per mile to allow a driver to earn the average wage for the City

Our current running mile charge is £1.85 which will increase to £1.94 which is £1.13 below the target £3.07 pence or 36%

Currently for the first mile the charge is £3.20 which will increase to £3.36

On a two mile journey the new charge would be £5.30 still £0.84 pence or 13.5% below what should be our target

On an average Aberdeen taxi journey of 3 miles the new charge would be £7.24 compared to a target of £9.21, £1.97 short, over 20% short of target

As has been said previously we are not trying to get back to where we were in 2008, simply trying to stop the erosion in our earnings.

A.T.G would ask that the committee approve this request as a matter of urgency and agree implementation for August 2011.

Regards

Russell McLeod
Chairman
A.T.G



Motoring Costs 2011

Petrol Cars

See note:	Standing charges per year, £	Purchase price of the car when new:				
		Up to £12 000	£12 000 to £16 000	£16 000 to £20 000	£20 000 to £32 000	Over £32,000
A	VED (Road Tax)	130	165	245	245	460
B	Insurance	725	805	965	1281	2019
C	Cost of capital	236	300	380	578	1177
D	Depreciation	1217	1873	2467	3084	6439
E	Breakdown cover	50	50	50	50	50
	Standing charges only: £	2358	3193	4107	5238	10145

Standing charges as pence per mile

at 5,000 miles per year	46.67	63.11	81.15	103.53	200.32
at 10,000	23.58	31.93	41.07	52.38	101.45
at 15,000	16.04	21.79	28.04	35.74	69.35
at 20,000	12.40	16.90	21.77	27.73	53.94
at 25,000	10.02	13.67	17.61	22.43	43.67
at 30,000	8.39	11.45	14.76	18.80	36.61

Running costs, pence per mile

F	Petrol *	12.90	14.52	16.76	17.41	23.55
G	Tyres	1.07	1.14	1.65	2.00	3.21
H	Service labour costs	4.14	3.77	3.85	3.81	6.71
I	Replacement parts	2.04	2.03	2.08	2.54	3.05
J	Parking and tolls	1.80	1.80	1.80	1.80	1.80
	Running costs only: p.	21.95	23.26	26.14	27.56	38.32

* NB: Petrol at 133.3 pence per litre

For each penny more or less,

add or take away:	0.10	0.11	0.13	0.14	0.17
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Total of standing and running costs as pence per mile

at 5,000 miles per year	68.62	86.37	107.29	131.09	238.64
at 10,000	45.53	55.19	67.21	79.94	139.77
at 15,000	37.99	45.05	54.18	63.30	107.67
at 20,000	34.35	40.16	47.91	55.29	92.26
at 25,000	31.96	36.93	43.75	49.99	81.99
at 30,000	30.33	34.72	40.90	46.36	74.92

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.



Motoring Costs 2011

Diesel Cars

See note:	Purchase price of the car when new:	Purchase price of the car when new:				
		Up to £12 000	£12 000 to £17 000	£17 000 to £20 000	£20 000 to £32 000	Over £32 000
A	VED (Road Tax)	95	115	165	210	445
B	Insurance	733	859	943	1218	2090
C	Cost of capital	228	352	399	629	1109
D	Depreciation	1160	2095	2382	3279	5519
E	Breakdown cover	50	50	50	50	50
	Standing charges only: £	2264	3471	3929	5384	9213

Standing charges as pence per mile

at 5,000 miles per year	44.82	68.58	77.63	106.37	182.05
at 10,000	22.64	34.71	39.29	53.84	92.13
at 15,000	15.40	23.70	26.83	36.77	62.89
at 20,000	11.90	18.40	20.84	28.56	48.82
at 25,000	9.61	14.89	16.86	23.11	39.50
at 30,000	8.05	12.48	14.13	19.37	33.10

Running costs, pence per mile

F	Diesel Fuel *	9.53	10.74	12.59	14.27	18.65
G	Tyres	1.07	1.20	1.34	1.70	2.73
H	Service labour costs	3.81	3.45	3.58	4.12	4.82
I	Replacement parts	2.20	2.18	2.21	2.54	3.05
J	Parking and tolls	1.80	1.80	1.80	1.80	1.80
	Running costs only: p.	18.41	19.37	21.52	24.43	31.05

* NB Fuel at: 130.7 pence per litre

For each penny more or less,

add or take away:	0.07	0.08	0.10	0.11	0.14
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Total of standing and running costs as pence per mile

at 5,000 miles per year	63.23	87.95	99.15	130.80	213.10
at 10,000	41.05	54.08	60.81	78.27	123.18
at 15,000	33.82	43.07	48.35	61.20	93.94
at 20,000	30.31	37.77	42.36	52.99	79.87
at 25,000	28.03	34.26	38.38	47.54	70.55
at 30,000	26.46	31.84	35.65	43.80	64.15

Please see the associated notes for more detail. These figures are typical but do not represent all types of vehicle and conditions of use. Once compiled, some of the variables may change at any time.

Fuel Price Report

June 2011



FUEL PRICE REPORT JUNE 2011

Petrol and diesel prices are back on the rise after a break that lasted less than a month. They hit a low of 135.75p a litre for petrol and 139.34 for diesel, both on 5 June, before resuming their upward trend. Barrel price is \$112.

Unleaded prices have fallen by 0.8ppl from 136.9ppl to 136.1ppl. Diesel prices have fallen, by 1.7ppl, from 141.5ppl to 139.8ppl. The price difference between unleaded and diesel has fallen to 3.7ppl.

Northern Ireland recorded the highest price for unleaded at 137.4ppl. Yorkshire and Humberside recorded the lowest price for unleaded at 135.4ppl. Scotland recorded the highest diesel price at 140.5ppl. Yorkshire and Humberside have the cheapest diesel at 138.9ppl.

Supermarket prices for unleaded remained unchanged over the month at 134.6ppl. The gap between supermarket prices and the UK average for unleaded has fallen to 1.5ppl.

The UK has the twelfth highest unleaded price in Europe and the second highest diesel price.

Garages and Supermarkets	Unleaded 95 Octane (pence)		Diesel (pence)		Super Unleaded (pence)		LPG (pence)
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
Northern Ireland	137.4	624.6	140.3	637.82	145.3	660.5	N/A
Scotland	136.3	619.6	140.5	638.73	142.5	647.8	70.6
Wales	136.3	619.6	139.8	635.54	143.0	650.1	71.2
North	135.8	617.4	139.6	634.63	145.3	660.5	76.1
North West	135.6	616.4	139.2	632.82	144.1	655.1	76.1
Yorkshire & Humberside	135.4	615.5	138.9	631.45	143.1	650.5	75.0
West Midlands	136.0	618.3	139.5	634.18	143.6	652.8	77.7
East Midlands	135.7	616.9	139.3	633.27	142.6	648.3	78.3
East Anglia	136.4	620.1	140.2	637.36	143.4	651.9	77.4
South East	136.5	620.5	140.3	637.82	143.6	652.8	79.0
South West	136.2	619.2	140.0	636.45	142.3	646.9	76.2
London	136.1	618.7	139.9	636.00	143.7	653.3	78.2
UK AVERAGE	136.1	618.7	139.8	635.54	143.4	651.9	77.0
Per cent taken as Tax		59.2		58.12		57.1	

Supermarkets	Unleaded 95 Octane		Diesel		Super unleaded		LPG
	litres	(gallons)	litres	(gallons)	litres	(gallons)	
SUPERMARKET AVERAGE	134.6	611.9	137.8	626.5	139.3	633.3	72.2
Per cent taken as Tax		59.7		58.72		58.3	

The AA Public Affairs Fuel Price Report uses data sourced from Experian Catalist (www.catalist.com)
They are an average of mid-month prices from the respective regions.

Microsoft Excel - Annual Gross earnings 2010 from ONS.xls

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A1 Table 8.7a Annual pay - Gross (£) - For full-time employee jobs: United Kingdom, 2010

Table 8.7a Annual pay - Gross (£) - For full-time employee jobs ^a : United Kingdom, 2010																
Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles									
							10	20	25	30	40	60	70	75	80	90
Newport/Casnewydd	134	35	23,552	0.9	29,060	-5.6	14,033	16,313	17,201	18,381	20,789	27,029	31,120	32,431	34,933	x
Scotland		1440	25,106	0.6	29,581	0.5	13,951	16,855	18,144	19,414	22,000	28,704	32,843	34,657	37,480	46,992
Aberdeen City	142	69	26,901	-0.3	34,265	5.0	15,097	18,560	20,000	20,929	23,936	30,547	34,878	37,786	41,330	x
Aberdeenshire	143	66	28,711	0.5	34,990	2.1	14,296	18,338	19,659	21,258	25,024	32,682	37,608	40,715	43,648	x
Angus	144	30	23,548	-1.5	26,632	-2.7	12,988	15,601	17,167	18,116	20,750	26,854	30,729	33,560	35,914	x
Argyll & Bute	145	20	24,202	-3.4	27,950	5.2	13,754	16,642	17,735	19,972	21,992	28,502	31,568	34,039	x	x
Clackmannanshire	147	16	25,091	1.4	27,205	4.0	x	16,353	17,036	18,405	21,535	28,799	30,744	x	x	x
Dumfries & Galloway	148	37	23,480	-0.2	27,760	4.3	12,488	14,757	16,495	17,711	20,727	26,655	31,318	33,389	35,099	x
Dundee City	149	41	23,031	2.0	26,465	3.4	13,141	15,428	16,751	17,427	20,240	25,613	29,418	32,274	33,449	x
East Ayrshire	150	31	25,485	4.8	28,057	4.8	14,402	16,890	18,016	19,805	22,441	28,717	33,339	34,509	x	x
East Dunbartonshire	151	29	29,158	-5.4	34,939	-3.1	14,900	19,142	20,588	23,352	26,421	32,986	37,364	39,733	x	x
East Lothian	152	32	25,690	-2.1	34,393	1.5	14,456	18,136	19,295	20,439	22,547	28,935	33,405	35,557	x	x
East Renfrewshire	153	24	31,108	1.2	39,248	3.5	14,739	19,606	22,198	23,764	27,455	34,936	39,650	44,355	x	x
Edinburgh, City of	154	149	27,818	1.3	33,211	-0.8	14,649	18,000	19,606	21,081	23,984	31,150	35,122	37,917	41,946	x
Eilean Siar	173	x	23,891	1.6	25,243	1.4	x	x	16,279	20,326	23,240	26,074	x	x	x	x
Falkirk	155	44	24,089	-0.8	27,236	-0.2	13,520	16,373	17,619	18,885	21,669	27,951	31,519	33,399	35,658	x
Fire	156	97	24,374	-1.5	27,954	0.2	13,960	16,958	18,000	18,936	21,649	28,539	32,103	33,908	36,635	x
Glasgow City	157	146	23,540	0.5	27,441	-1.6	13,500	16,541	17,526	18,843	20,648	26,393	29,877	32,582	34,730	43,508
Highland	158	64	23,259	1.6	26,736	-1.2	12,830	15,538	16,841	17,970	21,063	25,752	30,544	32,075	34,473	x
Inverclyde	159	18	24,034	5.2	27,759	2.0	12,949	15,876	17,003	18,180	21,317	26,411	30,016	31,505	x	x
Midlothian	160	29	24,058	11.0	28,047	3.1	13,556	16,948	17,543	19,165	20,959	26,407	31,351	33,507	37,837	x
Moray	161	20	21,959	2.7	26,812	8.6	13,424	16,058	17,276	18,440	20,338	26,762	32,949	33,589	x	x
North Ayrshire	162	36	24,301	4.9	26,498	0.1	12,592	15,852	16,508	17,692	20,913	27,788	30,654	33,399	34,169	x
North Lanarkshire	163	96	23,000	-1.5	26,403	-0.6	13,439	16,118	17,329	18,322	20,564	26,903	30,108	32,596	34,749	x
Orkney Islands	164	6	27,065	x	29,645	9.4	x	19,636	21,009	21,696	22,531	28,431	x	x	x	x
Perth & Kinross	165	40	24,242	0.8	27,753	-6.6	x	16,011	17,376	18,446	20,845	27,216	31,255	33,619	x	x
Renfrewshire	166	48	26,087	-0.5	29,634	-2.4	13,318	16,832	17,948	18,919	22,104	29,543	34,251	36,361	38,177	x
Scottish Borders	146	29	24,168	3.8	29,526	1.1	13,448	16,619	17,555	18,914	21,551	27,517	32,382	33,999	36,631	x
Shetland Islands	167	7	28,215	4.5	29,530	-1.6	x	19,284	19,733	20,862	24,752	29,983	x	x	x	x
South Ayrshire	168	28	28,378	-1.0	30,950	-3.9	14,745	17,946	19,348	21,059	25,186	31,609	34,238	36,409	39,974	x
South Lanarkshire	169	91	25,656	-0.5	29,031	2.2	14,767	17,982	19,081	20,275	22,858	29,341	33,999	34,467	36,551	x
Stirling	170	20	26,780	-3.9	38,189	-4.4	15,838	18,205	19,285	19,862	23,444	31,378	36,073	x	x	x
West Dunbartonshire	171	23	22,647	-1.9	26,622	0.5	12,972	15,779	16,403	17,123	19,777	25,555	32,405	33,144	x	x
West Lothian	172	53	23,550	2.4	28,544	3.3	15,146	16,900	18,000	18,876	21,161	26,300	30,433	32,391	35,610	x
Northern Ireland		480	22,719	-1.3	26,558	0.3	12,903	15,227	16,505	17,590	19,873	26,000	30,068	32,462	35,293	42,747
Not Classified		140	23,900	-1.3	29,284	3.5	x	16,085	17,086	18,639	20,922	27,013	31,684	34,442	38,001	x

477 a Employees on adult rates who have been in the same job for more than a year.

478 b Figures for Number of Jobs are for indicative purposes only and should not be considered an accurate estimate of employee job counts.

479 KEY - The colour coding indicates the quality of each estimate; jobs, median, mean and percentiles but not the annual percentage change.

480 The quality of an estimate is measured by its coefficient of variation (CV), which is the ratio of the standard error of an estimate to the estimate.

481 Source: Annual Survey of Hours and Earnings, Office for National Statistics.

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All Male Female Full-Time Part-Time Male Full-Time Male Part-Time Female Full-Time Female Part-Time

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ABERDEEN TAXI FARE REVIEW 2011
COMPARISON OF FARES FOR TYPICAL JOURNEYS

1 Passenger, no waiting time, not pre-booked	2 miles						4 miles						6 miles					
	Aberdeen - Present	ATG Request	Edinburgh	Glasgow	Dundee	Aberdeen shire	Aberdeen - Present	ATG Request	Edinburgh	Glasgow	Dundee	Aberdeen shire	Aberdeen - Present	ATG Request	Edinburgh	Glasgow	Dundee	Aberdeen shire
Hire at 3pm midweek	5.20	5.40	4.85	4.60	5.10	6.00	8.80	9.20	8.10	7.40	7.90	10.40	12.60	13.20	11.60	10.40	10.70	14.80
Hire at 11pm midweek	6.20	6.40	5.95	4.60	5.70	7.00	9.80	10.20	9.20	7.40	8.50	11.40	13.60	14.20	12.70	10.40	11.30	15.80
Hire at 11pm Saturday	6.20	6.40	5.95	4.60	6.10	7.00	9.80	10.20	9.20	7.40	8.90	11.40	13.60	14.20	14.20	10.40	11.70	15.80
Hire at 3am Saturday	7.20	7.40	5.95	6.60	6.10	7.00	10.80	11.20	9.20	9.40	8.90	11.40	14.60	15.20	14.20	12.40	11.70	15.80

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LICENSING COMMITTEE – Sub-Committees, Working Groups etc

Name	Remit/Orders of Reference	Meeting Schedule	Membership*
Taxi Consultation Group	No formal remit at present, however this group was established to discuss and consult on matters of relevance with the taxi trade in Aberdeen.	Meets quarterly	5 members. (Currently 2 LD vacancies, 1 SNP, 1 Lab and 1 IA)
Sports Ground Advisory Group	No formal remit, however it meets to oversee the safety certificate for Pittodrie Stadium and any sport stand containing 500+ seats.	Meets annually	5 members. (Currently 2 SNP, 1 LD vacancy, 1 Lab, and 1 Con)
Sports Ground Advisory Working Group	No formal remit, however it meets to monitor the safety certificate for Pittodrie Stadium and will work on the new certificate for the new stadium.	Meets quarterly	Officers Only
Evidential Hearings Sub-Committee	As a Sub-Committee of the Licensing Committee, it meets to hear any application for grant, renewal or suspension of any Licence remitted to it by the Licensing Committee where evidence is to be heard and to make decisions on such matters.	Meets as and when required	7 members. (Currently 2 SNP, 1 LD and 1 LD vacancy, 1 Lab and 1 Lab vacancy and 1 IA)
Informal Business Panel	To consider any matters placed before it by the Head of Legal and Democratic Services relating to any matters on which the Licensing Committee can make decisions and to either grant such applications or to remit them to the Licensing Committee	Considers business put to it by the Committee (usually applications) which could not be granted for some reason at Committee. Members are notified by email and the information to be considered is left in the Members Lounge for signing indicating their decision.	7 members (on a rota). (Currently 3 SNP, 1 LD and 1 LD vacancy, 1 Lab and 1 Lab vacancy)

*Please note that membership details above are based on the previous Convener (Councillor Reynolds) being a member of each Sub-Committee/Working Group etc by virtue of his position as Convener as agreed by the Licensing Committee in 2007.

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