

# Public Document Pack



To: Councillor Carle, Convener; and Councillors Allan, Blackman, Boulton, Corall, Cormie, Delaney, Lesley Dunbar, Forsyth, Graham, MacGregor, Malik, Malone, Nathan Morrison and Townson.

Town House,  
ABERDEEN Date Not Specified

## LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 17 MARCH 2015 at 10.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### B U S I N E S S

#### REQUESTS FOR DEPUTATION

- 1 None received at this stage

### MINUTES

- 2.1 Minute of Previous Meeting of 27 January 2015 (Pages 5 - 22)
- 2.2 Minute of the Licensing Urgent Business Sub Committee of 10 February 2015 (Pages 23 - 24)
- 2.3 Minute of Meetings of the Evidential Hearing Sub Committee of 12 January and 10 February 2015 (Pages 25 - 28)

#### APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 3.1 Grant of a Licence for a House in Multiple Occupation - 10F Roslin Street (Pages 31 - 36)

- 3.2 Grant of a Licence of a House in Multiple Occupation - 22 Alexander Drive (Pages 37 - 44)
- 3.3 Grant of a Second Hand Vehicle Dealer Licence - AF High Performance Cars Ltd (Pages 45 - 46)
- 3.4 Variation of a Second Hand Dealer Licence - Calum Rattray (Pages 47 - 48)
- 3.5 Renewal of a Private Hire Car Licence - Peter Elliott Forbes (Pages 49 - 50)
- 3.6 Renewal of a Taxi Driver Licence - Kirkhill Auto Services Ltd (Pages 51 - 52)
- 3.7 Renewal of a Taxi Driver Licence - Eric Melville (Pages 53 - 64)
- 3.8 Renewal of a Taxi Driver Licence - William Fraser (Pages 65 - 66)
- 3.9 Renewal of a Taxi Driver Licence - Rainbow Cars Limited (Pages 67 - 68)
- 3.10 Grant of a Taxi Driver Licence - Alexander Flett (Pages 69 - 70)
- 3.11 Grant of a Private Hire Car Driver - Francis Robertson Carney (Pages 71 - 72)

### **COMMITTEE REPORTS**

- 4.1 Licensing Application Fees 2015/16 (Pages 73 - 84)
- 4.2 Taxi Fare Review (Pages 85 - 96)
- 4.3 Survey On Unmet Taxi Demand - Collation of Data and Consultation with Trade (Pages 97 - 102)

### **COMMITTEE BUSINESS STATEMENT**

- 5.1 Committee Business Statement (Pages 103 - 104)

### **APPLICATIONS TO BE HEARD IN PRIVATE IN TERMS OF THE DATA PROTECTION ACT 1998 - INCLUDING LIST OF APPLICATIONS**

- 6.1 Renewal of a Taxi Driver Licence
- 6.2 Renewal of a Taxi Driver Licence
- 6.3 Renewal of a Taxi Driver Licence
- 6.4 Renewal of a Taxi Driver Licence
- 6.5 Renewal of a Taxi Driver Licence
- 6.6 Renewal of a Taxi Driver Licence
- 6.7 Grant of a Taxi Driver Licence
- 6.8 Renewal of a Taxi Driver Licence
- 6.9 Grant of a Taxi Driver Licence
- 6.10 Renewal of a Taxi Driver Licence

Website Address: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

To access the Information Bulletins for this Committee please use the following link:  
<http://committees.aberdeencity.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13012&path=13004>

Should you require any further information about this agenda, please contact Allison Swanson, tel 01224 522822 or email [aswanson@aberdeencity.gov.uk](mailto:aswanson@aberdeencity.gov.uk)

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**ABERDEEN**  
CITY COUNCIL

# MEMO

Private Sector Housing Unit  
**Communities, Housing & Infrastructure**  
Second Floor West, Marischal College

<b>To</b>	Eric Anderson, Senior Solicitor, Corporate Governance		
<b>From</b>	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
<b>Email</b>	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	<b>Date</b>	5 March 2015
<b>Tel.</b>	522870	<b>Our Ref.</b>	
<b>Fax.</b>		<b>Your Ref.</b>	

**Part 5 of Housing (Scotland) Act 2006**

**Application for a Licence to operate a House in Multiple Occupation (HMO) at No.10F Roslin Street, Aberdeen**

**Applicant/s: David R.Halstead**

**Agent: None stated**

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 17 March 2015 for the reason the HMO Unit has concerns about the landlord's conduct.

I can advise you as follows:

**The HMO legislation**

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

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

**The premises:**

The property at No.10F Roslin Street is a top-floor flat with accommodation comprising of 3 letting bedrooms, one public room, one bathroom & one kitchen. The plan attached as Appendix 'A' shows the position of the premises.

**Previous HMO licence application:**

David R.Halstead submitted an HMO licence application in September 2013, in respect of his property at 10F Roslin Street, Aberdeen. An initial joint-inspection of the property by the HMO Officer and an Officer from the Scottish Fire & Rescue Service (SFRS), was carried out on 20 November 2013, when the applicant was also present. During the inspection, it was clear that the property was occupied and in use as an unlicensed HMO, which resulted in the SFRS immediately serving the applicant with a Prohibition Notice in terms of the Fire (Scotland) Act 2005. The effect of the Prohibition Notice is to prohibit the use of the premises as an HMO, and a copy of it is attached as Appendix 'B'. In addition, the HMO Officer wrote to the applicant detailing several 'HMO' upgrading requirements.

The licence application was approaching its one year statutory deadline for determination, and I wrote to the applicant in July 2014 advising him that his application would be considered by the Licensing Committee in September 2014, in the event that all HMO & SFRS upgrading works had not been satisfactorily carried out. I also advised the applicant that if the Committee did consider the application, it was possible that it would be refused on the grounds that the property was unsuitable for occupation as an HMO. The applicant wrote to me in August 2014 withdrawing his licence application, and promised to submit a fresh licence application. I acknowledged receipt of his letter and reminded him that he could not legally operate his property as an HMO until an HMO licence had been granted.

**The current HMO licence application:**

David R.Halstead submitted an HMO licence application in respect of his property at 10F Roslin Street, Aberdeen, which we received on 1 October 2014. The application was allocated to the same HMO Officer who dealt with the previous application, and he advised the applicant that another initial joint-inspection of the property was required. The applicant, who lives in Leicestershire, could not commit to meeting the HMO Officer and the SFRS, despite several requests to do so, and has only recently agreed to meet the Officers at his property on 5 March 2015. In the meantime, the HMO Officer became suspicious at the applicant's refusal to agree on a date for the initial inspection, and he visited the property on 4 February 2015. He spoke with one of the tenants there who advised that 4 tenants were living in the property and had been for some time. Of the 4 tenants, there was 1) a couple, 2) a single person, and 3) another single person, which meant that the property was in use as an unlicensed HMO. The HMO Officer then alerted the SFRS, whose Officers visited the property on 6 February 2015, then contacted the applicant to confirm that the occupation by the 4 tenants breached the Prohibition Notice.

### **Committee Invitation:**

I wrote to the applicant on 9 February 2015, inviting him to attend the Committee meeting on 17 March 2015, where the Committee would consider whether in its opinion, he was a 'fit & proper' person to hold an HMO licence on the basis of:

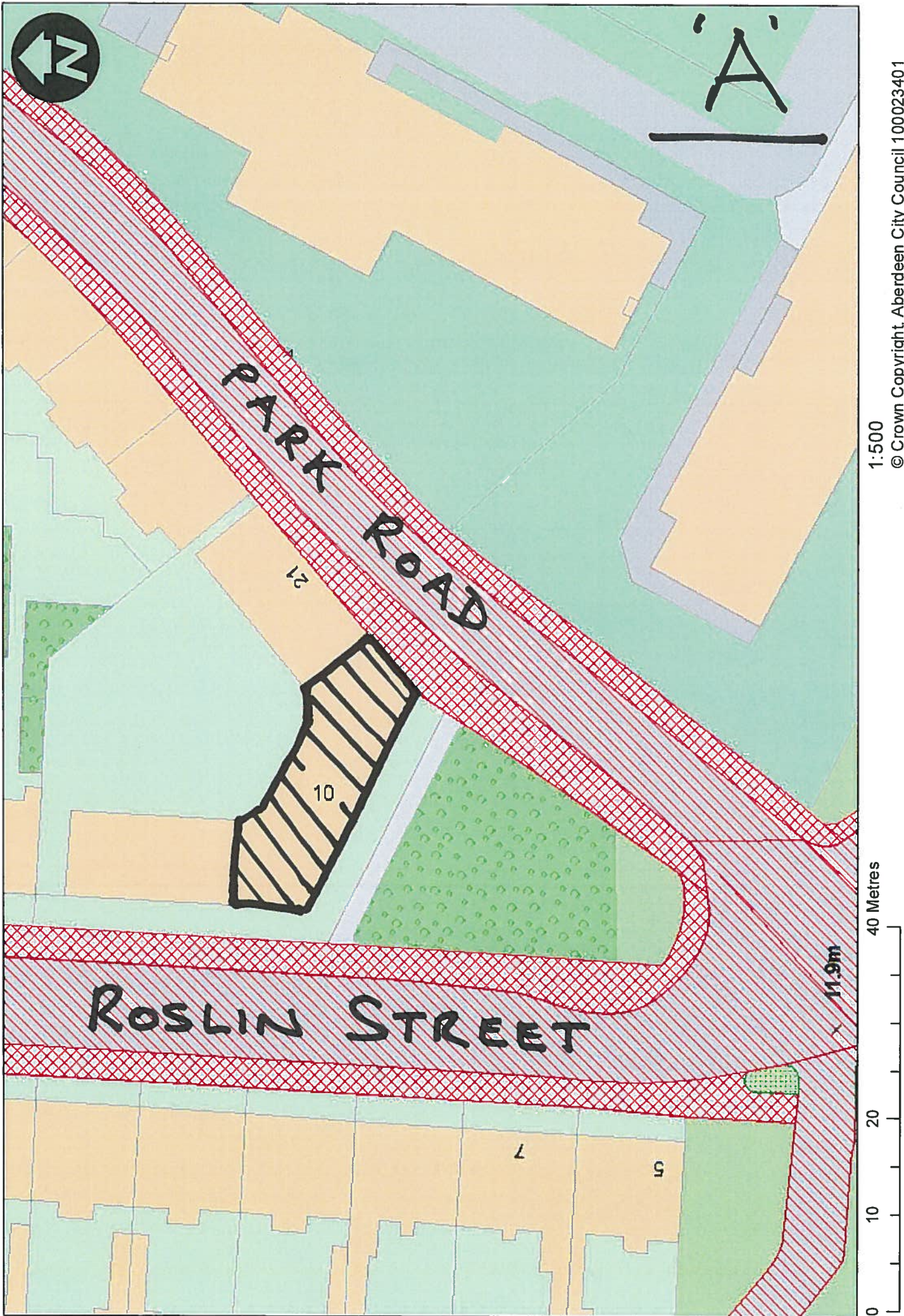
- 1) The applicant was found to be operating an unlicensed HMO,
- 2) The operation of the unlicensed HMO breached the Prohibition Notice served by SFRS, and
- 3) The applicant has failed to register himself as a landlord, and his property, with the Council.

### **Other considerations:**

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- At the date of this report, the Prohibition Notice has not been lifted by the SFRS, although the applicant has carried out most of the fire-safety upgrading work identified by them. A further inspection by the SFRS is scheduled prior to the Committee meeting and either I or an Officer from SFRS will confirm the up-to-date position at the meeting.
- At the date of this report, the initial inspection of the property by the HMO Officer has not been carried out, although as mentioned above, it is scheduled for 5 March 2015. I will advise the Committee of the up-to-date position at the meeting.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.10F Roslin Street, Aberdeen.
- As mentioned above, the applicant and his property are not registered with this local authority therefore it will be necessary for the landlord to register immediately.
- The applicant has requested an occupancy of 3 tenants which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a first-time application.
- The HMO application under consideration was lodged with the HMO Unit on 1 October 2014, and must be determined by the Council prior to 30 September 2015.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

**Ally Thain**  
Private Sector Housing Manager





# APPENDIX 'B'

Occupier's Name:  
**Mr David Halstead**

Address:

Town:

Post Code

## **PROHIBITION NOTICE** **in terms of the Fire (Scotland) Act 2005 Section 63**

On behalf of and as authorised by the Scottish Fire and Rescue Service, NOTICE IS HEREBY GIVEN in accordance with the provisions of Section 63 of the Fire (Scotland) Act 2005 that the said Scottish Fire and Rescue Service considers that subsection (2) of the aforementioned Section applies in that it considers that the use of the premises known as and forming **10 F Roslin Street Aberdeen AB24 5NX** involves a risk to relevant persons so serious that use of the said premises ought to be restricted.

The matters which the Scottish Fire and Rescue Service consider give rise to such risk are as detailed in Schedule 1 annexed and signed as relative hereto.

You are hereby directed that until the said matters have been remedied, the use of the said premises is hereby restricted for use as a House in Multiple Occupation.

The Scottish Fire and Rescue Service considers that in consequence of the matters specified in Schedule 1 annexed and signed as relative hereto, there is an imminent risk of serious personal injury to relevant persons

This Notice shall take effect from this 20<sup>th</sup> Day of November Two Thousand and Thirteen

NOTE: Section 66 of the Fire (Scotland) Act 2005 provides for a right of appeal and you may wish to take independent legal advice.

It is an offence to fail to comply with a restriction or prohibition imposed by a Prohibition Notice.

Dated this 20th Day of November Two Thousand and Thirteen

Signed

Watch Manager William Tocher

Enforcement Officer

Signed

Area Manager Duncan Smith

Countersigning Manager

On behalf of the Scottish Fire and Rescue Service

SCHEDULE 1

THIS IS THE SCHEDULE 1 REFERRED TO AND FORMING PART OF THE PROHIBITION NOTICE  
HEREBY SERVED IN TERMS OF SECTION 63 OF THE FIRE (SCOTLAND) ACT 2005

1. Relevant persons cannot evacuate the relevant premises as quickly and as safely as possible in the event of danger from fire, in that the emergency routes provided within the relevant premises is not adequately separated by self closing, fire resisting doors which fit tightly in their frames.

***Fire (Scotland) Act 2005 Sections 53,54, 55; and  
Fire Safety (Scotland) Regulations 2006 Regulation 13.***

2. The relevant premises are not, to the extent that is appropriate, equipped with appropriate means of detecting fires and of giving warning in the event of fire.

***Fire (Scotland) Act 2005 Section 53, 54, 55 and schedule 2; and  
Fire Safety (Scotland) Regulations 2006 Regulation 12.***

Signed \_\_\_\_\_ Enforcement Officer

Signed \_\_\_\_\_ Countersigning Manager

On behalf of the Scottish Fire and Rescue Service

Dated \_\_\_\_\_



**ABERDEEN**  
CITY COUNCIL

# MEMO

Private Sector Housing Unit

**Communities, Housing & Infrastructure**

Second Floor West, Marischal College

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	<a href="mailto:allyt@aberdeencity.gov.uk">allyt@aberdeencity.gov.uk</a>	Date	5 March 2015
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

## **Part 5 of Housing (Scotland) Act 2006**

**Application for a Licence to operate a House in Multiple Occupation (HMO) at No.22 Alexander Drive, Aberdeen**

**Applicant/s: Alison Hodgetts**

**Agent: None stated**

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 17 March 2015 for the reason that one letter of representation/objection was received by the HMO Unit.

I can advise you as follows:

### **The HMO legislation**

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

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

### **The premises:**

The property at No.22 Alexander Drive, is a 2-storey, inner-terraced house with accommodation comprising of 4 letting bedrooms, one public room, one bathroom & one kitchen. The plan attached as Appendix 'A' shows the position of the premises.

**The HMO licence application:**

The HMO licence application is dated 26 January 2015 and was received by the HMO Unit on 27 January 2015.

**Certificate of Compliance – Notice of HMO Application:**

The Certificate of Compliance has not yet been submitted by the applicant, however the date (26 January 2015) on the application form is the first day of the 21-day statutory period during which time the public Notice of HMO Application must be displayed outside the property. The 21-day statutory period ended on 17 February 2015.

**Letter of Representation/Objection:**

One letter of representation/objection dated 4 February 2015, was received by the HMO Unit on 9 February 2015, within the 21-day statutory period and must therefore be considered by the Committee. The letter is attached as Appendix 'B'.

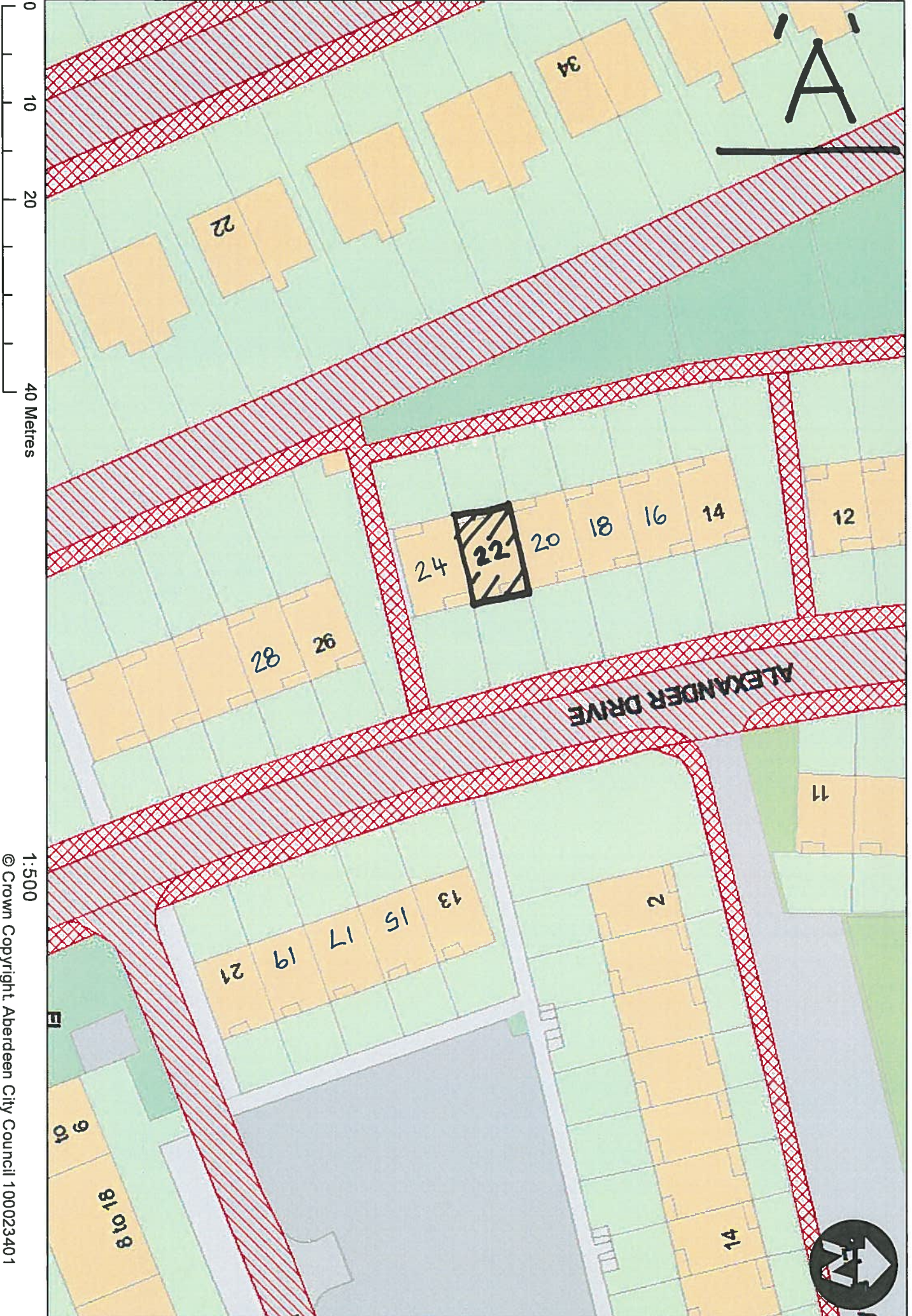
**Other Considerations:**

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this report, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.22 Alexander Drive, Aberdeen.
- At the date of this report, the applicant is a registered landlord who has also registered 4 rental properties (one of which being a licensed HMO), however the property which is the subject of this report has not been registered therefore it will be necessary for the landlord to do so before letting it.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The HMO licence application under consideration is a first-time application.
- The landlords of Nos.15 & 24 Alexander Drive, hold current HMO licences.
- The letter of representation/objection refers to a breach of the Title Deed Conditions concerning the use of the house, however this is not one of the available grounds of refusal in respect of an HMO licence application. The objectors may, if they wish, take their own legal advice with a view to taking any legal action available to them in terms of the alleged breach of the Title Deed Conditions.

- The letter of representation/objection refers to the amount of HMOs in the immediate area, which although not stated by the objectors, might infer overprovision of HMOs, which is a ground of refusal available to local authorities when considering HMO licence applications. However, the Housing & Environment Committee of this Council, at its meeting on 27 August 2013, agreed that no policy on HMO overprovision be introduced, and that remains the position at the date of this report.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

**Ally Thain**  
Private Sector Housing Manager



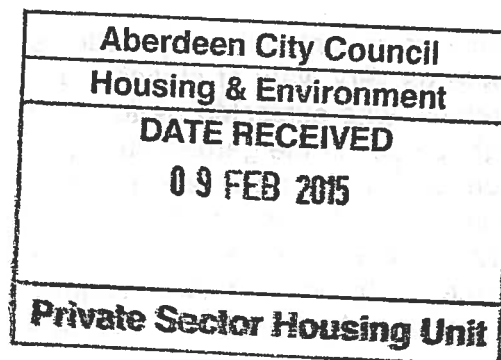
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 © Crown Copyright Aberdeen City Council 1 00023401

# APPENDIX 'B'

Mr & Mrs Quinn

4 February 2015

Mr A Thain  
HMO Unit, Private Sector Housing Unit  
Housing & Environment  
Business Hub 11, Second Floor West  
Marischal College  
Broad Street  
Aberdeen, AB10 1AB



Dear Sir

**HMO Application, 22 Alexander Drive, ABERDEEN, AB24 2XE**

My husband and I are writing to object to the application to turn 22 Alexander Drive, ABERDEEN, AB24 2XE into an HMO.

As a Housing professional with over 10 years' experience in both the private and public sector I am aware of the shortage of accommodation in Aberdeen and of the high demand for student accommodation in particular. I understand the need for affordable accommodation and have no objection to HMOs per se, however, I would dispute that either this area or the property are suitable locations for HMO properties.

These houses were built as family accommodation and according to the Deeds from the Council (**Appendix 1**) to the tenants who originally exercised the Right to Buy of our property, Clause 6 of the Schedule of Condition expressly states that the house "**shall not at any time be let to separate families**". As all the houses were originally owned by what is now Aberdeen City Council, I assume that the same conditions apply and if so, "separate families" being the essence of an HMO, conversion to an HMO would be in contravention of the Deed.

This is our third address in Tillydrone, and we have worked hard over the last 20 years to afford the comfortable family home we now live in. Over that time we have seen the estate improve from the ghetto of social deprivation of the 1990s to a thriving community, thanks in part to the number of young families moving into the area from Eastern Europe. However, young families are increasingly being priced out of one of the few affordable areas of Aberdeen, as they are being outbid by private landlords who know they can charge 3 or 4 individual tenants a higher combined rent than one family can afford in either rent or mortgage, particularly to foreign students with large maintenance grants from their own governments.

As you can see from the attached plan (**Appendix 2**) the house immediately adjacent to the Subject of the application is already an HMO (no 24) as is the house directly across the road (no 15). Should this application be approved there would be 3 HMOs within approximately 50 metres, 2 of those within a single block of 6 houses. Furthermore, a cross check with Landlord Registration Scotland of 3 bed properties sold over the last 12 months in Tillydrone<sup>1</sup> shows that 50% are now owned by private Landlords<sup>2</sup>.

Cont/...

<sup>1</sup> Zoopla

<sup>2</sup> Landlord Registration Scotland

...../cont

It would be interesting to find how many of those are now HMO. Unfortunately there does not appear to be any published information regarding this but if the trend continues then Tillydrone is in danger of becoming a ghetto again, this time of students with no ties or commitment to the community.

While we accept that many students make exemplary tenants, unfortunately, experience has made us very wary of students as neighbours. The property at no 18 was formerly let to students who subjected us to 18 months of hell with loud music from 4pm to 5am and all night parties in the garden during the summer, when we had to keep our windows closed at night due to the noise and cigarette smoke. Your colleagues in the Anti-Social behaviour team should be able to confirm that they were called out on several occasions, to limited effect as the tenants knew they were leaving in a few months so had no regard for the effect of their behaviour on their neighbours. Sadly, from my professional as well as personal experience I know that this is far from an uncommon situation.

We had hoped that the property would be bought by a family wishing to put down roots in the area and would have no objection to the applicants letting the property to such a family. The property at no 18 is now let to a large family who have caused us no problems at all in the 2 years they have lived there and are a pleasure to live next to compared to the previous students.

We would be very grateful if you would take note of our objection in your consideration of the application. We would be happy to provide any further information that you may require.

Yours faithfully

Catriona Quinn  
Douglas Quinn

Enc:

Appendix 1 – Extract from Schedule of Condition,  
General Register of Sasines, County of Aberdeen, Fiche no:1585 30 July 1982.

Appendix 2 – Plan of Alexander Drive showing Subject of Application, other HMOs and privately let dwellings


P.S. The Notice is no longer properly displayed as it is hanging off the gate and soaked with rain so as to be virtually illegible.

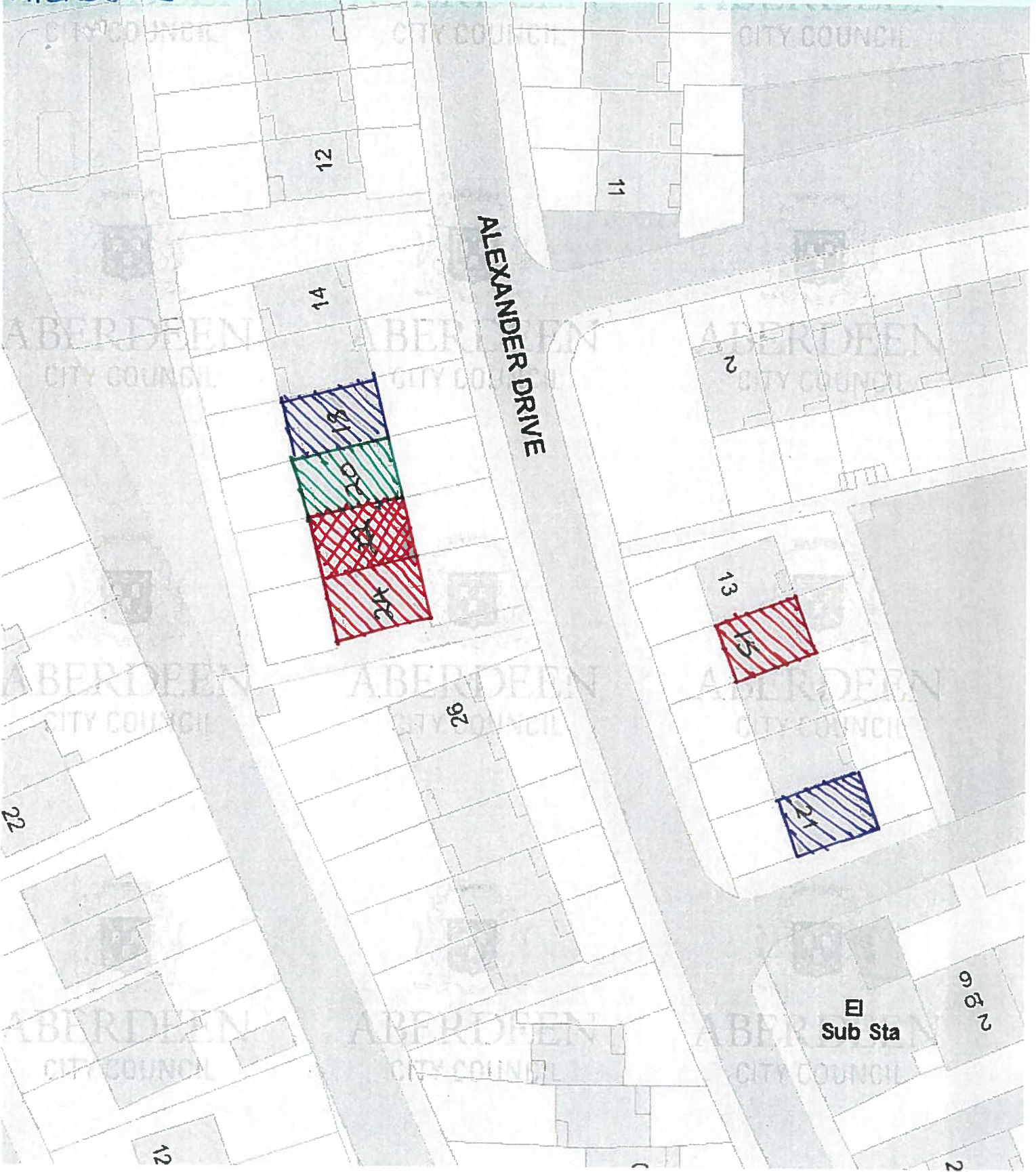








# APPENDIX 1

whatscever (including walls, fences or hedges) shall be placed on the feu and no external alterations of any kind shall ever be made upon the buildings erected or to be erected thereon without the consent in writing of the Superiors which shall not be unreasonably withheld.

4. The feuar shall be bound to bear the appropriate share of the burden of maintaining all other things mutual or common to the said dwellinghouse and any other subjects; the proprietors of a majority of the dwellinghouses concerned shall have power to order works of maintenance, repair and renewal and the whole proprietors concerned, whether consentors or not, shall be bound to pay their respective share of the cost thereof.
5. The feuar shall be bound to keep the said dwellinghouse and any buildings erected in substitution therefor constantly insured against the usual risks with an established Insurance Company for the full reinstatement value thereof and to produce to the Superiors from time to time when required the policies of insurance and termly receipts for the payment of premiums and in the event of the said buildings or any part thereof being destroyed or damaged by fire or any other natural hazard, the feuar shall be bound to apply the proceeds of such insurance in restoring the said buildings or part thereof destroyed or damaged all to the sight and satisfaction of the Superiors.
6.  The said dwellinghouse and any building erected in substitution therefor shall be used as a self-contained dwellinghouse only and shall not at any time be occupied by separate families or used for any purpose other than as a dwellinghouse and the said dwellinghouse and any building erected in substitution therefor shall not at any time be used as or converted into a shop or business or commercial premises and in particular, but without prejudice to the foregoing generality, shall not at any time be used for the purpose of keeping a public house or tavern or clubhouse licensed for the sale of alcoholic liquor or for the purpose of selling or keeping for sale spirits, wines or malt liquors; Furthermore no trade or manufacture shall be carried on upon the feu nor shall any use be made thereof which shall be deemed a nuisance or which may occasion disturbance or annoyance to the Superiors or any of the neighbouring feuars or proprietors or their tenants or may injure the amenity of the neighbourhood and the Superiors shall be the sole judges of what constitutes a nuisance, disturbance, annoyance or injury to amenity.
7. A Any garden ground forming part of the feu shall, so far as lying in front of the rear building line of the said dwellinghouse, be used only as ornamental or garden ground and the said garden ground behind said building line shall be used exclusively as ornamental or garden ground or as a drying green for bleaching or drying clothes and for no



-  OUR HOUSE
-  EXISTING HMO
-  PROPOSED HMO
-  OTHER PRIVATELY RENTED (REGISTERED LANDLORDS)

## **GCSX LicensingTeam**

---

**From:** GCSX Fleet Services  
**Sent:** 09 February 2015 12:55  
**To:** GCSX LicensingTeam  
**Subject:** T866 - Melville

Hi,

Mr Melville came into the office this morning with a letter he had received from yourselves regarding his Hackney.

Mr Melville did call ourselves in December to let us know that his car was in the garage for repair, and that he would be unable to attend his Hackney appointment. He told us that he would inform us when the vehicle was repaired. He did so not long after New Year, and we booked him in for a new appointment.

Unfortunately, due to our diary being completely booked up, Mr Melville was unable to have a Hackney appointment arranged until 17th March, which we reprinted a new letter for him as a reference.

Will Mr Melville's licence still be considered as suspended, even though, through no fault of his own, his vehicle has yet to be tested?

Thanks,

Lori

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## GCSX LicensingTeam

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**From:** GCSX LicensingTeam  
**Sent:** 09 February 2015 16:56  
**To:** GCSX Fleet Services  
**Subject:** RE: T866 - Melville

Hi Lori,

A few things with this one, sorry-

- 1/ The vehicle was due a test around 31/10/14 and Mr Melville made no contact with yourselves until December 2/ As his vehicle was off road for repair it should not be back on the road until it has passed an inspection
- 3/ Mr Mellville had a letter from me in December, I assume it was that which triggered his info that vehicle off road- he only has 28 days to get vehicle back on the road unless we agree to more time.
- 4/ His licence expired on 30/09/14 and he only has until March to get it renewed- the date of 17/03/15 takes him passed the committee date which means his application will go to committee in March and could be refused.
- 5/ the licence conditions require that each vehicle must pass 2 taxi tests every 12 month period. Due to various missed tests Mr Mellvile if tested in March (and passed) will have passed 3 tests in 24 months.

At the end of the day the most crucial of all these is number 2- the vehicle has not been inspected/tested after repair and therefore there is a public safety issue. His licence remains suspended for this reason alone.

Also this is why notes must be added to Enf screen with the date vehicle first goes off road.

Dave

-----Original Message-----

From: GCSX Fleet Services  
Sent: 09 February 2015 12:55  
To: GCSX LicensingTeam  
Subject: T866 - Melville

Hi,

Mr Melville came into the office this morning with a letter he had received from yourselves regarding his Hackney.

Mr Melville did call ourselves in December to let us know that his car was in the garage for repair, and that he would be unable to attend his Hackney appointment. He told us that he would inform us when the vehicle was repaired. He did so not long after New Year, and we booked him in for a new appointment.

Unfortunately, due to our diary being completely booked up, Mr Melville was unable to have a Hackney appointment arranged until 17th March, which we reprinted a new letter for him as a reference.

Will Mr Melville's licence still be considered as suspended, even though, through no fault of his own, his vehicle has yet to be tested?

Thanks,

Lori

**David McKane**

---

**From:** David McKane  
**Sent:** 02 March 2015 10:37  
**To:** GCSX Fleet Services  
**Subject:** T866- E Melville

Morning Lori,

This one is currently suspended until his vehicle passes a taxi test. You have him booked in for the 17/03/15.

That is also the day of the licensing committee and his renewal application may be refused as there is no test pass.

Can you try to squeeze him in for an earlier test date or a cancellation?

As soon as the vehicle passes a test I will lift the suspension.

Thanks

Dave

David McKane

Enforcement Officer | Team 3 | Litigation and Licensing | Legal and Democratic Services |  
Corporate Governance | Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal

College | Broad Street | Aberdeen | AB10 1AB | Direct Dial 01224 522879 | Direct Fax 01224 522937 | [dmckane@aberdeencity.gov.uk](mailto:dmckane@aberdeencity.gov.uk) <<mailto:dmckane@aberdeencity.gov.uk>> | [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk) <<http://www.aberdeencity.gov.uk>>



## David McKane

---

**From:** GCSX Fleet Services  
**Sent:** 02 March 2015 14:24  
**To:** David McKane  
**Subject:** RE: T866- E Melville

Hi Dave,

I have tried to call Mr Melville a few times today as I have a cancellation for Thursday. I have left a voicemail, and leaving this appointment free for him. He has yet to call me call, or answer his phone.

I will keep trying today to get in contact with him.

Thanks,

Lori

From: David McKane  
Sent: 02 March 2015 10:37  
To: GCSX Fleet Services  
Subject: T866- E Melville

Morning Lori,

This one is currently suspended until his vehicle passes a taxi test. You have him booked in for the 17/03/15.

That is also the day of the licensing committee and his renewal application may be refused as there is no test pass.

Can you try to squeeze him in for an earlier test date or a cancellation?

As soon as the vehicle passes a test I will lift the suspension.

Thanks

Dave

David McKane

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