

Public Document Pack



To: Councillor Boulton, Convener; and Councillors Allan, Carle, Cooney, Copland, Councillor Barney Crockett, the Lord Provost, Delaney, Lesley Dunbar, Graham, Hutchison, MacGregor, Malik, Malone, Nathan Morrison, Nicoll, Reynolds, Samarai 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, 25 OCTOBER 2016 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

REQUESTS FOR DEPUTATION

- 1.1 Request for Deputation

MINUTES AND COMMITTEE BUSINESS STATEMENT

- 2.1 Minute of Previous Meeting of 23 August 2016 (Pages 5 - 22)
- 2.2 Minute of Meeting of Licensing Evidential Hearing Sub Committee of 23 September 2016 (Pages 23 - 24)
- 2.3 Minutes of Meetings of the Licensing Urgent Business Committee of 1 and 23 September 2016 (Pages 25 - 30)
- 2.4 Minute of the Meeting of the Taxi Consultation Group of 5 October 2016 (Pages 31 - 40)
- 2.5 Committee Business Statement (Pages 41 - 44)

FILM CLASSIFICATIONS

- 3.1 Film Classifications - Belmont Filmhouse (Pages 45 - 112)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 4.1 Grant of a Licence for a House in Multiple Occupation - 37 Spital Walk, Aberdeen (Pages 115 - 126)
- 4.2 Grant of a Licence for a House in Multiple Occupation - 170 Sinclair Road, Aberdeen (Pages 127 - 128)
- 4.3 Application for the Grant of a Public Charitable Collection - Inspire PTL (Pages 129 - 130)
- 4.4 Application for the Renewal of a Public Entertainment Licence - Aberdeen Bridge of Don Oldmachar Church of Scotland (Pages 131 - 132)
- 4.5 Application for the Renewal of a Late Hours Catering Licence - Mustafa Kahraman (Pages 133 - 134)
- 4.6 Application for the Renewal of a Street Trader's (Hot Food) Licence - Elaine Glennie (Pages 135 - 136)
- 4.7 Application for the Grant of a Temporary Street Trader's Licence - Sven Schmidt (Pages 137 - 138)
- 4.8 Application for the Grant of a Taxi Driver's Licence - Richard Paul Greig (Pages 139 - 140)
- 4.9 Application for the Grant of a Taxi Driver's Licence - Edward Donald (Pages 141 - 142)
- 4.10 Application for the Grant of a Taxi Driver's Licence - Marcin Kuchta (Pages 143 - 144)
- 4.11 Application for the Grant of a Taxi Driver's Licence - Kevin McKenzie (Pages 145 - 146)
- 4.12 Application for the Grant of a Private Hire Driver's Licence - Surya Adhikari (Pages 147 - 148)

- 4.13 Application for the Grant of a Private Hire Driver's Licence - Usaamah Toufique (Pages 149 - 150)

COMMITTEE REPORTS

- 5.1 Taxi Fare Review (Pages 151 - 158)

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

- 6.1 Landlord Registration
- 6.2 Grant of a Late Hours Catering Licence
- 6.3 Application for the Renewal of a Private Hire Car Driver's Licence
- 6.4 Application for the Grant of a Private Hire Car Driver's Licence
- 6.5 Application for the Grant of a Private Hire Car Driver's Licence
- 6.6 Application for the Grant of a Private Hire Car Driver's Licence
- 6.7 Application for the Grant of a Private Hire Car Driver's Licence
- 6.8 Application for the Grant of a Private Hire Car Driver's Licence
- 6.9 Application for the Grant of a Private Hire Car Driver's Licence
- 6.10 Application for the Renewal of a Taxi Driver's Licence

Website Address: 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

This page is intentionally left blank

LICENSING COMMITTEE

ABERDEEN, 23 August 2016. Minute of meeting of the LICENSING COMMITTEE. Present: Councillor Carle, Convener; and Councillors Allan, Boulton, Copland, Delaney, Lesley Dunbar, Graham, Hutchison, MacGregor, Malik, Malone, Nicoll, Reynolds, Samarai and Townson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=149&MI d=4350&Ver=4>

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

MINUTE OF PREVIOUS MEETING OF 14 JUNE 2016

1. The Committee had before it the minute of its meeting of 14 June 2016.

The Committee resolved:

to approve the minute as a correct record.

MINUTES OF MEETINGS OF THE LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE OF 27 JUNE AND 1 JULY 2016 - FOR APPROVAL

2. The Committee had before it the minutes of the meetings of the Licensing Evidential Hearings Sub Committee of 27 June and 1 July 2016.

The Committee resolved:-

to approve the minutes as a correct record.

MINUTES OF MEETINGS OF THE LICENSING URGENT BUSINESS SUB COMMITTEE OF 27 JUNE, 1 JULY, 14 JULY AND 4 AUGUST 2016 - FOR APPROVAL

3. The Committee had before it the minutes of the meetings of the Licensing Urgent Business Sub Committee of 27 June, 1 and 14 July and 4 August 2016.

The Committee resolved:-

to approve the minutes as a correct record.

LICENSING COMMITTEE

23 August 2016

MINUTE OF THE MEETING OF THE TAXI CONSULTATION GROUP OF 9 JUNE 2016

4. The Committee had before it the minute of the meeting of the Taxi Consultation Group of 9 June 2016.

The Committee resolved:-

- (i) to relation to the resolution of item 2 (Taxi Testing Requirements) of the minute, recommending that a small working group be established to review the taxi testing manual and the appeals process, to agree that a special meeting of the Taxi Consultation Group be held for this purpose and that relevant organisations be invited to attend for that meeting only; and
- (ii) to otherwise note the minute.

COMMITTEE BUSINESS STATEMENT

5. The Committee had before it a statement of Committee Business prepared by the Head of Legal and Democratic Services.

In relation to item 1 (Survey on Unmet Taxi Demand – Collation of Data and Consultation with Trade), the Committee heard from Mrs Ruth O’Hare, Legal Adviser, who advised of recent difficulties with obtaining taxi marshal data, however this matter had been resolved and therefore she recommended that six months of data be gathered and analysed and thereafter a report on this matter be submitted to the Committee.

The Committee resolved:-

- (i) to note the update in relation to item 1 (Survey on Unmet Taxi Demand – Collation of Data and Consultation with Trade), and therefore agree that this matter be reported to the Committee in six months’ time; and
- (ii) to otherwise note the updates contained in the statement.

FILM CLASSIFICATIONS - ABERDEEN FILM FESTIVAL

6. The Committee had before it fifteen requests for film classification for screening at Belmont Cinema as follows:-

- (i) Colt 13 – suggested rating 18
- (ii) Red Sky on the Black Isle – suggested rating PG
- (iii) Kittiwakes – suggested rating 12A
- (iv) Pandora – suggested rating 15
- (v) The Dark Tapes – suggested rating 18
- (vi) Cesium and a Tokyo Girl – suggested rating PG
- (vii) Living with the Dead – suggested rating 15
- (viii) Tito Vs Tito – suggested rating PG

LICENSING COMMITTEE

23 August 2016

- (ix) Failed – suggested rating PG
- (x) Sottoterra – suggested rating PG
- (xi) Coming to Terms – suggested rating 12A
- (xii) Tourbillon – suggested rating 15
- (xiii) The 48 Hour Film Project – suggested rating 18
- (xiv) Scottish Kids are Haunted – suggested rating 15
- (xv) Bigger than the Shining – suggested rating 18

The Committee resolved:-

to approve the film classification certificates as listed above.

APPLICATION FOR LICENCES

7. 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 were subject to the Council's standard conditions unless otherwise stated.

EXEMPT INFORMATION

IN ACCORDANCE WITH THE DATA PROTECTION ACT 1988 (PRINCIPLE 1), THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

APPLICATION FOR LICENCES

8. 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 were subject to the Council's standard conditions unless otherwise stated.

- COUNCILLOR SCOTT CARLE, Convener.

LICENSING COMMITTEE
23 August 2016

APPENDIX A

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Application Reference Number – 4/01
Premises – 61 Skene Square, Aberdeen

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

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Application Reference Number – 4/02
Premises – 96 Broomhill Road, Aberdeen

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

GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION
Application Reference Number – 4/03
Premises – Flat 6, 456A Great Western Road, Aberdeen

3. The Committee had before it a report by the Private Sector Housing Manager in respect of the application.

The report advised that two letters of representation had been received in respect of the application beyond the statutory time period within which such letters must be received (21-day period). The report further advised that the Committee might consider late representations if it was satisfied that it was reasonable for the respondents to make the representation after the deadline.

The applicant's agent, Mr John Carroll, Ardoe Properties, was present. The applicant was not in attendance.

One of the late respondents, Ms Frances Wilson, was present. Ms Wilson explained why her letter of representation was late and why it should be considered today. The applicant's representative, Mr John Carroll, objected to the letter of representation being circulated. The other late respondents, McPherson and Kerr were not present.

The Committee resolved:-

- (i) that the letter of representation by Ms Frances Wilson be introduced into the proceedings; and
- (ii) that the letter of representation by McPherson and Kerr not be introduced into the proceedings.

LICENSING COMMITTEE

23 August 2016

The Committee heard from the respondent, Ms Frances Wilson. The Committee asked questions of the respondent.

The Committee then heard from the applicant's agent, Mr John Carroll, in support of the application. The Committee asked questions of the applicant's agent.

The Committee further resolved:-
to grant the application.

DECLARATION OF INTEREST

Prior to consideration of the following item, Councillor Samarai declared an interest in the following article by virtue of knowing the applicant by through her previous employment, and withdrew from the meeting prior to consideration of the item.

GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**Application Reference Number – 4/04****Premises – 6 Tanfield Avenue, Aberdeen**

4. With reference to article 6 of Appendix A of the minute of the meeting of the Licensing Committee of 14 June 2016, the Committee had before it a report by the Private Sector Housing Manager in respect of the application and one letter of representation.

The report advised that one further letter of representation had been received in respect of the application beyond the statutory time period within which such letters must be received (21-day period). The report further advised that the Committee might consider late representations if it was satisfied that it was reasonable for the respondents to make the representation after the deadline.

The applicants' representative, Mr Duncan Robbie, Easthaven Property Management, was present. The applicants were not in attendance.

The late respondent was not in attendance.

The Committee resolved:-

that the late letter of representation by Ms Nicola Logan not be introduced into the proceedings.

The Committee heard from the timely respondent, Mr Dempster. Mr Dempster sought approval to circulate photos to substantiate his statement. The applicants' representative Mr Duncan Robbie, Easthaven Property Management, had no objection to the photos being circulated. The Committee agreed to the request that the respondent's photos be circulated. The Committee asked questions of the respondent.

LICENSING COMMITTEE

23 August 2016

The Committee then heard from the applicants' representative, Mr Duncan Robbie, speak in support of the application. The Committee asked questions of the applicant's representative.

The Committee resolved:-

to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.

GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number – 4/05

Premises – 2 Hawthorn Terrace, Aberdeen

5. The Committee had before it a report by the Private Sector Housing Manager in respect of the application and two letters of representation.

The applicant's representative Ms Marlene Leiper, Geraghty-Gibb Property Management Limited, was in attendance on behalf of the applicants. The applicants were not in attendance.

Neither of the respondents, Ms S Ingram or Mr and Dr MacPhee, were in attendance, but instead were represented by Mr David Paterson who spoke in support of both letters of representation. The Committee asked questions of Mr Paterson.

The Committee then heard from the applicants' representative, Ms Marlene Leiper, in support of the application. The Committee asked questions of the applicants' representative.

The Committee resolved:-

to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number – 4/06

Premises – 382b King Street, Aberdeen

6. The Committee had before it a report by the Private Sector Housing Manager in respect of the application and one letter of representation.

The applicant's representative Mr Ian Thomson, was in attendance on behalf of the applicant. The applicant was not in attendance.

LICENSING COMMITTEE

23 August 2016

The Committee heard from the respondent, Mr Calum McRae. The Committee asked questions of the respondent.

The Committee then heard from the applicant's representative, Mr Ian Thomson, in support of the application. The Committee asked questions of the applicant's representative.

The Committee resolved:-

to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.

GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number – 4/07

Premises – 25 Springbank Terrace, Aberdeen

7. The Committee had before it a report by the Private Sector Housing Manager in respect of the application and one letter of representation.

One of the applicants, Mrs Susan Atkinson, was in attendance along with her agent, Ms Babs Buglass.

The Committee heard from the respondent, Mrs Connie Leith. The Committee asked questions of the respondent.

The Committee then heard from the applicant, Mrs Atkinson and her agent, Ms Babs Buglass, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:-

to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, Councillors Nicoll and Samarai declared an interest in the following article by virtue of knowing the respondent. Both Councillors withdrew from the meeting prior to consideration of the item.

GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number – 4/08

Premises – 103 Clifton Road, Aberdeen

LICENSING COMMITTEE

23 August 2016

8. The Committee had before it a report by the Private Sector Housing Manager in respect of the application and one letter of representation.

The applicant, Mrs Neeta Ewart, was in attendance.

The Committee heard from the respondent, Mrs Anna Bokedal. The Committee asked questions of the respondent.

The Committee then heard from the applicant, Mrs Neeta Ewart, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:-
to grant the application.

DECLARATIONS OF INTEREST

Prior to consideration of the following item, Councillors Nicoll and Samarai declared an interest in the following article by virtue of knowing the respondent. Both Councillors withdrew from the meeting prior to consideration of the item.

RENEWAL OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION

Application Reference Number – 4/09

Premises – 107 Clifton Road, Aberdeen

9. The Committee had before it a report by the Private Sector Housing Manager in respect of the application and one letter of representation.

One of the applicants, Dr Raymond Pontin, was in attendance.

The Committee heard from the respondent, Mrs Anna Bokedal.

The Committee then heard from the applicant, Dr Raymond Pontin, in support of the application. The Committee asked questions of the applicant.

The Committee resolved:-

- (i) to defer consideration of the application until the works were completed, after which time the Private Sector Housing Manager could grant the application under delegated powers if appropriate; and
- (ii) to request the Private Sector Housing Manager to provide details on the ongoing review regarding the proposed introduction of a HMO Overprovision Policy for Aberdeen to the respondent, Mrs Bokedal.

LICENSING COMMITTEE

23 August 2016

GRANT OF A LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION**Application Reference Number – 4/10****Premises – 53 Bannermill Place, Aberdeen**

10. (A) With reference to article 3 of Appendix A of the minute of the meeting of the Licensing Committee of 14 June 2016, the Committee had before it a report by the Private Sector Housing Manager which advised that the application for an HMO at 53 Bannermill Place, Aberdeen, had been submitted within one year of the date of refusal of the previous HMO licence application.

The report explained that the local authority may consider a further application for an HMO licence, only where it was satisfied that there had been a material change of circumstances.

The Committee heard from the applicant's representative, Mr Tony Dawson, J and G Collie LLP, Solicitors and Estate Agents, in support of the material change. Mr Dawson advised that the material change since the previous application was that J and G Collie LLP, Solicitors and Estate Agents were now listed as agents for the property; providing a full factoring service and that this change would resolve the concerns held by the Committee on consideration of the previous application.

The Committee resolved:-

to agree that the reason given constituted a material change of circumstances and therefore to consider the application.

(B) With reference to article 3 of Appendix A of the minute of the meeting of the Licensing Committee of 14 June 2016, the Committee had before it a tabled report by the Private Sector Housing Manager in respect of the application and one letter of representation.

The Committee heard from the respondent, Miss Thompson. The Committee asked questions of the respondent.

The Committee then heard from the applicant's representative, Mr Tony Dawson, in support of the application. The applicant was not in attendance. The Committee asked questions of Mr Dawson.

The Committee resolved:-

to grant the application for a one year period with the condition that the applicant appoint a professional managing agent to provide a fully factored service for the duration of the licence.

LICENSING COMMITTEE

23 August 2016

GRANT OF A LATE HOURS CATERING LICENCE - D.P.K FOODS LTD

Application Reference Number – 4/11

Location – Units 6 and 7, Kittybrewster Centre, Clifton Road, Aberdeen

Operating Hours – Monday to Sunday, 11pm to 3am

11. The Committee had before it an information note prepared by the Head of Legal and Democratic Services in respect of the application.

The information note advised that this item had been placed on the agenda because the applicant was seeking to trade from 11pm to 3am, Monday to Sunday, hours which were outwith the Committee's guidelines which stated premises outwith the city centre or beach area had a maximum terminal hour of midnight Monday to Sunday.

The applicant, Mr Paul Bunis, was present and spoke in support of the application.

The Committee resolved:-

to grant the application

RENEWAL OF A STREET TRADER'S LICENCE - ALLAN MOULE

Application Reference Number – 4/12

Location – Whitemyers Avenue, Mastrick Industrial Estate, Aberdeen

Operating Hours – Monday to Friday, 8am to 2pm

12. The Committee had before it an information note prepared by the Head of Legal and Democratic Services in respect of the application.

The information note advised that this item had been placed on the agenda because it required to be determined by 30 September 2016 and to date the applicant had not provided a food safety certificate. In this regard, section 39 of the Civic Government (Scotland) Act 1982 stated that the Committee must refuse the application unless there was produced to them a certificate by the food authority (for the purposes of section 5 of the Food Safety Act 1990) stating that the vehicle, kiosk or moveable stall complied with the requirements of any relevant regulations made under that Act.

The applicant was not present.

The Committee resolved:-

to defer consideration of the application to the Licensing Urgent Business Sub Committee meeting on 1 September 2016.

LICENSING COMMITTEE

23 August 2016

RENEWAL OF A STREET TRADER'S LICENCE (HOT FOOD) - CAROL ANNETTA HESLOP**Application Reference Number – 4/13****Location – (1) Hazlehead Football Pitches, Monday to Sunday 10am to 10pm; (2) Sheddockley Football Pitches, Springhill Road, Monday to Sunday 9am to 9pm; (3) Outside Farm Services, Kirkhill Drive, Dyce, Monday to Sunday 7am to 5pm and (4) Crawpeel Road, Outside Total, Opposite Franks, Monday to Sunday 7am to 7pm.**

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

RENEWAL OF A STREET TRADER'S LICENCE - SHONA LYN SINGER**Application Reference Number – 4/14****Location – Howemoss Avenue, West Side, 30m South of Howemoss Place, Aberdeen****Operating Hours – Monday to Sunday, 7am to 5pm**

14. The Committee had before it an information note prepared by the Head of Legal and Democratic Services in respect of the application.

The information note advised that this item had been placed on the agenda because it required to be determined by 26 October 2016 and to date the applicant had not provided a food safety certificate. In this regard, section 39 of the Civic Government (Scotland) Act 1982 stated that the Committee must refuse the application unless there was produced to them a certificate by the food authority (for the purposes of section 5 of the Food Safety Act 1990) stating that the vehicle, kiosk or moveable stall complied with the requirements of any relevant regulations made under that Act.

The applicant was not present.

The Committee resolved:-

to refuse the application.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE - PRZEMYSŁAW KWAPIS**Application Reference Number – 4/15**

15. The Committee had before it an information note prepared by the Head of Legal and Democratic Services in respect of the application.

The information note advised that this item had been placed on the agenda because it required to be determined by 8 October 2016 and to date the applicant had not provided a copy of his/her driving licence.

LICENSING COMMITTEE
23 August 2016

The applicant was not present.

The Committee resolved:-
to refuse the application.

LICENSING COMMITTEE
23 August 2016

APPENDIX B

LANDLORD REGISTRATION

1. With reference to article 1 of appendix B of the minute of the meeting of the Licensing Committee of 14 June 2016, the Committee had before (1) a report by the Private Sector Housing Manager; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 18 March 2016 and Sergeant Gillian Flett was in attendance and spoke in support of the letter.

The applicant was not in attendance.

The Committee resolved:-

to refuse the landlord registration application.

LANDLORD REGISTRATION

2. The Committee had before (1) a report by the Private Sector Housing Manager; and (2) a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 27 June 2016 and Sergeant Gillian Flett was in attendance to speak in support of the letter.

The applicant was not in attendance. Mr Thain, Private Sector Housing Manager, advised that the applicant's representative, Mr Tony Dawson, had requested that the application be deferred to the next meeting of the Committee.

The Committee resolved:-

to defer consideration of the landlord registration application to the next meeting of the Licensing Committee on 25 October 2016.

GRANT OF A METAL TRADER'S LICENCE

3. The Committee had before it a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 20 May 2016, and Sergeant Gillian Flett was in attendance.

The applicant was present, accompanied by his representative and mother. The applicant's representative sought approval for additional documents in support of the application to be brought into proceedings. Sergeant Flett had no objection to the information being considered.

The Committee resolved:-

that the additional documents from the applicant's representative be brought into the proceedings.

LICENSING COMMITTEE
23 August 2016

The Committee heard from Sergeant Gillian Flett in support of the letter of representation from Police Scotland.

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

The Committee asked questions of both the applicant and Sergeant Flett.

The Committee further resolved:-
to grant the application.

GRANT OF A METAL TRADER'S LICENCE

4. The Committee had before it a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 20 May 2016, and Sergeant Gillian Flett was in attendance.

The applicant was present, accompanied by his representative and mother. The applicant's representative sought approval for additional documents in support of the application to be brought into proceedings. Sergeant Flett had no objection to the information being considered.

The Committee resolved:-
that the additional documents from the applicant's representative be brought into the proceedings.

The Committee heard from Sergeant Gillian Flett in support of the letter of representation from Police Scotland.

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

The Committee asked questions of both the applicant and Sergeant Flett.

The Committee further resolved:-
to grant the application.

GRANT OF A LATE HOURS CATERING LICENCE

5. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 14 June 2016, and Sergeant Gillian Flett was in attendance.

The applicant was not present.

LICENSING COMMITTEE
23 August 2016

The Committee resolved:-

to defer consideration of the application to the next meeting of the Licensing Committee on 25 October 2016.

GRANT OF A WINDOW CLEANER'S LICENCE

6. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 6 July 2016, and Sergeant Gillian Flett was in attendance.

As a preliminary point, Sergeant Flett sought the Committee's approval to introduce details of the applicant's spent convictions on the basis that justice could not be done except by admitting or requiring evidence relating to the spent convictions.

Members heard general information as to the age, class and penalty for the offences to assist them in considering the seriousness of the spent convictions, in order to consider whether justice could not be done except by admitting the convictions.

The applicant had no objection to the spent convictions being admitted to the proceedings.

The Committee resolved:-

to admit the spent convictions into the proceedings for consideration.

The Committee heard from Sergeant Flett in support of the letter of objection.

The applicant was present, accompanied by his wife. The applicant spoke in support of his application.

The Committee asked questions of both the applicant and Sergeant Flett.

The Committee resolved:-

to grant the application for a one year period.

DECLARATION OF INTEREST

Prior to consideration of the following item, Councillor Samarai declared an interest in the following article by virtue of knowing the applicant through her previous employment, and withdrew from the meeting prior to consideration of the item.

LICENSING COMMITTEE
23 August 2016

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

7. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 31 May 2016, and Sergeant Gillian Flett was in attendance and spoke in support of the letter of objection.

The applicant was present and spoke in support of the application.

The Committee asked questions of the applicant and Sergeant Flett.

The Committee resolved:-

to refuse the application.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

8. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 30 May 2016, and Sergeant Gillian Flett was in attendance and spoke in support of the letter of objection.

The applicant was not present.

The Committee resolved:-

to refuse the application.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

9. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 30 May 2016, and Sergeant Gillian Flett was in attendance to speak in its support.

The applicant was not present.

The Committee resolved:-

to defer consideration of the application to the next meeting of the Licensing Committee on 25 October 2016.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

10. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 24 May 2016, and Sergeant Gillian Flett was in attendance and spoke in support of the letter of representation.

LICENSING COMMITTEE

23 August 2016

The applicant was present and spoke in support of his application.

The Committee asked questions of the applicant and Sergeant Flett.

The Committee resolved:-
to grant the application.

RENEWAL OF A TAXI DRIVER'S LICENCE

11. The Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 25 May 2016, and Sergeant Gillian Flett was in attendance and spoke in support of the letter of representation.

The applicant was present and spoke in support of his application.

The Committee asked questions of the applicant and Sergeant Flett.

The Committee resolved:-
to grant the application for a one year period.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

12. The Committee was advised this this application had been deferred to the meeting of the Licensing Urgent Business Sub Committee on 1 September 2016.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

13. The Committee was advised this this application had been deferred to the meeting of the Licensing Urgent Business Sub Committee on 1 September 2016.

RENEWAL OF A TAXI DRIVER'S LICENCE

14. The Committee was advised that this application had been granted under delegated powers.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

15. The Committee had before it an information note by the Head of Legal and Democratic Services in relation to the application which advised that this item had been placed on the agenda because applicant had three penalty points on his driving licence.

LICENSING COMMITTEE
23 August 2016

The applicant was not present.

The Committee resolved:-

- (i) to grant the application; and
- (ii) to delegate authority to the Head of Legal and Democratic Services to grant taxi driver and private hire car driver licences where the applicant had eight or less penalty points and there was no representation from Police Scotland and the applicant met the DVLA Group 2 criteria.

GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

16. The Committee had before it an information note by the Head of Legal and Democratic Services in relation to the application which advised that this item had been placed on the agenda because applicant had six penalty points on his driving licence.

The applicant was not present.

The Committee resolved:-
to grant the application.

LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE

ABERDEEN, 23 September 2016. Minute of Meeting of the LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Nicoll and Townson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=547&MId=4444&Ver=4>

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

EXEMPT INFORMATION

IN ACCORDANCE WITH THE DATA PROTECTION ACT 1988 (PRINCIPLE 1), THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

REQUEST FOR THE SUSPENSION OF A PRIVATE HIRE DRIVER'S LICENCE

1. The Sub Committee had before it a letter dated 23 August 2016 from the Chief Constable, Police Scotland, c/o Aberdeen City Division, which in terms of schedule 1, paragraph 11 of the Civic Government (Scotland) Act 1982, requested the suspension a private hire car driver's licence.

The licence holder was in attendance.

Inspector McGeough was in attendance on behalf of Police Scotland.

Inspector McGeough spoke in support of the letter of representation from Police Scotland.

The Committee asked questions of Inspector McGeough.

The Sub Committee heard from the licence holder in support of his case, during which he advised that he wished to lodge two documents in respect of his submission. Inspector McGeough advised that he had no objection to the additional documents being entered into proceedings.

The Sub Committee resolved:

to agree that the two documents from the licence holder be entered into proceedings.

The Sub Committee asked questions of the licence holder.

LICENSING EVIDENTIAL HEARINGS SUB COMMITTEE

23 September 2016

The Sub Committee further resolved:

to agree to suspend the private hire driver's licence under paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982 until the licence holder's application to the Home Office had been concluded and to request the Licensing Team Leader to clarify with the licence holder's solicitor the timescales in respect of the application to the Home Office being determined.

- **SCOTT CARLE, Convener**

LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 1 September 2016. Minute of Meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Nicoll and Townson.

The agenda and reports associated with this minute can be found at:
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MIId=4420&Ver=4>

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

DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(5)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Sub Committee was informed that it had to determine: (1) that the items on the agenda were of an urgent nature; and (2) that the Sub Committee required to consider the items and take a decision thereon.

The Sub Committee resolved:

to agree that the items were of an urgent nature and required to be considered this day.

APPLICATION FOR THE RENEWAL OF A STREET TRADER'S LICENCE – ALLAN MOULE

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

APPLICATION FOR A PUBLIC CHARITABLE COLLECTION – ALAN LAWRIE

3. The Sub Committee had before it an information note by the Head of Legal and Democratic Services in respect of the application for a public charitable collection by Alan Lawrie to be held on Saturday 3rd September 2016 on Union Street outside Marks and Spencer.

The information note advised that in terms of the Licensing Committee's current policy, street collections were permitted every Monday, Thursday and Saturday and every day in December except Sundays and Public Holidays.

The applicant was not present.

The Sub Committee resolved:

to grant the application.

LICENSING URGENT BUSINESS SUB COMMITTEE

1 September 2016

EXEMPT INFORMATION

IN ACCORDANCE WITH THE DATA PROTECTION ACT 1988 (PRINCIPLE 1), THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEMS.

APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

4. The Sub Committee had before it a letter of representation from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 17 March 2016.

The applicant was not in attendance.

The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who advised that the Council had not received a report from the Occupational Health Service Provider stating that the applicant meets DVLA Group 2 medical standards.

The Sub Committee resolved:-
to refuse the application.

APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

5. The Sub Committee had before it an information note by the Head of Legal and Democratic Services in respect of the application for the Grant of a Private Hire Car Driver's Licence which advised that a report from the Occupational Health Service Provider stating that the applicant meets DVLA Group 2 medical standards had not yet been received.

The applicant was present, accompanied by his nephew, who spoke on behalf of the applicant.

The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who advised that there was still adequate time for the applicant to submit the report from the Occupational Health Service Provider.

The Sub Committee resolved:-
to defer consideration of the application until receipt of the Occupational Health Service Provider report.

LICENSING URGENT BUSINESS SUB COMMITTEE

1 September 2016

DECLARATION OF INTEREST

Councillor Townson declared an interest in relation to the following item of business by virtue that he gave evidence in a previous appeal relating to the applicant, he considered that the nature of his interest required him to leave the meeting and he took no part in the Sub Committee's deliberations thereon.

DETERMINATION OF A MATERIAL CHANGE

6. The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who advised that the applicant had an application for a Taxi Driver's Licence previously refused by the Committee, and could not therefore apply for a Taxi Driver's Licence for a period of one year unless there was a material change in circumstance.

The Sub Committee heard the applicant provide evidence in relation to a material change in circumstance.

The Sub Committee heard from Mrs Ruth O'Hare, Legal Advisor, who explained that the applicant had previously passed the Street Knowledge Test in respect of a previous application for a Taxi Driver's licence.

The Sub Committee resolved:-

- (i) to agree that there was a material change of circumstance and that the applicant could submit an application for a Taxi Driver's Licence; and
- (ii) to waive the requirement for the applicant to re-sit the Street Knowledge Test.

- COUNCILLOR SCOTT CARLE, Convener

This page is intentionally left blank

LICENSING URGENT BUSINESS SUB COMMITTEE

ABERDEEN, 23 September 2016. Minute of Meeting of the LICENSING URGENT BUSINESS SUB COMMITTEE. Present:- Councillor Carle, Convener; and Councillors Nicoll and Townson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=502&MIId=4443&Ver=4>

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

DETERMINATION OF URGENT BUSINESS

1. In terms of Standing Order 28(5)(vi), and in accordance with Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, the Sub Committee was informed that it had to determine: (1) that the item on the agenda was of an urgent nature; and (2) that the Sub Committee required to consider the item and take a decision thereon.

The Sub Committee resolved:

to agree that the item was of an urgent nature and required to be considered this day.

EXEMPT INFORMATION

IN ACCORDANCE WITH THE DATA PROTECTION ACT 1988 (PRINCIPLE 1), THE PRESS AND PUBLIC WERE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM.

APPLICATION FOR THE GRANT OF A TAXI DRIVER'S LICENCE

2. The Sub Committee had before it a letter of objection from the Chief Constable, Police Scotland, c/o Aberdeen City Division dated 23 August 2016, and Inspector Kenny McGeough was in attendance to speak in its support.

The applicant was in attendance.

Inspector McGeough spoke in support of the letter of objection from Police Scotland.

The Committee asked questions of Inspector McGeough.

The Sub Committee heard from the applicant in support of his case, during which he advised that he wished to lodge two documents in respect of his submission. Inspector McGeough advised that he had no objection to the additional documents being entered into proceedings.

LICENSING URGENT BUSINESS SUB COMMITTEE
23 September 2016

The Sub Committee resolved:

to agree that the two documents from the applicant be entered into proceedings.

The Sub Committee asked questions of the applicant.

The Sub Committee further resolved:

to defer consideration of the application to a further meeting of the Committee to allow the applicant's immigration application to be processed and for the applicant to re-sit the street knowledge test.

- COUNCILLOR SCOTT CARLE, Convener

TAXI CONSULTATION GROUP

ABERDEEN, 5 October 2016. Minute of Meeting of the TAXI CONSULTATION GROUP. Present:- Councillor Carle, Convener; and Councillors MacGregor, Malone and Reynolds; and Gordon Anderson (Independent Drivers), Tommy Campbell (Unite the Union), Stewart Duncan (Airport Drivers) and Graeme McColl (Aberdeen Taxi Group).

In attendance:- Ruth O'Hare and Karen Gatherum (Licensing and Litigation); David McKane and Izy Deans (Enforcement Officers, Licensing and Litigation); and Kate Lines and Allison Swanson (Democratic Services).

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

MINUTE OF PREVIOUS MEETING

1. The Consultation Group had before it the minute of its previous meeting of 9 June 2016.

The Taxi Consultation Group resolved:
to approve the minute.

BEDFORD ROAD - PROHIBITION OF TAXIS

2. The Consultation Group had before it a request from Councillor Reynolds, the Depute Provost, that the Group discuss the implications, if any, on taxi drivers and passengers resulting from the current prohibition of taxi access at the bus gate at Bedford Road.

The Group heard from Councillor Reynolds who explained that he had received complaints from taxi drivers that passengers had been complaining to them about the increase in journey distance now required and the subsequent increases in fares being charged, as a result of the introduction of the bus gate at Bedford Road.

The taxi trade representatives present concurred with the statement by Councillor Reynolds and further advised of the impact on the journey times and cost implications on passengers, since the introduction of this bus gate. As a result of this, the taxi trade requested that all bus gates within the city, allow access to all taxis, in particular taxis displaying yellow plates.

Members also proposed that an alternative to amending access to the existing bus gates to include taxis, would be reclassifying bus gates to bus lanes and recommended that both options be explored by officers.

With regards enforcement of bus gates, Mr McKane, Enforcement Officer, advised that monitoring of the bus gates was carried out by the camera enforcement unit and that vehicle registrations that were not on a list submitted to the unit received fines for

TAXI CONSULTATION GROUP
5 October 2016

unlawful use. Mr McKane confirmed that the gate at Dubford Road did allow for taxi access with registration plate monitoring undertaken to ensure drivers not complying with the restrictions were fined, however on occasion, taxi drivers were fined and had to obtain a refund.

The Taxi Consultation Group resolved:

- (i) to recommend that the Communities, Housing and Infrastructure Committee instruct the Roads Infrastructure Manager to submit a report detailing the options for allowing taxis to have access to all bus gates in the city, in particular the bus gate on Bedford Road, including details on the statutory process which would be required, to a future meeting of that Committee; and
- (ii) to request that the decision of the Communities, Housing and Infrastructure Committee be reported back to the Group in due course.

TAXI FARE REVIEW

3. With reference to article 8 of the minute of its previous meeting of 9 June 2016, the Consultation Group heard from Mrs O'Hare who reminded Members that a table detailing the updated taxi fare formula upon, as well the calculation that the taxi fare review would be based on had been circulated to all Members in advance of the meeting for their respective comments. She then advised that at present officers would be recommending to a future meeting of the Licensing Committee that taxi fares remain at the current level. Should the Licensing Committee approve this recommendation, this proposal would then be issued for consultation, following which the Licensing Committee would make a final decision on taxi fares.

Thereafter, Mr Campbell, Unite the Union, recommended the taxi fares remain with the exception that the start fare of £3.40 be increased to £4.40 during the operating hours from 12 midnight Friday to 5am Saturday and 12 midnight Saturday to 5am Sunday.

The Taxi Consultation Group appreciated that given the airport was a commercial organisation, the Council could not change the airport charge, however it discussed ways in which any future increase in the charge levied by the airport could be considered timeously by the Council in order for the financial impact on taxi drivers to be mitigated. The taxi trade representatives explained the potential financial impact of the recent £1 increase on taxi drivers operating at the airport and requested that ways to mitigate the impact of any future increase be explored as part of the current review of taxi fares.

In response, officers advised that they were now liaising with airport management and had highlighted the impact of the increase on taxi drivers; detailed the lengthy process the Council had to undertake in order to change the fare structure; and requested that any future proposed increase be communicated to the trade and the Council at the earliest opportunity to enable officers to take steps for the Council to consider if, and how, it wished to mitigate any impact on taxi drivers. Trade representatives welcomed

TAXI CONSULTATION GROUP
5 October 2016

this, however intimated that this was dependent on the goodwill of the airport and would still request that the Licensing Committee consider ways in which any future increase could be mitigated.

The Licensing Team were thanked for their work in undertaking the fare review and Mr McColl asked that the formulae be looked at as part of the next fare review as the current formulae meant that fares would be unlikely to increase in future years. It was also proposed that the surcharges and tariffs be simplified at this time.

The Taxi Consultation Group resolved:

- (i) to recommend that the Licensing Committee request the Licensing Team Leader, as part of the current taxi fare review, to explore ways in which any future increase in airport access charges could be mitigated by the Council in a timely manner;**
- (ii) to note that a report on the review of taxi fares would be submitted to a future meeting of the Licensing Committee and that the comments of the Taxi Consultation Group would be reflected within that report; and**
- (iii) to recommend that the Licensing Committee instruct the Licensing Team Leader to undertake a review of the existing taxi fare formulae, including surcharges, following the completion of the current taxi fare review.**

TAXI RANKS - SUBMITTED BY GORDON ANDERSON

4. The Taxi Consultation Group heard from Mr Anderson, Independent Drivers, who explained that recently due to the decrease in demand for taxis, the taxi rank space currently available, in particular the taxi rank on Back Wynd, did not accommodate the number of vehicles operating, and as a result taxi drivers were having to drive around until a space became available, which had a financial and environmental impact, or they were parking just outwith an existing rank and likely to be fined or moved on. In light of this position, Mr Anderson requested that the provision and location of taxi ranks be reviewed to ensure that (1) the taxi ranks were in the most convenient and logical place for passengers; and (2) there was sufficient taxi rank space and an alternative location, or dual purpose holding rank, for taxis to go to when a taxi rank was at capacity.

Members discussed the availability and location of existing taxi ranks and presented options to ensure taxi ranks were visible to the public and of sufficient capacity, namely: the re-allocation of parking spaces to taxi spaces on Union Terrace; the relocation of blue badge spaces on Back Wynd onto Schoolhill, extension of existing taxi ranks on Back Wynd and Chapel Street; the use of park and ride schemes by taxis; and the creation of a dual purpose taxi holding rank. The general consensus of the taxi trade representatives was that at present there was not sufficient taxi rank space and the locations of the current ranks could be improved. To support this view, Mr McColl, Aberdeen Taxi Group, reminded Members that the most recent Taxi Demand Survey concluded that there was not sufficient taxi rank space.

TAXI CONSULTATION GROUP
5 October 2016

Members recommended that the Licensing Committee agree to instruct officers to undertake a taxi rank review and should this be approved emphasised the importance of the Roads Department being fully involved from the outset, as well as the Group itself.

The Taxi Consultation Group resolved:

to recommend that the Licensing Committee instruct the Licensing Team Leader to undertake a full review of taxi rank provision and location within the city, in consultation with the Roads Infrastructure Manager and all appropriate parties, to identify where suitable additional taxi ranks could be provided if appropriate and to report back on the outcome of the review to a future meeting of that Committee for consideration of the findings.

Prior to consideration of the next item on the agenda, Mrs O'Hare proposed that the Group consider items 6 (Special Meeting – Taxi Testing Requirements) and 7 (Taxi Inspection Centre) as one item. The Group agreed to this proposal.

SPECIAL MEETING – TAXI TESTING REQUIREMENTS AND TAXI INSPECTION CENTRE

5. With reference to article 2 of the minute of its previous meeting of 9 June 2016, the Taxi Consultation Group heard from Mrs O'Hare who advised that following the Group's last meeting, the Licensing Committee had considered the Group's request that a small working group be established to review the taxi testing manual and the appeals process, and the Committee had agreed that a special meeting of the Taxi Consultation Group be held for this purpose and that relevant organisations be invited to attend for that meeting only. On this basis, she advised that the meeting to discuss this matter was scheduled for 10am on Thursday, 24 November in the Town House.

With regards attendees for this meeting she advised that all members of the Taxi Consultation Group would be invited and that Members should email the clerk with details of any relevant organisations they felt should be invited to participate for that single item meeting only. In response, it was proposed that a representative from every taxi office attend, as well as appropriate officers.

With regards issues raised at the previous meeting regarding the taxi inspection centre and retesting delays, the Group was advised that the Licensing Service was endeavouring to have an Enforcement Officer present at the inspection centre on a full time basis. This service had commenced over the past three weeks and it was hoped that this would result in an improved service to the trade and reduced delays in vehicles being retested, in that the Enforcement Officer would be able to retest and approve vehicles which had failed for non mechanical simple faults, such as a side light bulb. Mr McKane advised that where a vehicle fault would also result in an MOT failure that these vehicles would still need to be booked in for a re-test.

TAXI CONSULTATION GROUP
5 October 2016

Mr McColl referred to the failure certificate and highlighted that there appeared to be an inconsistency in the re-test fee of £33 being applied, for example where a meter clock might be out. Mr McKane advised that the charging of the re-test fee should be consistent and explained that the re-test certificate was a general failure certificate and that reference to the £33 fee appeared on all failure certificates issued and that this might be causing inconsistency regarding charging of the fee. Therefore, he undertook to review the certificate and to make any amendments as appropriate to address the situation where fees were being incorrectly charged for certain failures. Members also discussed the interpretation of the testing manual and emphasised the importance of this being applied consistently.

The Taxi Consultation Group resolved:

- (i) to note that a Special Meeting of the Group would be held on 24 November 2016 at 10am to discuss the taxi testing manual and appeals process only and to request that Members advise the Clerk by email of proposed appropriate organisations to be invited to this meeting only by the first week of November and thereafter that the Clerk would issue invites to all;
- (ii) to request the Enforcement Officers to submit statistics relevant to the taxi inspections and the taxi inspection centre, i.e. the number of re-tests, waiting times for tests and re-tests; reasons for failed tests, for discussion at the special meeting;
- (iii) to note that the Enforcement Officers would review the general failure certificate issued and would report to the special meeting whether any amendments were to be made to ensure the re-test charge of £33 was applied consistently; and
- (iv) to otherwise note the update provided.

TAXI DRIVER TRAINING

6. With reference to article 13(A) of the minute of its meeting of 1 March 2016, the Taxi Consultation Group heard from Mrs O'Hare who advised that the initial consultation period in respect of taxi driver training had concluded and 43 responses had been received out of 1500 questionnaires being circulated to the trade.

In terms of the responses received, Mrs O'Hare advised that these had been mixed, with some drivers being in favour of training and others feeling there was no requirement for this. Mrs O'Hare advised that an interim report detailing the results of the consultation would be presented to a future meeting of the Licensing Committee, at which point the Committee would consider the responses and whether it wished to (1) take no further action in respect of taxi driver training; or (2) propose a specific training requirement for taxi drivers which would then be consulted upon.

Mr McColl advised that training had been discussed at a meeting of the Aberdeen Taxi Group at which drivers had queried the type or standard of training proposed, and had raised concerns about the cost of the training and loss of earnings. The general

TAXI CONSULTATION GROUP
5 October 2016

consensus had been that drivers did not mind undertaking training, but they did mind the potential financial burden resulting from this and questioned whether the Council would incur the cost of any training agreed. With regards the low response rate, Mr McColl suggested that responses might have been higher if greater detail on the training proposed had been included within the questionnaire and if a social media platform had been used.

Members discussed the rationale for introducing training, during which it was advised that should the service provided by a taxi driver not be satisfactory all passengers had a means to raise concerns and the Council had a process for addressing such issues and therefore the merit of training was questioned. It was also suggested that training would need to be mandatory to result in a reasonable uptake and that questions on customer service could be added to the street knowledge test.

The Taxi Consultation Group resolved:

to note that a report on outcome of the initial consultation responses in respect of taxi driver training would be submitted to the Licensing Committee in due course and to otherwise note the update provided.

TAXI BOOKING APPS

7. With reference to article 6 of the minute of its previous meeting of 9 June 2016, the Taxi Consultation Group heard from Mrs O'Hare who reminded Members that the Scottish Government had recently completed a consultation on the impact of modern technology on the licensing regime for taxis and private hire cars , including the taking of bookings, booking offices and fares . The outcome of this consultation was awaited, however since the previous meeting the Licensing Service had received a number of emails regarding booking apps and sought the views of the trade regarding the impact of modern technology on the taxi trade.

Mr McColl advised that the four main taxi offices in Aberdeen were already offering the public the opportunity to book via an app and that moving forward the Council would require to determine whether it was a requirement of current legislation for companies wishing to operate in the city to have a physical booking office or whether this could be achieved electronically. He also provided details of the multi-functional apps currently and the difficulties which might arise and of which the Council would need to take cognisance.

Mrs O'Hare explained that legislation had not caught up with technology as recognised by the recent Scottish Government consultation and there had been debate regarding the requirement for a physical booking office, however she advised that the intention of a booking office was to ensure proper record keeping and there was no requirement for this to be achieved by means of having a physical booking office. All drivers required to be licenced and should there be any concerns regarding the use of an app, the

TAXI CONSULTATION GROUP
5 October 2016

Licensing Committee could apply conditions to a driver using a virtual booking office to ensure accurate record keeping.

The Taxi Consultation Group resolved:

to note the information and to request that the outcome of the Scottish Government consultation on the impact of modern technology on the licensing regime for taxis and private hire cars be reported to a future meeting of the Group.

MYSTERY SHOPPER ENFORCEMENT

8. The Group were advised that an email had been received suggesting the use of a 'Mystery Shopper' to research the quality of service received by passengers.

Mr McKane advised that the licensing authority which had used a mystery shopper was significantly larger than Aberdeen and had used a mystery shopper following specific concerns raised, however the authority had not provided details of those concerns. He advised that there was no scope within the enforcement team to carry out a mystery shopper exercise, nor was it deemed necessary at this time as any complaints regarding a driver were already investigated on receipt of the complaint.

Trade representatives advised that taxi drivers had licence conditions which they were required to comply with and that passengers had a means to report any concerns with the service provided by a taxi driver and therefore did not feel that mystery shopper enforcement was required or would add anything to the service currently provided. In addition, there were concerns that the use of a mystery shopper was not evidence led and the outcome would be the perception of the mystery shopper.

The Taxi Consultation Group resolved:

to note the information and take no further action.

ENFORCEMENT OFFICER UPDATE

9. The Taxi Consultation Group heard from Mr McKane who provided an overview of the activity of the Enforcement Officers since the previous meeting.

He advised that a new Licensing Inspector had been appointed at the Aberdeen Division of Police Scotland and that they continued to work closely with the Licensing Section at Police Scotland, as well as the City Wardens. Specifically, he provided details of an operation to target the use of unofficial taxi ranks, including the layby at the Station Hotel. He advised that enforcement would involve moving drivers on and where necessary and issuing warning letters.

TAXI CONSULTATION GROUP
5 October 2016

Mr McColl advised that use of the layby was historical and that the taxi drivers had originally been advised that a rank outside the hotel would be introduced for use, provided drivers were not poaching trade from the station taxi drivers.

The Group discussed the existing provision for taxi drop offs and collection, including the difficulties experienced by passengers accessing the public drop off area within the railway station drop off zone and College Street Car Park. It was suggested that the requested taxi rank review consider and address the reasons for unofficial ranks.

The Taxi Consultation Group resolved:

- (i) to request that the Enforcement Officers report the outcome of the operation targeting the use of unofficial taxi ranks to the next meeting of the Group; and
- (ii) to otherwise note the update provided.

CCTV MONITORING OF TAXI RANKS

10. The Taxi Consultation Group heard from Mrs O'Hare who advised that the Licensing Team had received an email asking that they consider whether there was an appetite for taxi drivers to be able to monitor spaces available at taxi ranks by accessing the CCTV system through an 'app' and sought the Group's view on this. Members discussed the suggestion, during which the consensus that this was not required.

The Taxi Consultation Group resolved:

to note the information provided and to agree that it saw no merit, at this time, in taxi drivers being able to monitor taxi rank spaces through an app.

AOCB

11. (A) Temporary Suspension of Airport Taxis Operating Within the City Zone.

With reference to article 10 of the minute of its previous meeting of 9 June 2016, the Taxi Consultation Group heard from Mr Campbell who proposed that the temporary suspension of airport taxis operating in the city zone in light of the continued downturn in taxi business. Mr Duncan, Airport Drivers, advised that daily records were taken and the number of airport taxis operating in the city centre was minimal at this time. The Convener reminded Members that this matter had been discussed at its previous meeting and at that time the Group was advised that this was a matter for the Licensing Committee to consider, however data from taxi marshals for the last 12 month period was awaited and the operation of airport taxis within the city centre would be considered as part of the taxi demand survey due to be undertaken next year.

TAXI CONSULTATION GROUP
5 October 2016

The Taxi Consultation Group resolved:

to note that taxi marshal data for the last 12 months was awaited and that the operation of airport taxis in the city centre would be considered as part of the taxi demand survey to be undertaken next year.

(B) Taxi Meter Recalibrations

In response to a query raised by Mr Campbell, Mr McColl advised that the two year maximum period imposed on taxi meters for calibration and / or resealing was set by the meter manufacturers themselves and there was no way to extend the period to reduce costs to taxi drivers.

The Taxi Consultation Group resolved:

to note the information provided by Mr McColl.

(C) CCTV Charges for CCTV Equipped Taxis

In response to a query raised by Mr Campbell, Mr McKane advised the Group that taxi drivers needed to pay the £60 fee to Aberdeen City Council to vary a licence to introduce CCTV in addition to the £25 fee to register with the Data Information Commissioner.

The Taxi Consultation Group resolved:

to note the information provided.

(D) Taxi Funds from the General Fund

With reference to Article 3 of the minute of its previous meeting of 9 June, 2016, Mr McColl asked for an update on the request to transfer taxi funds from the General Fund. Mrs O'Hare advised that she had received no further update on this matter.

The Taxi Consultation Group resolved:

to request the Licensing Team Leader to confirm with the appropriate Finance officer the status of the request to transfer taxi funds from the General Fund.

(E) Air Weapons and Licensing (Scotland) Act 2015

Mr McColl sought an update on the implementation of the Air Weapons and Licensing (Scotland) Act 2015. Mrs O'Hare advised there was no present update concerning the implementation of the relevant provisions of the Act but the Group would be advised accordingly.

TAXI CONSULTATION GROUP
5 October 2016

The Taxi Consultation Group resolved:
to note the current position.

VALEDICTORY

12. The Convener advised the Group that Mrs O'Hare was leaving the Council and this was her last meeting of the Group. On behalf of the Group, he thanked Mrs O'Hare for her advice and support over the past few years and wished her well in her new post.

The Consultation Group resolved:
to concur with the remarks of the Convener.

- **Councillor Scott Carle, Convener.**

DRAFT

LICENSING

COMMITTEE BUSINESS

25 OCTOBER 2016

Please note that this statement contains a note of every report which has been instructed for submission to this Committee. All other actions which have been instructed by the Committee are not included, as they are deemed to be operational matters after the point of committee decision.

Reports which are overdue are shaded.

	<u>Minute Reference</u>	<u>Committee Decision</u>	<u>Update</u>	<u>Lead Officer(s)</u>	<u>Report Due</u>
1.	Licensing Committee 27.01.15 (Article 6)	<u>Survey On Unmet Taxi Demand – Collation Of Data And Consultation With Trade</u> At its meeting on 17 March 2015, the Committee agreed to instruct the Head of Legal and Democratic Services to report to the Licensing Committee in early 2016 with an analysis of taxi marshal data over a twelve month period in accordance with the terms of the report.	A verbal update was received at its meeting on 23 August 2016 and the Committee agreed that a report be submitted in six months' time.	Head of Legal and Democratic Services	February 2017

2.	Licensing Committee 01.09.15 (Article 7)	<u>Training for Taxi Drivers</u> At its meeting on 1 September 2015, the Committee resolved, amongst other things, to: (a) instruct officers from Legal and Democratic Services to carry out further investigations into the requirements for taxi driver training and undertake consultation with the trade; and (b) instruct officers from Legal and Democratic Service to report back to Committee on the outcome of (a).		Head of Legal and Democratic Services	25.10.16
3.	Licensing Committee 19.01.16 (article 8(D))	<u>Private Hire Driver Training</u> The Committee resolved, amongst other things, to: (a) instruct officers from Legal and Democratic Services to include training for private hire driver licences as part of the current consultation on taxi driver training instructed by the Committee at its meeting on 1 September 2015 and to advise future private hire driver applicants of the opportunity to voluntarily undertake the street knowledge test; and (b) instruct officers to report to Committee with proposals for street knowledge testing for private hire drivers once section 64 of the Air Weapons and Licensing (Scotland) Act 2015 was in force or if earlier when guidance on the Act was made available.		Head of Legal and Democratic Services	25.10.16 Dependent on Act being enforced or guidance being available

4.	Licensing Committee 08.03.16 (article 3 appendix A)	<p><u>Age Policy For Private Hire And Taxi Vehicles</u></p> <p>The Committee resolved to request officers to review the age policy for private hire and taxi vehicles and submit a report on this matter to a future meeting of the Committee.</p>	<p>A report was on the agenda for the Licensing Committee meeting on 6 April at which time it was agreed to refer the report simpliciter to full Council. The report will be considered by full Council on 11 May 2016.</p> <p>Council on 11 May resolved, amongst other things, to instruct the Head of Legal and Democratic Services to review the policy on Age of Vehicles following the implementation of the accessible vehicle policy on 6 June 2018 and report back to the Licensing Committee with recommendations as appropriate twelve months after the accessible vehicle policy has been implemented.</p>	Head of Legal and Democratic Services	June 2019
5.	Council 11.05.16	<p><u>Review of Accessible Vehicles Policy</u></p> <p>Council on 11 May resolved, amongst other things:</p> <p>(i) to instruct the Head of Legal and Democratic Services to write to the UK Transport Minister in order to seek further clarity on any proposed implementation date for the remaining provisions of part 12 of the Equality Act 2010; and</p> <p>(ii) to instruct the Head of Legal and Democratic Services to write to the Chief Executive of Dundee City Council seeking clarity in and around their mixed fleet policy and report back to the Licensing Committee with their response.</p>		Head of Legal and Democratic Services	Dependent on response being received from the Chief Executive of Dundee City Council

This page is intentionally left blank



AGE CLASSIFICATION REQUEST

2016

Belmont Filmhouse, 49 Belmont Street, Aberdeen

24 WEEKS

SYNOPSIS

24 Weeks

24 Wochen

Anne Zohra Berrached / Germany 2016 / 102min / German with English subtitles

Cast: Julia Jentsch, Bjarne Maedel, Johanna Gastdorf, Emilia Pieske, Mila Bruk

Synopsis

24 WEEKS tells the story of cabaret performer Astrid (Julia Jentsch), who six months pregnant learns that her unborn child will be severely disabled. She and her husband Marcus (Bjarne Maedel) have a choice, but little time... A strong nature with a witty answer to everything, Astrid now feels lost, on her own, impossible to continue her comedy routine. Ultimately only she who is bearing the child can take this weighty decision. What will she do? Who decides whether the child will have a life worth living?

Longer Synopsis

On the stage and in the spotlight, Astrid lives and loves her job as a stand-up comedian, devoting herself completely to her work, while Markus, her husband and manager, calmly and ably supports her. However, when the couple is expecting their second child, their otherwise so regular and well-ordered life is thrown off course after a routine exam reveals trisomy 21. At first neither of them knows how to cope, but they eventually decide together in favor of a life with Down's Syndrome. Drawing on the same strength that helped them take control of their daily life working with the public, the future parents start preparing for life with a disabled child. They are unfazed when their friends and relatives react with bewilderment and helplessness. Soon the diagnosis is no longer frightening, and they start looking forward again to the birth of their child.

But when during the six month of pregnancy, another exam reveals the full extent of the disability, this news hits the parents much harder, and their courage and optimism comes very close to folding like a house of cards.

Here again, Astrid and Markus want to take every decision together, and again they want to find a way to make things work. But the prognosis is now much more complicated. They suddenly find themselves faced with a moral conflict, having to decide between bringing a severely handicapped child into the world and ending the pregnancy in the sixth month. Racing from one diagnosis and one piece of advice to another, their opinions now diverge. Who can know whether the child is really going to suffer, and whether its life will be worth living? While they are searching for the right answer, everything is called into question – their relationship, their desire for a child, and a life according to plan. With medical professionals, statistics, and prognoses around her on every side, Astrid realizes that since she is bearing the child, she is ultimately the only one who can make the decision.

Trailer: <https://www.youtube.com/watch?v=4--6F3U-J54>

SUGGESTED RATING UTILISING BBFC GUIDELINES

15

DISCRIMINATION

The topic of Down-syndrome comes up, because the main character is pregnant with a child with down-syndrome. Some people react negative about the couple wanting to keep the baby. There is no direct discrimination towards people with Down-Syndrome.

DRUGS

There are some scenes where people are drinking and smoking.

HORROR

The narrative stays very close to the main character during the abortion. This is all part of the story line, and there are not too many details visible, but viewers could be a bit shocked by this (although it is more emotional than anything else).

IMITABLE BEHAVIOUR

A young kids climbs in a tree house

LANGUAGE

Infrequent use of curse words.

NUDITY

There are some scenes where female body-parts are exposed, but most of it is non-erotic.

SEX

There is one scene where a couple has sex.

THEME

Relationships, late-abortion.

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

A FARM OF PASSAGE

SYNOPSIS

THE 2008 ECONOMIC CRISIS HERALDED A WAVE OF UNEMPLOYMENT IN SPAIN. FOR MANY, LOSING THEIR JOB LED TO LOSING THEIR HOME. IN THE MIDST OF THIS SOCIAL DEVASTATION, A NEW SOLIDARITY WAS BORN.

THIS BEAUTIFULLY RESTRAINED DOCUMENTARY FOLLOWS INDIVIDUALS OF ALL AGES AND SOCIAL BACKGROUNDS, WHO MEET WEEKLY AT A COMMUNITY CENTRE – THE EPONYMOUS FARM OF PASSAGE – IN THE CATALONIAN CITY OF SABADELL. THE GROUP'S OBJECTIVE IS TO PREVENT EVICTIONS BY PROVIDING LEGAL ADVICE, CHALLENGING BANKS' LENDING TERMS OR, AS A LAST RESORT, ADVOCATING OUTRIGHT CIVIL DISOBEDIENCE. AS MEMBERS SHARE THEIR STORIES AND SEEK HELP FROM ONE ANOTHER, THE FARM OF PASSAGE OFFERS A TANGIBLE CHANCE, FOR THOSE WHO HAVE BEEN LEFT BEHIND, TO BUILD A NEW SENSE OF DIGNITY: ONE BORN OF DEFIANCE AND MUTUAL SUPPORT.

EXPLORING THE REALITIES BEHIND THE STATISTICS, THE FILM PROVIDES FASCINATING INSIGHT INTO A COMMUNITY'S FUNDAMENTAL REFUSAL TO BE DEFEATED BY UNJUST ECONOMIC POLICIES.

FILM DETAILS

Director: Silvia Munt. Run time: 82 mins. Country of Origin: Spain. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

12A

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

Infrquent mild language

NUDITY

None

SEX

None

THEME

Documentary looking at the effects of the Spanish financial crisis on homeowners

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

AT HOME IN THE WORLD

SYNOPSIS

HOW DOES IT FEEL TO HAVE TO FIND A NEW HOME IN THE WORLD, WHEN YOU HAVE FLED EVERYTHING YOU ONCE KNEW? HOW IS THE LIFE OF THE THOUSANDS OF REFUGEE CHILDREN IN DENMARK? AND WHAT DOES IT TAKE FOR THEM TO BECOME PART OF DANISH SOCIETY? THESE ARE THE QUESTIONS, WHICH ANDREAS KOEFOED EXPLORES IN HIS NEW DOCUMENTARY AT HOME IN THE WORLD. A SMALL DANISH TOWN (LYNGE) HOUSES A RED CROSS ASYLUM SCHOOL, WHERE REFUGEE CHILDREN FROM CONFLICTED AREAS ALL OVER THE WORLD ARE UNITED. THE CHILDREN ATTEND SCHOOL WHILE WAITING FOR ANSWERS: WILL THEY BE GRANTED RESIDENCY IN DENMARK, OR WILL THEY BE SENT BACK TO WHERE THEY CAME FROM? SOME OF THE CHILDREN HAVE ARRIVED WITH THEIR PARENTS, WHILE OTHERS CAME ALONE. THE VAST MAJORITY OF THEM HAVE BEEN ON THE RUN FOR YEARS, LIVING IN SEVERAL COUNTRIES. WHAT MOST OF THEM HAVE IN COMMON IS THE EXPERIENCE OF WAR AND VIOLENCE UP CLOSE. ALL OF THEM HAVE LOST A PLACE, WHERE THEY FELT SAFE AROUND FAMILY AND FRIENDS. ALL OF THEM HAVE LOST THEIR HOMES.

FILM DETAILS

Director: Andreas Koefoed Run time: 58 mins. Country of Origin: Denmark. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

12A

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

One use of strong language

NUDITY

None

SEX

None

THEME

Documentary looking at refugee children educated at a school in Denmark

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

DEMON

SYNOPSIS

A BRIDEGROOM IS POSSESSED BY AN UNQUIET SPIRIT IN THE MIDST OF HIS OWN WEDDING CELEBRATION, IN THIS CLEVER TAKE ON THE JEWISH LEGEND OF THE DYBBUK.

FILM DETAILS

Director: Marcin Wrona. Run time: 94 minutes. Country of Origin: Poland. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

15

DISCRIMINATION

None

DRUGS

None

HORROR

Moderate horror

IMITABLE BEHAVIOUR

None

LANGUAGE

Frequent strong language

NUDITY

Infrequent nudity

SEX

Infrequent moderate sexual references and one scene of moderate sex

THEME

Horror film set at a wedding

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

THE RED SPIDER

SYNOPSIS

KAROL, AN ORDINARY YOUNG MAN, RUNS INTO A MUCH OLDER MAN, WHOM HE BELIEVES TO BE THE SO-CALLED RED SPIDER, THE TERRIFYING SERIAL KILLER PROWLING THE STREETS OF KRAKÓW IN THE 1960S. KAROL BECOMES OBSESSED WITH THE MAN AND SPIES ON HIM. IN THE MEANTIME HE MEETS DANKA, A SLIGHTLY OLDER PHOTOGRAPHER, WORKING FOR THE LOCAL NEWSPAPER. TEMPTED BY LOVE, FASCINATED BY DEATH, KAROL WILL SOON HAVE TO MAKE THE MOST IMPORTANT CHOICE OF HIS LIFE.

FILM DETAILS

Director: Marcin Kosalka. Run time: 90 minutes. Country of Origin: Poland. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

15

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

Frequent strong language

NUDITY

None

SEX

None

THEME

Investigation into a serial killer

VIOLENCE

Strong violence and bloody images

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

A SILENT VOICE

SYNOPSIS

Shoya Ishida starts bullying the new girl in class, Shoko Nishimiya, because she is deaf. But as the teasing continues, the class starts to turn on Shoya for his lack of compassion.

When they leave elementary school, Shoko and Shoya do not speak to each other again... until an older, wiser Shoya, tormented by his past behaviour, decides he must see Shoko once more. He wants to atone for his sins, but is it already too late...?

FILM DETAILS

Director: Naoko Yamada. Runtime: 129 mins. Country: Japan. 2016

SUGGESTED RATING UTILISING BBFC GUIDELINES

12A

DISCRIMINATION

A girl is bullied because her disability (deaf)

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

One scene of attempted suicide

LANGUAGE

None

NUDITY

None

SEX

None

THEME

A former bully seeks redemption for his past action

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

KIZUMONOGATARI (PART 1 & 2)

SYNOPSIS

March 25th - just another day during spring break...

Koyomi Araragi, a second year student at Naoetsu High School, befriends Tsubasa Hanekawa, the top honours student. Tsubasa mentions a rumour about a 'blonde vampire' that has been sighted around their town. Koyomi, who usually shuns human contact, takes a liking to Tsubasa's down-to-earth personality.

That evening, Koyomi encounters this alleged vampire: she is Kiss-shot Acerola-orion Heart-under-blade, also known as the "King of Apparitions." The blonde, golden-eyed vampire cries out for Koyomi to save her as she lies in a pool of her own blood, all four of her limbs cut off.

Kiss-shot asks Koyomi to give her his blood in order to save her life, but when he does, Koyomi finds himself re-born as her vampire kin. As Koyomi struggles to accept his existence, Kiss-shot whispers: "Welcome to the world of darkness."

FILM DETAILS

Director: Tatsuya Oishi & Akiyuki Shinbo. Runtime: 124 mins. Country: Japan. 2016

SUGGESTED RATING UTILISING BBFC GUIDELINES

15

DISCRIMINATION

None

DRUGS

None

HORROR

Mild horror

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

Infrequent mild sex references

THEME

Animated vampire adventure

VIOLENCE

Strong bloody violence

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

PERSONA 3

SYNOPSIS

The Dark Hour: the time which exists between each day. During those hours, the town stands still, the people are transformed into mere objects, and countless monsters called "Shadows" run rampant through the town. Only the Personas, beings with special powers, are able to combat these creatures.

Makoto Yuki, a transfer student at Gekkoukan High School, suddenly gains the powers to control a Persona. Yuki is recruited to join other Persona summoners from his school in the "Specialized Extracurricular Execution Squad." As they continue to investigate the situations surrounding the Dark Hours, they come face to face with their shocking fate...

FILM DETAILS

Director: Katsura Hashino. Runtime: 91 mins. Country: Japan. 2013

SUGGESTED RATING UTILISING BBFC GUIDELINES

12A

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

Infrequent moderate language

NUDITY

None

SEX

None

THEME

Animated video game

VIOLENCE

Moderate violence

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

PRINCESS ARETE

SYNOPSIS

Confined in the castle tower by her father, princess Arete spends her days watching the world outside her window. While she looks out at the common people working, the knights of the kingdom compete for her hand in marriage by searching for powerful magical items from a race of long-dead sorcerers.

When a sorcerer called Boax comes to the castle, he sets about persuading the King to let him marry the princess. But he secretly fears a prophecy which foretells Arete ending his life - leading him to imprison her the minute she's in his castle!

Based on the 1983 feminist fairy tale *The Clever Princess* by Diana Coles, this is a chance to see a story that fascinated Japan on the big screen.

FILM DETAILS

Director: Sunao Katabuchi. Runtime: 105 mins. Country: Japan. 2001

SUGGESTED RATING UTILISING BBFC GUIDELINES

PG

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

None

THEME

Animated fairy tale

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

SHADOW WORLD

SYNOPSIS

Based on the book of The Shadow World, this feature length documentary is an investigation into the multi-billion dollar international arms trade.

FILM DETAILS

Director: Johan Grimonprez. Run time: 94 mins. Country of Origin: Belgium/Denmark. Year of Production: 2016.

SUGGESTED RATING UTILISING BBFC GUIDELINES

15

DISCRIMINATION

None

DRUGS

None

HORROR

Real scenes of war and terror injuries

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

None

THEME

Documentary on the world arms trade

VIOLENCE

Infrequent real bloody images of war injury and death

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

SONITA

SYNOPSIS

AFTER HER FAMILY ATTEMPTS TO SELL HER INTO MARRIAGE, A YOUNG AFGHAN REFUGEE IN IRAN CHANNELS HER FRUSTRATIONS AND SEIZES HER DESTINY THROUGH MUSIC. GRABBING THE MIC, SHE SPITS FIERY RHYMES IN THE FACE OF OPPRESSIVE TRADITIONS.

FILM DETAILS

Director: Rokhsareh Ghaemmaghami. Run time: 90 mins. Country of Origin: Germany, Switzerland, Iran. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

12A

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

None

THEME

A young girl attempts to escape her parents plan for her arranged marriage to pursue a career in music

VIOLENCE

Music video contains scenes of implied domestic violence

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

TAKE ONE ACTION SCHOOL SCREENING

FILM DETAILS

Haiti: The Blackboard

Director: Mario Torrecillas. Run time: 6 mins. Country of Origin: Spain/Haiti. Year of Production: 2015

Down The Stream

Director: Various. Run time: 4 mins. Country of Origin: Vietnam. Year of Production: 2015.

The Elephant And The Bicycle

Director: Olesya Shcukina. Run time: 6 mins. Country of Origin: France/Belgium. Year of Production: 2014.

Fences

Director: Natalia Krawczuk. Run time: 6 mins. Country of Origin: Poland. Year of Production: 2015.

Yaman

Director: Amer Al Barzawi. Run time: 4 mins. Country of Origin: Turkey. Year of Production: 2016.

Bunny New Girl

Director: Natalie van den Dungen. Run time: 6 mins. Country of Origin: Australia. Year of Production: 2015.

Traditional Healing

Director: Raymond Caplin. Run time: 3 mins. Country of Origin: Canada. Year of Production: 2015.

Lazy Environmentalist

Director: Various. Run time: 2 mins. Country of Origin: USA. Year of Production: 2015.

The Present

Director: Various. Run time: 6 mins. Country of Origin: Germany. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

PG

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

None

THEME

No material that will harm or offend

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

TOMORROW

SYNOPSIS

A JOYFUL MESSAGE OF HOPE FOR A BETTER, GREENER AND MORE SUSTAINABLE FUTURE.

WHEN CONTEMPLATING THE WORLD OUR CHILDREN WILL INHERIT, IT IS EASY TO BECOME PARALYSED BY THE PROSPECT OF RESOURCE SCARCITY, SPECIES EXTINCTION AND COLLAPSING ECOSYSTEMS. FOR THE DIRECTORS OF TOMORROW (ACTRESS MÉLANIE LAURENT AND ENVIRONMENTAL ACTIVIST CYRIL DION) THE PROBLEMS WE FACE ARE, IN THE MOST PART, ONLY TOO WELL KNOWN. WHAT WE NEED ARE SOLUTIONS.

THEIR GLOBETROTTING FILM SPOTLIGHTS INSPIRING EXAMPLES OF ORDINARY CITIZENS, LOCAL ORGANISERS AND ACTIVISTS WORKING TOGETHER TO DEVISE NEW, SUSTAINABLE WAYS OF APPROACHING FOOD PRODUCTION, ENERGY, EDUCATION AND THE ECONOMY. FROM URBAN GARDENING IN DETROIT TO RENEWABLE ENERGY SOURCES IN COPENHAGEN, VIA A REMARKABLE DIRECT DEMOCRACY INITIATIVE IN THE INDIAN VILLAGE OF KUTTAMBAKKAN, TOMORROW OFFERS OTHER FUTURES TO ENVISION – AND INVITES US TO ROLL UP OUR SLEEVES AND GET STARTED TODAY.

FILM DETAILS

Director: Melanie Laurent & Cyril Dion. Run time: 112 mins. Country of Origin: France. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

PG

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

None

THEME

Documentary about the threat of climate change

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Film House , 49 Belmont Street , Aberdeen

WALLS

SYNOPSIS

WHEN THE BERLIN WALL CAME DOWN, WE DISMISSED THE IDEA OF SEPARATION WALLS AS SOMETHING FROM THE PAST. REALITY IS EXACTLY THE OPPOSITE. THERE HAVE NEVER BEEN SO MANY WALLS. THERE ARE THOUSANDS OF KILOMETERS OF FENCES, GATES, BARBED WIRE AND BARRIERS IN THE MOST DISTANT AND DISSIMILAR PARTS OF THE WORLD. THIS FILM TELLS THE TRUE STORIES OF PEOPLE LIVING ON BOTH SIDES OF VERY DIFFERENT WALLS. THESE ARE INTIMATE AND INTENSE STORIES THAT SHOW US THAT ON BOTH SIDES, WE ALL SHARE THE SAME HOPES, FEARS, THOUGHTS AND EMOTIONS; THE SAME DESIRE TO SURVIVE

FILM DETAILS

Director: Pablo Iriburu, Migueltxo Molina. Run time: 82 mins. Country of Origin: Spain. Year of Production: 2015.

SUGGESTED RATING UTILISING BBFC GUIDELINES

U

DISCRIMINATION

None

DRUGS

None

HORROR

None

IMITABLE BEHAVIOUR

None

LANGUAGE

None

NUDITY

None

SEX

None

THEME

No material that will harm or offend

VIOLENCE

None

This page is intentionally left blank

AGE CLASSIFICATION REQUEST

2016

Belmont Filmhouse, 49 Belmont Street, Aberdeen

FROM CALIGARI TO HITLER

SYNOPSIS

From Caligari to Hitler

Von Caligari zu Hitler

Rüdiger Suchsland / Germany 2015 / 1h58min / German with English subtitles

FROM CALIGARI TO HITLER is a documentary on film making in the Weimar Republic. It takes a look back at the most memorable films produced during that time. The film includes commentary bits by film scholars as well as contemporary filmmakers.

The Weimar Republic, between 1918 and 1933, was the most free and liberal state on German soil – a wild epoch, shaped by political change, economic crisis and cultural lustre. It also was an important time for German film. A time full of wonder and ideas. Film in the Weimar Republic gave rise to aesthetic elements like leitmotifs, archetypes and the term genre – that still have an influence on cinema today. Weimar directors like Murnau, Lang, Lubitsch, Pabst, Sternberg, Wilder and Ruttman rose to become legends. Their movies made stars like Marlene Dietrich, Louise Brooks, Emil Jannings and Conrad Veidt go down in cinema history. The Weimar Republic produces a variety of iconic films like *Nosferatu*, *The Cabinet of Dr. Caligari*, *Metropolis* or *People on Sunday*.

Trailer (German): https://www.youtube.com/watch?v=1hg_vL6IQ6I

SUGGESTED RATING UTILISING BBFC GUIDELINES

PG

DISCRIMINATION

None

DRUGS

There are some clips used of people drinking Champagne

HORROR

Some of the clips used are from Weimar horror films,. You see some horror characters, but there is nothing too explicit.

IMITABLE BEHAVIOUR

None

LANGUAGE

Most of the clips used are from silent German films. The voice-over doesn't use any foul language.

NUDITY

There are some scenes of a woman dancing with only a few clothes on, but no full nudity.

SEX

There might be some clips in which sex is implied, but no specific images.

THEME

Weimar German cinema.

VIOLENCE

none

This page is intentionally left blank

BELMONT FILMHOUSE CERTIFICATION DETAILS

THE RED TURTLE (PG)

ANIMATION

Although there is no dialogue the big questions the film asks, about ambition, acceptance and the beauty of companionship, ring loud in every frame. A man is shipwrecked on a tropical island inhabited by turtles, crabs and birds. When he builds a wooden raft, he is confronted by the titular turtle. The story then follows the milestones in his life on the island which include meeting a woman and starting a family. London-based Dutch animator Michael Dudok de Wit co-wrote the film's story with French filmmaker Pascale Ferran. It adventurously links isolation and freedom and is the first international co-production for Japanese animation house Studio Ghibli. Presented in Cannes Un Certain Regard.

Drugs

No references to illegal drugs or drug use.

Horror

No frightening sequences

Imitable behaviour

None

Language

Mild bad language..

Nudity

No nudity.

Sex

None

Theme

UNDERWATER STORY

Violence

None

LONG WAY NORTH (PG)

ANIMATION

A spirited and inspiring tale of hope and courage, this feature directorial debut of lauded animator Rémi Chayé (who worked on *The Secret of Kells*, *The Painting*) tells of a young heroine's physical and emotional perseverance as she journeys to the North Pole to find her explorer grandfather and his lost ship, the Davai. Audience award-winner at Annecy Animation Festival.

Drugs

No references to illegal drugs or drug use.

Horror

No frightening sequences

Imitable behaviour

None

Language

Mild bad language..

Nudity

No nudity.

Sex

None

Theme

The adventures of a young girl trying to get to the North Pole.

Violence

None

CAPRICE (15)

The love tangles zip by with the same kind of infectious bounce as the jazzy score. Clément, a teacher (played by director Emmanuel Mouret), is overjoyed to the point of dizziness: Alicia (Virginia Efira from last year's *Family for Rent*), a famous actress whom he admires totally, has become his girlfriend. Then everything becomes complicated when he meets Caprice (Anais Demoustier), an excessive and exuberant young woman who falls in love with him. Meanwhile his best friend Thomas starts to draw closer to Alicia ... cue complications.

Discrimination

NO Discriminatory language or behaviour .

Drugs

No drug taking

Horror

NO Moderate physical and psychological .

Imitable behaviour

NO Dangerous behaviour.

Language

Moderate language .

Nudity

Some nudity .

Sex

NO sex.

Theme

ROMANTIC COMEDY

Violence

NO violence.

FROM THE LAND OF THE MOON (15)

A sensual, independent-minded woman is considered a danger to herself and the natural order of society in Nicole Garcia's languid, handsomely crafted adaptation of Italian author Milena Agus's novel. The ingredients of an old-fashioned romantic weepie are given class and conviction, bolstered by fine and under-stated performances from Marion Cotillard and Louis Garrel.

Discrimination

NO Discriminatory language or behaviour .

Drugs

No drug taking

Horror

NO Moderate physical and psychological .

Imitable behaviour

NO Dangerous behaviour.

Language

Moderate language .

Nudity

Some nudity .

Sex

Some sex.

Theme

A woman struggles between her love for two men.

Violence

NO violence.

FANNY'S JOURNEY (PG)

Poignant story of a brave and resourceful young girl leading a small band of orphans through Nazi-occupied Europe. Based on the autobiography of Fanny Ben Ami, the journey starts in 1939. After the arrest of her father in Paris, Fanny and her younger sisters, Erica and Georgette, are sent to a refectory for Jewish children. For a time, she and her new friends are safe, but the war catches up to them soon enough, forcing them to flee. Fanny, now all of 13, has always relied on adults to take care of her, but as Mussolini's Italy collapses and the chaos of war closes in, Fanny has to be the adult for a group of eight children.

.

Drugs

No references to illegal drugs or drug use.

Horror

No frightening sequences

Imitable behaviour

None

Language

Mild bad language..

Nudity

No nudity.

Sex

None

Theme

Wartime adventure

Violence

None

FRANCE TOUR (15)

French-Algerian director Rachid Djaidani hopes to combat prejudice with laughs by pitting cranky Gerard Depardieu against Arab hip-hopper Sadek. With a baseball cap forever pinned down over his forehead, the 20-year-old Far'Hook (Sadek) is not really as tough as his lyrics and streetwise look make him out to be. He's actually a smart and sensitive young artist. When he's run out of Paris by a rival rapper Far'Hook takes to the road with his producer's father, Serge (Depardieu), a cantankerous Sunday painter who's decided to follow in the footsteps of 18th century landscape artist Claude-Joseph Vernet. The scene is set for an odd couple road movie.

Discrimination

NO Discriminatory language or behaviour .

Drugs

No drug taking

Horror

NO Moderate physical and psychological .

Imitable behaviour

NO Dangerous behaviour.

Language

Moderate language .

Nudity

Some nudity .

Sex

Mild sexual activity without strong detail.

Theme

Road movie with 2 ill-matched persons

Violence

NO violence.

IN BED WITH VICTORIA (15)

First seen in one of several unfruitful therapy sessions, the powerhouse blond lawyer Victoria (Virginie Efira from *Family to Rent*), soon finds herself at a friend's wedding where the plot officially kicks in. During the party, she runs into Sam (Vincent Lacoste), a former dealer she once defended in court, and who's now looking to be her legal intern and/or man slave. She also crosses paths with Vincent (Melvil Poupaud), who's engaged in a stormy relationship with Eve (Alice Daquet). This second feature from writer-director Justine Triet (*Age of Panic*) opened Critics' Week in Cannes.

Discrimination

NO Discriminatory language or behaviour .

Drugs

No drug taking

Horror

NO Moderate physical and psychological .

Imitable behaviour

NO Dangerous behaviour.

Language

Moderate language .

Nudity

Some nudity .

Sex

Some sexual activity.

Theme

An unconventional lawyer gets involved in a trick trial.

Violence

NO violence.

MADE IN FRANCE (18)

This darkly atmospheric shock-thriller takes you on a white-knuckle ride inside a cell of homegrown extremists dedicated to bringing jihad to the streets of Paris. Sam is a Franco-Algerian journalist hoping to write a tell-all exposing the threat of domestic terrorism. Using his knowledge of Islam, he infiltrates a small cadre of extremists led by Hassan, a disgruntled

shoe salesman. Originally due for release early last year, it was withdrawn after the Charlie Hebdo and Bataclan attacks. So far it has not been seen in French cinemas.

ADULT THEMES / TERRORISM

DARK INCLUSION (18)

Arthur Harari's first feature is a poised, stylish, and utterly assured revenge thriller in which violence erupts suddenly amid tense, hushed stretches of dialogue. Pier Ulmann (Niels Schneider) comes from a family of powerful diamond dealers based in Antwerp. After his estranged father's death, he vows vengeance against his relatives who had abandoned him and returns to the business with an elaborate robbery in mind. Featuring menacing tracking shots; a cool, metallic colour palette; surprising third-act reversals; and a terrific ensemble cast, *Dark Inclusion* is precisely attuned to the logistical and moral complexities that accompany lives of luxurious crime.

ADULT THEMES / ROBBERY AND CRIME

THE NEW KID (12)

In this delectable and vivacious debut feature, shy 13-year-old Benoît (Réphaël Ghrenassia) moves to Paris and a new high school, where he's rejected by his cooler classmates and reluctantly sidelined into a precarious friendship with the "freaks and geeks." One day, Johanna, a new Swedish girl arrives in class. Benoît decides to throw a party at home but only three people show up... three nerds, Aglaée, Red Head and Constantin. Against all odds, they have the greatest night together. Finally accepted by the other upper class clique, he drops his three friends to become popular. **Discrimination**

NO Discriminatory language or behaviour .

Drugs

NO misuse of drugs .

Horror

NO Moderate physical and psychological .

Imitable behaviour

NO Dangerous behaviour.

Language

Moderate language .

Nudity

NO Nudity .

Sex

NO sexual activity

Theme

A new pupil arrives at a new school and gets bullied.

Violence

NO violence

LEARN BY HEART (12)

Adama is a 14-year-old boy who lives with his mother in a two-room flat in the Paris suburbs. He fails in school, although he is a bright pupil. He teams up with the younger Mamadou and together they try to scam their way out of the ghetto. Director Mathieu Vadepied (making his directing debut after working as cinematographer on *Untouchable*) chooses a luminous and humorous approach. The film sweeps away naïve optimism with laughter, and totally disregards politically correct clichés. *Untouchable* directors Olivier Nakache and Eric Tolédano produced.

Drugs

SOME misuse of drugs .

Horror

NO Moderate physical and psychological .

Imitable behaviour

NO Dangerous behaviour.

Language

Moderate language .

Nudity

NO Nudity .

Sex

NO sexual activity

Theme

A young boy becomes an innocent drug dealer.

Violence

NO violence

LICENSING COMMITTEE
25 October 2016
LIST OF APPLICATIONS

	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 Determine (If Applicable)	Pages
1.	HMO Application (Grant)	Chris Renton	37 Spital Walk, Aberdeen	3 representations	21 July 2017	115 - 126
2.	HMO Application (Grant)	Richard H.Campbell	170 Sinclair Road, Aberdeen	C, H & I	18 August 2017	127 - 128
3.	Public Charitable Collection	Inspire PTL	Beach Boulevard and Queen's Links, Aberdeen	LD	N/A	129 - 130
4.	Public Entertainment (Renewal)	Aberdeen Bridge of Don Oldmachar Church of Scotland Ashwood Park Bridge of Don Aberdeen AB22 8PR	Oldmachar Church Ashwood Park Bridge of Don Aberdeen AB22 8PR	Env	7 December 2016	131 - 132
5.	Late Hours Catering (Renewal)	Mustafa Kahraman	Snappy Tomato Pizza 84 Huntly Street Aberdeen AB10 1TD	LD	4 November 2016	133 - 134
6.	Street Trader (Renewal)	Elaine Glennie	Craigshaw Drive 150m west of Wellington Road Monday to Saturday 08:00 to 14:00	LD	26 November 2016	135 - 136
7.	Street Trader (Temporary)	Sven Schmidt	Civic Square, Union Square, Aberdeen 29 October-9 December 10 December-4 January 2017	LD	N/A	137 - 138

8.	Taxi Driver (Grant)	Richard Paul Greig	N/A	LD	9 November 2016	139 - 140
9.	Taxi Driver (Grant)	Edward Donald	N/A	LD	28 March 2017	141 - 142
10.	Taxi Driver (Grant)	Marcin Kuchta	N/A	LD	2 April 2017	143 - 144
11.	Taxi Driver (Grant)	Kevin McKenzie	N/A	LD	10 March 2017	145 - 146
12.	Private Hire Driver (Grant)	Surya Adhikari	N/A	LD	7 December 2016	147 - 148
13.	Private Hire Driver (Grant)	Usaamah Toufique	N/A	LD	9 December 2016	149 - 150

Page 14

ABBREVIATIONS:

- LD Legal and Democratic Services
- EH Environmental Health
- SFRS Fire and Rescue Service
- BS Building Standards
- Roads



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager, Communities, Housing & Infrastructure		
Email	allyt@aberdeencity.gov.uk	Date	13 October 2016
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.37 Spital Walk, Aberdeen

Applicant/s: Chris Renton

Agent: None stated

I refer to the above HMO licence application, which is on the agenda of the Licensing Committee at its meeting on 25 October 2016 for the reason that three letters of representation were 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

The premises:

The property at No.37 Spital Walk, Aberdeen, is a first-floor flat providing accommodation of four letting bedrooms, one kitchen/dining/living area & one bathroom. The plan attached as Appendix 'A' shows the position of the premises.

The HMO licence application:

The HMO licence application was received by the HMO Unit on 22 July 2016.

Certificate of Compliance – Notice of HMO Application:

Following submission of the licence application, a complaint was received from a member of the public concerning the public Notice of HMO Application. The licence-applicant was then instructed to display a fresh Notice for a 21-day period, and the HMO Officer witnessed the fresh Notice fixed to the nearest lamppost. The Certificate of Compliance submitted by the applicant declares that the fresh public Notice of HMO Application was on display outside the property for the statutory 21-day period between 10 August 2016 – 31 August 2016.

Letters of representation:

Three letters of representation were received by the HMO Unit within the above-mentioned 21-day Notice period, and must therefore be considered by the Committee. Details of the letters are as follows:

- Letter from the Old Aberdeen Heritage Society (attached as Appendix 'B')
- Letter from the Old Aberdeen Community Council (attached as Appendix 'C')
- Letter from T.W.Farquharson (attached as Appendix 'D')

Letter from licence-applicant:

The licence-applicant was provided with copies of the letters of representation, and his written response is attached as Appendix 'E'.

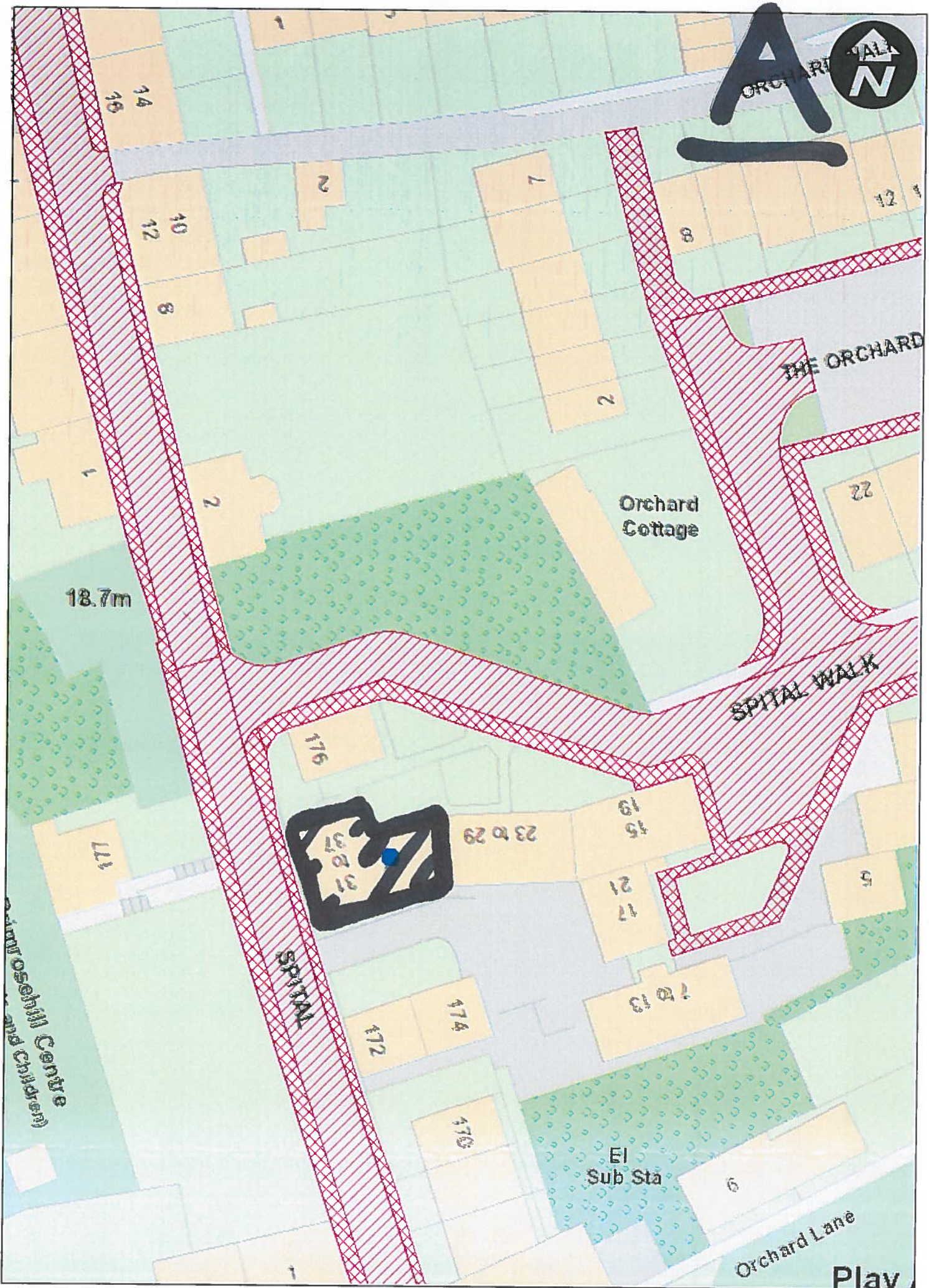
Other Considerations:

- 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 anti-social behaviour at No.37 Spital Walk, Aberdeen.
- At the date of this report, the applicant has applied for Landlord Registration and declared his rental properties.
- The applicant has requested an occupancy of 4 tenants, which is acceptable to the HMO Unit in terms of space and layout.
- The application under consideration is a 'first-time' HMO licence application, given that the applicant purchased the property in June 2016.
- The application under consideration is the only 'live' HMO licence application for any premises in Spital Walk, although there are numerous HMO-licensed premises in the vicinity.

- The letters of representation all refer to the existing HMOs in the area and the difficulties should more HMO licences be granted. This perhaps infers 'HMO overprovision', which is a ground of refusal under the above-mentioned legislation. However, the Council has not introduced a policy on HMO overprovision, therefore this ground of refusal is not available to the Committee at this time.
- The applicant holds an HMO licence in respect of No.23 Orchard Street, Aberdeen, which was granted under delegated powers in September 2016.
- All HMO upgrading work has been satisfactorily completed, and the Scottish Fire & Rescue Service confirmed that they are satisfied with the fire-safety provision. Accordingly, if the Committee is minded to grant the HMO licence, it may do so at the meeting on 25 October 2016.

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



AIA



1:500

© Crown Copyright. Aberdeen City Council 100023401



B

HMO Unit,
Housing Dept,
Aberdeen City Council,
Marischal College

31st August 2016

Dear Sirs,

Application for HMO Licence – 37, Spital Walk

The Society wishes to object to the above application for a licence to turn this property into a House in Multiple Occupation.

This area is already suffering from a very high concentration of HMOs, such that the balance and sustainability of the community is under threat. In The Orchard, accessed from Spital Walk, a courtyard of 20 houses built for families is now given over, to a very significant extent, to HMOs.

The picture is very much the same in the adjacent streets:- Orchard Street, Orchard Place and College Bounds. There is serious concern that the proportion of HMOs in this vicinity, as with other areas in Old Aberdeen, has now reached tipping-point, where the number of temporary residents will start to far outnumber the proportion of permanent residents, and the community will begin to become unsustainable because of a lack of balance.

We believe that the approval of any more HMO licences in this area would result in an even greater overprovision in the locality, and on these grounds would ask the City Council to refuse this application.

It ought to be noted, also, that there have been reports of this property seemingly being used as an HMO already, in advance of a licence being granted. As the HMO Unit are aware of these reports, we trust that this matter is being duly investigated.

Aberdeen City Council	Yours faithfully,
Housing & Environment	
DATE RECEIVED	
31 AUG 2016	
HANDED IN TO MARISCHAL ON 31/8/16	
Private Sector Housing Unit	
Copies to Ward Councillors	

(Mrs). B. McPetrie
Planning Secretary

HMO Unit, Private Sector Housing Unit
Communities, Housing & Infrastructure
Business Hub 1, Lower Ground Floor West
Marischal College
Broad Street
Aberdeen, AB10 1AB
HMOUnit@aberdeencity.gov.uk

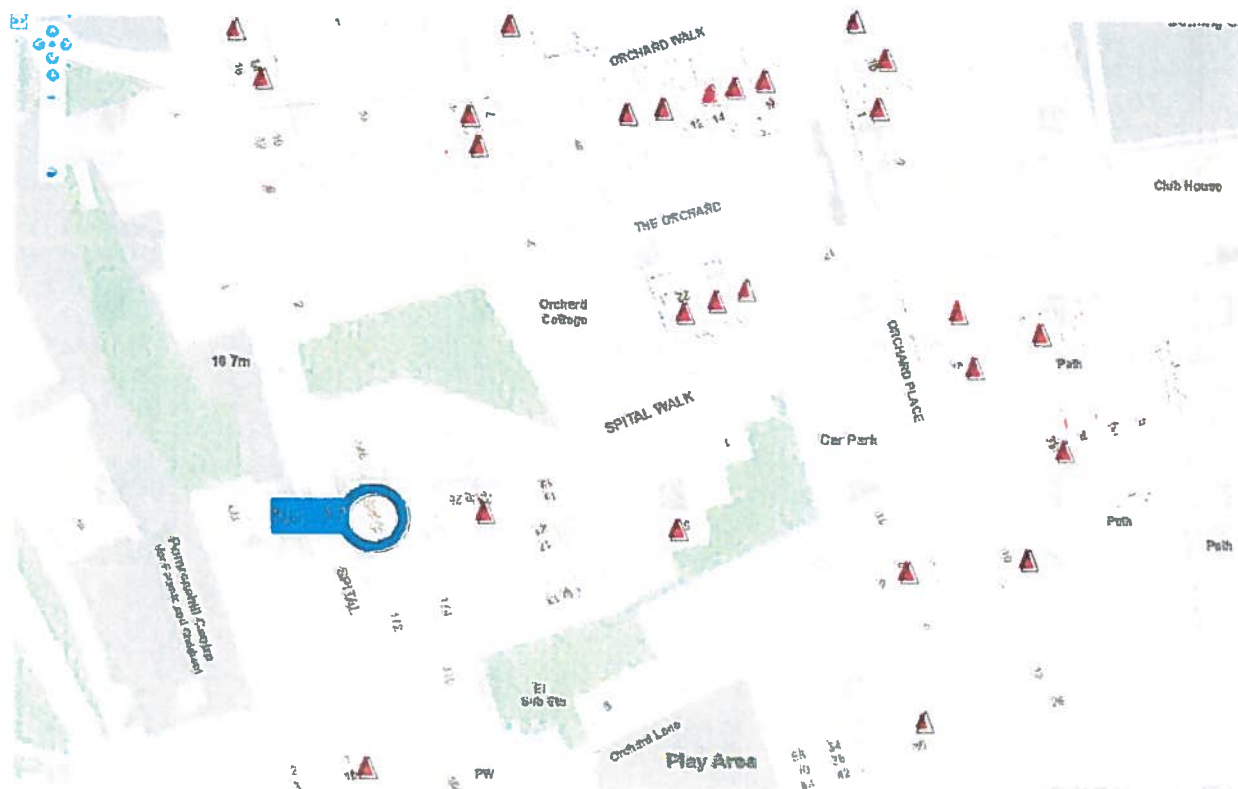
31st August 2016



Dear Sirs,

Application for an HMO licence: 37 Spital Walk

We consider this application for a new HMO is unacceptable in an area that is already overly densely populated other properties already working as HMOs. The marked up map, below, identifies all the HMO licenced (or pending licenced) properties in the immediate vicinity.



It is notable that within this area, an even greater number of properties are not HMO but still landlord owned and provided as rented accommodation. What used to be a family area just twenty years ago is becoming a mono-culture of student accommodation.

The HMO licencing regulations clearly permit local authorities to limit the density of HMO properties within a locality and we ask the Committee to make that determination for this property and reject this application.

Yours sincerely

Dewi Morgan
On behalf of the Old Aberdeen Community Council

31.08.16

HMO Unit
Housing & Environment
Business Hub 11
Second Floor West
Marischal College
Broad Street
Aberdeen
AB10 1AB

Aberdeen City Council
Housing & Environment
DATE RECEIVED
01 SEP 2016
Private Sector Housing Unit

Dear Sir/ Madam,

HMO Application for 37 Spital Walk

I have lived at next door to 37 Spital Walk since 1968 and in recent years have seen the deterioration of family life in the whole of Old Aberdeen simply because of the oversupply of HMO's granted without much thought or discussion for the residents next door.

This particular property consists of three other flats, one remains in council control, and were built at a time when multiple occupation was not a subject for discussion. There build was a design in that soundproofing was basic to say the least, separation was minimal and relied on family common sense in keeping the sound down for your neighbours comfort and respect, this will hardly be in the minds of the next residents if this HMO is granted!

The first posting of notice for this HMO went unnoticed by me or any of my neighbours, I pass by that particular lamp post every day and would have noticed a posting, I believe that the applicant provided photographic evidence of posting, all I can say to that, is the posting must have been taken rapidly down afterwards, not torn down as was commented on, which makes me rather suspicious as to his thinking which was revealed shortly afterwards and of course less objections!

In the past few weeks there have been up to five construction workers living there, and now reduced to three in clear disregard to your department's rulings even before the granting of HMO licence, in fact it would appear that the applicant thinks that its already been granted!

If he thinks this, then he is hardly a suitable applicant for the granting of an HMO for this property, and what else will he disregard in the future with regard to maintenance and control of his tenants?

I and the last remaining families in this area of Old Aberdeen hang on despite the noise, unkept gardens and rubbish, we care for this area, we obey the laws of the land so why should we be subjected to yet another HMO whose sole purpose is to line the pockets of an absentee landlord who cares not a jot about what we have to suffer.

I ask you not to grant the HMO to this applicant.

T. W. Farquharson

HMO Unit
Housing and Environment
Business Hub 11
Second Floor West
Marchial College
Broad Street
Aberdeen
AB10 1AB

E

September 2016

HMO Application for 37 Spital Walk.

Dear Sir/ Madam,

I am the Owner, the Agent and Applicant for the above property. I have owned three HMO's in the past over ten years and have rented various non HMO properties in that time also. In those ten years, I have never had a single complaint in relation to any property I've owned.

I was very disappointed that this application received letters of representation, all three letters were received on the 31st August 2016 (the last day any objection could be made).

I was informed in advance that two of the letters of representation from "The Old Aberdeen Community Council" and "The Old Aberdeen Heritage Society" try to objected to all HMO's in Old Aberdeen. I was told that they object the sake of objecting.

The First letter of representation-

"The Old Aberdeen Community Council" gives a map on the HMO's in the area. It should be noted that this contains inaccuracies, both the two nearest HMO's on the map are not HMO's for example.

23 Spital Walk is not an HMO and has never been

5 Spital Walk- No longer an HMO. This expired as an HMO on 18/03/2013

It is suggested there are 8 HMO's on The Orchard, there are 6.

It should be noted that there are no HMO's on Spital Walk as suggested by them.

The third letter of representation-

Was from a neighbour on ' proved to be untrue.

He makes various claims and points, all of which have been

Mr Farquharson makes a point that there's an oversupply of HMO's, in fact there are no HMO's on Spital Walk where he lives.

Mr Farquharson makes a point that there's a lack of sound proofing in this property. This property is made from a brick/granite construction. The walls are approximately 4/5 times thicker than a standard modern constructed building which would have a single outer blockwork wall with a timber frame within. The windows are also smaller in general terms and also include double glazing. It is unfair for him to make this point, when the opposite is true.

Definition of an HMO from the legislation

"An HMO is a term that applies to any living accommodation occupied by 3 or more unrelated persons as their only or main residence, and who share kitchen and/or bathroom facilities. Living accommodation occupied by students during term-time is always regarded as their main residence."

Mr Farquharson claims that the property was being used as an HMO before the HMO was granted. This is untrue, it shows he has a lack of knowledge of the legislation where an HMO applies. The property was going to be empty for a few weeks prior to the student year starting. So as many thousands of people do in Aberdeen all the time we rented the property a couple of times as an AirBNB. This is completely within my right to do so not a concern of HMO department (as confirmed by them). Brian McEwen and Doug Yeats visited the property and were both satisfied that the property was not being used as an HMO.

I should note that there have been no letters of representation from the other 37 properties on Spital Walk.

Mr Farquharson has also made generalised claims that HMO landlords "upkeep" their gardens. The gardens at this property are maintained by the council. If they were not, I would be fully maintaining them fully.

Mr Farquharson also makes a generalised claim that HMO landlord's tenants "upkeep" their rubbish. The rubbish at this property is kept in large communal wheelie bins, thus there is no need for the tenants to forget to "put out the bins", as there are none to put out.

I have a very good relationship with my neighbours. The day I got the keys to the property, I wrote to all three of my neighbours, introducing myself, that I was intending on refurbishing the property, apologising for any noise during the refurbishment and if they had any concerns they could contact me directly via a mobile telephone number which I gave.

I have carried out communal work on the property already. I discovered that there was a leak in the roof, so I got a roofer (at my own expense) to trace this leak and fix it.

I am currently in the process of trying to set up a resident's association for the four properties in the block. So if there are any communal problems in the future, they can easily be resolved. I have already discussed this with my direct neighbours.

I am a good landlord. My tenants are my priority. When I purchased this property it was in a terrible state. It was outdated and completely unfit for modern use. The carpets in the property had newspaper underlay dating back to 1982, showing how little maintenance had been carried out. There was no central heating and the electrics were deemed to be dangerous by an electrician.

We therefor completed a total refurbished of the property including.-

New kitchen

New bathroom

New underlay/ carpets

Every wall ceiling was stripped repaired and painted

New plumbing was installed throughout

New gas connection from street level installed

New combi boiler which I upgraded to 10-year manufacturer's guarantee, so the tenants will never be out of heating and hot water.

All electrics replaced, including every wire in the walls and every socket on every walls

New fuse box installed, all of which complies with all the latest regulations

New extractor fans installed in both the bathroom and kitchen and vented through the roof.

All appliances are brand new

All furniture is brand new, including the beds and bedroom furniture

Fire Safety measures-

New Fire doors, with Luminescent strips, fire door hinges and automatic fire door closers

New emergency lighting, so if the lights were to fail, an emergency light would illuminate

New fire extinguisher

New Fire Blanket

New CO Alarm3

New Interconnected smoke alarms, with battery back up

The property has been refurbished to a very high standard and currently complies with all the regulations for the HMO and the Fire brigade. The Fire brigade were fully satisfied with the property and passed the property with flying colours the same day the inspection took place in early August.

No objections were received from the Police, where a background check is required on myself.

I have a letter from the HMO department stating that in reference to the inspection on 2nd August 2016, the property fully complies with the HMO regulations with Aberdeen City Councils conditions for Licence of a House of Multiple Occupation.

On a personal level, I have found this situation very distressing.

I have now missed the student year as a direct result of Mr Farquharson. This not only meant I had to rent the rooms individually rather than a group, it dramatically increased my administration for the next 12 months.

I had a group of international university students who, they wanted to stay for two years, but due to the objection, I had to tell them they were no longer able to take the property.

I have lost 3/5 of the rent on the property from August 2016- September 2017, as I will no longer be able find tenants as the Student year has now started.

The two current tenants are also leaving at different times, so I lost more rent in Summer 2017, where the property will only have a single tenant.

I would be grateful if you would pass this HMO.

Thank You

Mr Renton

This page is intentionally left blank



ABERDEEN
CITY COUNCIL

MEMO

Private Sector Housing Unit

Communities, Housing & Infrastructure

Lower Ground Floor West, Marischal College

To	Fraser Bell, Head of Legal & Democratic Services		
From	Ally Thain, Private Sector Housing Manager		
Email	allyt@aberdeencity.gov.uk	Date	13 October 2016
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.170 Sinclair Road, Aberdeen

Applicant/s: Richard H.Campbell

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 25 October 2016 for the reason that the applicant does not own the property.

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. Section 129(1) of the Act states;

"An application to a local authority for an HMO licence may be made only by an owner of the living accommodation concerned."

Previous HMO licences:

The applicant held an HMO licence for the premises between December 2008 – July 2015, and intended to submit a further application to renew his HMO licence when it was revealed that he did not own the premises but instead leased it from Aberdeen City Council. We advised the applicant that the HMO licences had been granted in error and that it would not be competent for the applicant to submit a renewal application, or for the Council to grant the applicant another HMO licence. The applicant seemed to accept this and the HMO licence expired in July 2015.

Current HMO licence application:

The applicant submitted an HMO licence application on 19 August 2016 and paid the relevant fee. Aberdeen City Council continues to own the property, which comprises a public house and attached accommodation.

HMO Unit procedures:

Earlier this year, the HMO Unit started the practice of checking Title Deeds whenever an HMO licence application is submitted, so that a comparison can be made between the legal owners according to the Title Deeds, and the names on the HMO licence application. This practice will avoid HMO licences being granted to persons who are not the legal owners of the property in question.

Referral to Licensing Committee:

I only hold delegated powers to approve HMO licence applications where there are no concerns or representations. The HMO licence application for No.170 Sinclair Road, Aberdeen, is not competent in terms of the above legislation for the reason that it has not been made by the owner of the property, and should therefore be refused.

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

INFORMATION NOTE FOR MEMBERS

PUBLIC CHARITABLE COLLECTION

APPLICANT:

DAY AND DATE: SATURDAY 5 NOVEMBER 2016

This item has been placed on the agenda because the applicant is seeking to hold a public charitable collection, a Street Collection at the beach on Saturday 5 November 2016

There is also already a street collection in the same area on that day. The Committee only permit one collection in a locality at a time.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

PUBLIC ENTERTAINMENT (RENEWAL)

APPLICANT: ABERDEEN BRIDGE OF DON, OLDMACHAR CHURCH OF SCOTLAND

PREMISES: OLDMACHAR CHURCH, ASHWOOD PARK, BRIDGE OF DON, ABERDEEN

This item has been placed on the agenda because the application requires to be determined by 7 December 2016 and there is still outstanding work to be completed.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

LATE HOURS CATERING (RENEWAL)

APPLICANT: MUSTAFA KAHRAMAN

PREMISES: SNAPPY TOMATO PIZZA, 84 HUNTLY STREET

This item has been placed on the agenda because it requires to be determined by 4 November 2016 and the applicant has not provided a certificate stating that they have complied with the requirement contained in paragraph 2 of Schedule 1 to the Civic Government (S) Act 1982 to display a notice at or near the premises for a period of 21 days beginning with the date on which the application was submitted to the licensing authority.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

STREET TRADER LICENCE (RENEWAL) (HOT FOOD)

APPLICANT: ELAINE GLENNIE

SITE: CRAIGSHAW DRIVE, 150M WEST OF WELLINGTON ROAD

TIMES: MONDAY TO SATURDAY 08:00 TO 14:00

This item has been placed on the agenda because it requires to be determined by 26 November 2016 and the applicant has not provided a food safety certificate. Members should therefore note the terms of Section 39 of the Civic Government (S) Act 1982 which states that the committee must refuse the application unless there is produced to them a certificate by the food authority (for the purposes of section 5 of the Food Safety Act 1990) stating that the vehicle, kiosk or moveable stall complies with the requirements of any relevant regulations made under that Act.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

STREET TRADER LICENCE (TEMPORARY)

APPLICANT: SVEN SCHMIDT

**SITE: CIVIC SQUARE, UNION SQUARE, ABERDEEN, 29 OCTOBER - 9
DECEMBER & 10 DECEMBER – 4 JANUARY 2017**

The application is before the Committee because there is a guideline that no street trading is permitted on Union Street or any pedestrianised area in the City Centre save where a special case can be made out by the applicant as to why the guideline should not apply.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

TAXI DRIVER (GRANT) APPLICANT: RICHARD PAUL GREIG

This item has been placed on the agenda because the application requires to be determined by 9 November 2016 and to date the applicant has not passed the knowledge test. The applicant has also not provided a copy of his driving licence.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

TAXI DRIVER (GRANT) APPLICANT: EDWARD DONALD

This item has been placed on the agenda because the application requires to be determined by 28 March 2017 and to date the applicant has not passed the knowledge test and he requests that he not be required to.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

TAXI DRIVER (GRANT) APPLICANT: MARCIN KUCHTA

This item has been placed on the agenda because the application requires to be determined by 2 April 2017 and to date the applicant has not passed the knowledge test and he requests that he not be required to.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

TAXI DRIVER (GRANT) APPLICANT: KEVIN MCKENZIE

This item has been placed on the agenda because the application requires to be determined by 10 MARCH 2017 and to date the applicant has not passed the knowledge test and he requests that he not be required to.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

PRIVATE HIRE DRIVER (GRANT) APPLICANT: SURYA ADHIKARI

This item has been placed on the agenda because the application requires to be determined by 7 December 2016 and the applicant has not provided a copy of his/her driving licence.

This page is intentionally left blank

INFORMATION NOTE FOR MEMBERS

PRIVATE HIRE CAR DRIVER (GRANT) APPLICANT: USAAMAH TOUFIQUE

This item has been placed on the agenda because the application requires to be determined by 9 December 2016 and the applicant has not provided a copy of his/her driving licence.

This page is intentionally left blank

ABERDEEN CITY COUNCIL

COMMITTEE: LICENSING

DATE: 12 October 2016

DIRECTOR: RICHARD ELLIS (Interim Corporate Governance)

TITLE OF REPORT: TAXI FARE REVIEW

REPORT NUMBER: CG/16/130.

CHECKLIST COMPLETED: Yes

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 and comply with its duty to review taxi fares under section 17 of the Civic Government (Scotland) Act 1982.

2. RECOMMENDATION (S)

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

1. Agrees to maintain the basic tariff and surcharges at their current levels;
2. Instructs officers to meet with trade representatives to explore the restructure of tariff charges and report back to the Committee thereafter;
3. Agrees to increase the £1 surcharge for non-airport zoned taxis dropping off at the inner forecourt of the airport to £2;
4. Instructs officers to amend the fare card at surcharge 5 to reflect the holiday dates for 2017 and 2018; and
5. 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 will take effect.
6. Instruct the Head of Legal and Democratic Services to undertake a review of the taxi fare formula and report back to the Committee the findings.

3. FINANCIAL IMPLICATIONS

Staff costs of the fare review and meter calibration will be contained within existing approved budgets.

4. OTHER IMPLICATIONS

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

5. BACKGROUND/MAIN ISSUES

5.1 Legal Requirement

In terms of Section 17 of the Civic Government (Scotland) Act 1982 the Council, as the licensing authority for taxis is obliged to review and fix the scale of fares and surcharged so that they take effect within 18 months beginning with the date on which the scales came into effect. The Local Authority last reviewed fares in March 2015 and the tariff and surcharges took effect on 17 June 2015. Therefore the review must be completed and the scales fixed no later than 16 December 2016.

When reviewing fares and surcharges the Local Authority may alter them or fix fares and other charges at the same rates. In carrying out the review the licensing authority must consult with persons or organisations appearing to be, or to be representative of the operators of taxis within its area.

The Committee must agree a proposal in relation to fares and surcharges. Thereafter, the licensing authority must publish those proposed scales in a newspaper circulating in its area-setting out the proposed scales, explaining the effect of the proposed scales, proposing a date on which on which the proposed scales are to come into effect, and allowing a period of at least one month for written representations on the proposals. A further report is then brought before the Committee who consider any representations to the proposals before setting the tariff and the date from which it is to take effect.

Operators of taxis or any person or organisation appearing to the traffic commissioner to be representative of such taxi operators can appeal against any decision the Local Authority makes in respect of fares and surcharges. Any appeal is made to the traffic commissioner for the Scottish Traffic Area.

Matters to be taken into account when undertaking a fare review

The Scottish Government's Taxi and Private Hire Car Licensing: Best Practice for Licensing Authorities issued April 2012 states that authorities are advised as best practice to pay particular regard to advice contained in paragraphs 2.34-2.37 of Scottish Development Department Circular 25/1986. It states that, "in fixing fares, authorities will want 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 a standard of the licensing authority, of employing drivers and the prevalent level of wages and costs in related road transport industries. The public interest is best served by ensuring the maintenance of an adequate taxi service by giving the trade a fair return rather than depressing fares for social reasons, however understandable.

5.2 Taxi Fare Formula

A change index is used to calculate the percentage change in costs since the fares were last reviewed. The index used is the outcome of advice received in April 2013 by the Committee from consultants engaged for that purpose and is based on two component parts: operating costs and average earnings.

Change Index+ Change Costs + Change Earnings.

The formula assumes an average annual mileage of 27, 054 miles, which is the figure arrived at after sampling 10% of the fleet. It also assumes a vehicle life of five years. At present, the fleet comprises 47% saloon cars and 53% wheelchair accessible vehicles. The vehicle cost is based on the weighted average costs of a typical saloon car (Toyota Avensis) and a typical accessible vehicle (Peugot Partner Premier). Prices are based on the basic diesel model for each. To calculate the annual cost, it is assumed that each have a lifecycle of five years. Parts, tyres, labour and fuel costs are obtained from the annual table of running costs for diesel vehicles. The figures for earnings are obtained from the Office of national Statistics (ONS), Annual Survey of Hours and Earnings (ASHE) and use the UK annual mean earnings for full time employees.

Index Cost Calculations

The table below shows that costs have dropped slightly since the last review took place.

Component in Index	Annual Cost 2014	Annual Cost 2015	% Change
Vehicle cost	£3611	£3700	2.47
Tyres	£403	£403	0.00
Garage and servicing- Labour	£579	£579	0.00
Fuel	£2778	£2459	-11.49
Insurance	£1081	£931	-7.70
Miscellaneous	£332	£360	8.43
Total Operating Costs	£10,092	£9,156	-3.11
Average National Earnings	£33,475	£33,689	0.64
National Insurance	£140	£146	4.0
Total Index Costs	£43,056	£42,991	-0.15

5.3 Demand for Taxis

A taxi demand survey was undertaken in 2014 and a report on its findings was before the Committee on 25 November 2014. It found that drivers appeared to have significant scope of when they wish to work and that these choices were impacting on the levels of service available. There was also evidence that the standard of the current fleet is high from which it can be inferred that remuneration is sufficiently high enough to enable the trade to sustain this. The survey found that there was significant unmet demand for taxis in Aberdeen that requires addressing, particularly that provided from mid-afternoon Friday until through to the early hours Sunday morning and as a result of this the Committee agreed to an additional thirty taxi licences bringing the maximum number of taxi licences to 1079.

The Committee is obliged to review any limit it fixes on taxi licences. It is intended that a further survey be undertaken in 2017 for this purpose. It is recognised that the downturn in oil and gas activity in the city is likely to have impacted on the operation of the fleet and the demand for taxis as a whole. Presently the number of licensed taxis in the fleet is approximately 1000, short of the limit of 1079.

5.4 Consultation

The members of the taxi consultation group were identified as persons who are representative of operators of taxis and the fare formula was sent to them on 28 September 2016 for discussion at the meeting of the Taxi Consultation Group on 5 October 2016.

There was some discussion at the meeting from the representative from Unite regarding proposed changes to the base fare. However after discussion amongst those present at the meeting of the group there was general consensus that the fares should remain at their current level subject to the addition of the increased surcharge for the airport. There were concerns raised regarding the present fare formula and it was agreed that the Committee should consider a review of the same, as well as the overall fare structure.

5.5 Tariff and other charges

There are two issues which should be considered; the complexity of the current tariff structure and the level of charges.

The tariff charges operated in Aberdeen are complex and not easy for customers to follow. The tariff charges of some other licensing areas appear to be simpler and more transparent for the customer than that in use in Aberdeen. It would be beneficial to look at a simpler arrangement which would be easier for the customer to understand and would be simple to operate.

The relationship of the tariff structure and the level of individual charges should be considered together if there is to be a change to the tariff structure as they impact on the return to the trade.

It would be beneficial to engage with trade representatives and taximeter providers to explore the ways in which the tariff charges could be restructured without detriment to the trade whilst being simplified for members of the public to understand.

So far as the charges themselves are concerned, implementation of the change index shows that there has been a 0.15% reduction in costs since the last review. If the current tariff structure is to remain unchanged for this fare review then taking account of the cost data it is recommended that the tariff and current surcharges be maintained at the current levels. The current tariff is attached as Appendix 1.

In April 2016, Aberdeen International Airport (AIA) increased their barrier fee from £1 to £2 to drop passengers off at the airport concourse. This allows cars on the concourse for 10 minutes with a barrier system to pay on exit. Airport taxis are unaffected but all other taxis are subject to this charge unless invited to use the inner concourse during times of peak demand. As this is the on private land the local authority has no control over this charge. The trade are requesting that this increased charge is passed on to the customer and this can only be done by increasing the surcharge to the tariff. In the circumstances it is suggested that the Committee supports the trade and allows for the increased surcharge to be added to the tariff for non-airport zoned taxis.

Passengers who do not want to pay the surcharge can be given the option of being dropped off at the long stay carpark.

6. IMPACT

Corporate- Reviewing the fare formula supports the corporate aim to be transparent in how it sets taxi fares. Fares need to be set at a level that will provide a fair return to the trade. A lack of taxis could have an adverse impact on the local economy and tourism and be detrimental to the City's reputation as a destination for business and tourism.

Public- the report will be of interest to both the taxi trade and the members of the public.

Equality- as the review is proposing no change to the tariff, the proposal has a neutral impact on groups with protected characteristics; therefore, an impact assessment is not necessary. Should the Committee change the proposal in any way, a full impact assessment would be required.

7. MANAGEMENT OF RISK

Corporate-fares need to be set at a level which will provide a fair return to the trade. This in turn will ensure that 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.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

Karen Gatherum
Paralegal
Licensing Team
Direct Dial: 01224 522462
E.Mail: kgatherum@aberdeencity.gov.uk

NOTICE TO BE PROMINENTLY DISPLAYED IN VEHICLE



**ABERDEEN
CITY COUNCIL**

**CITY OF ABERDEEN
LICENSING OF TAXIS AND PRIVATE HIRE CARS**

MAXIMUM CHARGES APPLICABLE TO HIRE OF TAXIS AND PRIVATE HIRE CARS FITTED WITH TAXI METERS – WITH EFFECT FROM 17 JUNE 2015

Basic Tariff

(A)	For the FIRST 950 yards	£2.40
(B)	For every additional 180.5 yards (Time Locked in Meter)	£0.20

Extras

(A) **Waiting**

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

(B) **Surcharges**

(NB: Surcharges 1 to 6 and 8 to 11 apply to all taxis and private hire cars fitted with a meter. Surcharge 7 applies only to hires commencing at the airport for taxis zoned to operate there).

(1) For each hiring between 10pm on Mondays to Thursdays inclusive and 8am the following day. (Time Locked in Meter) **£1.00**

(2) For each hiring between 10pm on Friday and 8am on the following Monday. (Time Locked in Meter) **£1.00**

(3) For each hiring between 2am and 5am on Saturday and Sunday mornings. (Time Locked in Meter) **£2.00**

(4) For each hiring pre-booked. **£1.00**

(5) For each hiring on the Spring, May Day, Midsummer and Autumn holidays as follows: - **£1.00**

Spring- Monday following third Sunday in April (if such Monday falls within the week in which Good Friday falls, then the following Monday)
 Mayday-first Monday in May
 Midsummer-second Monday in July
 Autumn –fourth Monday in September

(6) For each hiring between 10pm on 24 December and 5am on 27 December and between 10pm on 31 December and 5am on 3 January. (Time Locked in Meter) **Add 50% to basic tariff**

(7) For each hiring commencing at the Airport. **£1.00**

(8) For each hiring commencing at Aberdeen Railway Station. **£0.50**

(9) A charge of £50 per incident of fouling a taxi.

(10) Where more than four passengers carried. **Add 50% to basic tariff plus surcharges (excluding surcharges 4,7 and 8)**

(11) Payment by debit or credit card. **Add 10% to Fare**

EXPLANATORY NOTES.

1. The Council is required to set a maximum amount that can be charged for journeys in Taxis and Private Hire Cars fitted with Taximeters which it licences. Fares are reviewed at regular intervals to take into account of the operational costs of the vehicle and the driver's time, to allow the operator to make a reasonable return and to encourage the operation of taxis. Comparisons are made with taxi fares in other areas of the UK. There is opportunity for the public and trade to participate in the setting on the levels of fares proposed and taxi operators have the right to appeal against the Tariff set down by the Council before it comes into operation.
2. Please note that a taxi driver is not required to take you on a journey ending outside the city boundary. Typical Destinations in the City – Aberdeen Airport, Bridge of Don, Cove, Dyce, Kingswells and Peterculter. Outwith the City – Banchory, Blackburn, Ellon, Kemnay, Kintore, Inverurie, Oldmeldrum, Portlethen, Stonehaven and Westhill. If the driver does agree to take you outwith the city, these maximum fares do not apply and it is up to you to reach agreement with the driver as to the fare. You should do this before you start.
3. If you have booked a taxi to arrive at a particular time and keep it waiting, the driver can start the meter running once he has made his presence known to you and you can be charged at the maximum Waiting Time Rate shown on the Tariff.
4. The taximeter contains an electronic clock and calendar and calculates the correct fare based on the date, time of day and distance travelled. If the vehicle's speed falls below a predetermined speed, the taximeter will automatically switch over from calculating the fare based on the distance travelled to a calculation based on the time spent in the vehicle. You will be able to see the fare mounting up on the taxi meter as the vehicle goes along.
5. The driver is required to take you to your destination by the shortest practicable route.
6. The maximum fare you are required to pay is the sum calculated in accordance with the Tariff overleaf.
7. Please note that - (1) The fare payable may differ for the same journey on different days if the taxi has been held up in traffic and (2) a very short journey may be relatively expensive, due to the way the meter works. The fare will also vary depending on whether the trip was during the evening, early Saturday or Sunday morning or during certain public holidays.
8. If you are asked to pay VAT on the fare, please ask for a proper VAT receipt.
9. It is up to you to decide whether you wish to give the driver a Tip.
10. It is a criminal offence for you to take a taxi journey without having the money to pay for it.

Website: For explanatory notes about the tariff & other taxi/private hire car information see aberdeencity.gov.uk.

Complaints: Any complaints should be made to the Taxi Inspector by telephoning **01224 489300** or any police station. The licence number of the vehicle or its driver and the name of the company should be quoted.